

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 277

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

v.

LINKUS ENTERPRISES, INC. (a Nevada
corporation),

Defendant.

ORDER

DISPOSITION: MONETARY PENALTIES ASSESSED

On October 5, 2009, the Public Utility Commission of Oregon filed a complaint against Defendant. The complaint charged Defendant with one violation of law, OAR 952-001-0050, for failing to notify the Oregon Utility Notification Center of a proposed excavation prior to excavating.

Duplicate originals of the complaint were served in two separate envelopes on Defendant at the addresses on the service list on October 7, 2009. Defendant was notified in the complaint that failure to answer or otherwise appear within 20 days after service would be deemed a default. Furthermore, all material allegations of the complaint would be deemed admitted, hearing waived, penalties imposed, and the matter disposed of by appropriate order without further notice.

On October 9, 2009, the envelope addressed to Defendant's Registered Agent was returned from the Post Office, stamped "Not Deliverable As Addressed, Unable to Forward, Return to Sender." However, the second envelope addressed to Defendant was not returned.

Defendant failed to file an answer or otherwise plead or appear within the time specified.

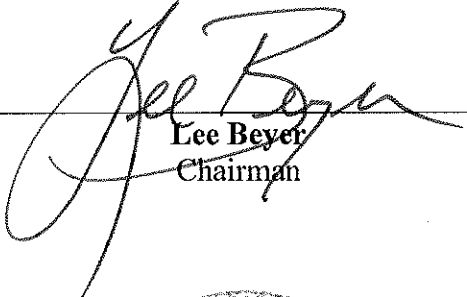
From the foregoing, it is concluded that Defendant is in default, all material allegations of the complaint are deemed admitted, hearing waived, and that, pursuant to ORS 757.993, civil monetary penalties should be assessed against Defendant in the amount of \$1,000.

ORDER

IT IS ORDERED that:

1. Civil monetary penalties in the amount of \$1,000 are assessed against Defendant.
2. Defendant shall pay the sum of \$1,000, due and payable within 30 days from the date of service of this order. Payment shall be by money order or company check made out to the **Public Utility Commission of Oregon**, and the memo line of the money order or company check shall state the "NC" docket number in the caption of this order. (Mail payment to: Public Utility Commission of Oregon, PO Box 2153, Salem, OR 97308.)

Made, entered, and effective DEC 17 2009.



Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
Commissioner



Petition for Mitigation Under ORS 757.993.(5), you may request reduction of penalties ordered by filing a Petition for Mitigation with the Commission within 15 days of the date of service of this order.

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.