

ORDER NO. 11 09 1

ENTERED MAR 22 2011

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 305

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

v.

QWEST CORPORATION (a Colorado
corporation),

Defendant.

ORDER

DISPOSITION: STIPULATION ADOPTED

On March 3, 2011, the Public Utility Commission of Oregon filed a complaint against Defendant. The complaint charged Defendant with one violation of law, OAR 952-001-0070, and requested a penalty of \$5,000. On March 3, 2011, a copy of the complaint was served.

On March 10, 2011 the parties to this proceeding entered into a stipulation, which is attached as Appendix A.

Under the terms of the stipulation, Defendant admits committing the alleged violation and agrees that the Commission may enter an order assessing civil monetary penalties. Defendant further accepts responsibility for the violation as an operator subject to OAR 952-001-0070.

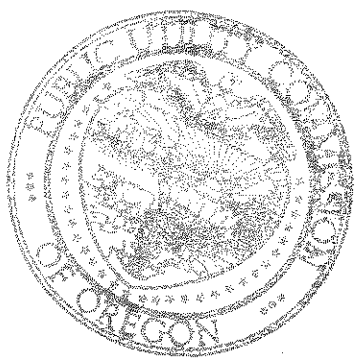
The stipulation is adopted. From the foregoing, it is concluded that no hearing is required. Under the terms of the stipulation, the allegations of the complaint are true, and Defendant has violated Oregon Administrative Rule as alleged. Pursuant to the provisions of ORS 757.993, penalties should be assessed against Defendant under the terms and conditions of the stipulation.

ORDER

IT IS ORDERED that:

1. The stipulation, attached as Appendix A, is adopted.
2. Civil monetary penalties shall be assessed against Qwest Corporation (a Colorado corporation) in the amount of \$5,000 for one violation of law.
3. Defendant shall pay the sum of \$5,000, due and payable within 30 days from the date of entry of this final order. Payment shall be by money order or company check made out to the **Public Utility Commission of Oregon**, and 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 MAR 22 2011



A handwritten signature in dark ink, appearing to read "Lee Sparling", is written over a horizontal line.

Lee Sparling
 Director
 Utility Program

A party may request rehearing or reconsideration of this order under 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 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

11 09 1

RECEIVED

MAR 17 2011

Public Utility Commission of Oregon
Administrative Hearings Division

HARD COPY OF ELECTRONIC
DOCUMENT(S) RECEIVED

3-10-11

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 305

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

v.

QWEST CORPORATION, (a Colorado
corporation),

Defendant.

STIPULATION FOR ENTRY OF FINAL ORDER

The Public Utility Commission of Oregon, appearing by and through Paul A. Graham,
Assistant Attorney General, and Qwest Corporation, the defendant herein, hereby stipulate as
follows:

1.

A Complaint in this case is pending before the Commission charging the defendant with
one violation of law, OAR 952-001-0070.

2.

Both parties to this proceeding are willing to forego further processing of that Complaint
and further are willing to resolve this matter on the basis of this stipulation.

3.

The defendant admits that the violation was committed as alleged in the Complaint and is
willing for the Commission to enter an order finding that the violation was committed as alleged
in the Complaint. Defendant contends that the violation was the result of actions by a third party
contractor, but accepts responsibility for payment of the fine as an operator subject to OAR 952-
001-0070.

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DOCKETED

APPENDIX A
PAGE 1 OF 2

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4.

The parties further agree that the Commission may enter an order assessing civil monetary penalties against the defendant in the amount of \$5,000 under the following terms and conditions:

- A. \$5,000 shall become due and payable on or before the 30th day following the Commission's entry of a final order in this case.
- B. 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 stipulation.

5.

This stipulation is conditioned upon final approval of its terms by the Commission. If the stipulation is not accepted in its entirety, it shall be deemed withdrawn.

DATED this 3rd day of March, 2011.

Paul A. Graham
 Paul A. Graham, OSB #77190
 Attorney-in-Charge
 Of Attorneys for PUC Staff

DATED this 10th day of March, 2011.

Representative for Defendant (signature)
[Signature]
Alex M. Duarte
 (Print name)
 Corporate Counsel, Qwest
 OSB No. 020459