

ORDER NO. 18 371

ENTERED OCT 09 2018

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 387

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

v.

COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC,

Defendant.

ORDER

DISPOSITION: STIPULATION ADOPTED

On September 6, 2018, the Public Utility Commission of Oregon filed a complaint against defendant. The complaint charged defendant with a violation of law, OAR 952-001-0070(1). Defendant committed the violation described in this complaint within one year from the date a prior order was issued. *See* Order No. 17-460. A penalty shall be imposed in the amount of \$5,000 for the violation alleged, and the \$2,000 penalty that was suspended in Order No. 17-460 entered against defendant shall be reinstated, for a total penalty of \$7,000. On September 6, 2018, a copy of the complaint was served.

On September 11, 2018, the parties in these proceedings entered into a stipulation, which is attached as Appendix A.

Defendant admits committing the violation alleged in the complaint. 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. Under 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 Comcast Cable Communications Management, LLC in the total amount of \$7,000, for a new violation of law (\$5,000), and the balance of the penalties (\$2,000) which is reinstated from Order No. 17-460 entered against defendant.
3. Defendant shall pay the sum of \$7,000, due and payable within 30 days from the date of service of this order. The Commission acknowledges receipt of the amount of \$7,000 from defendant on September 27, 2018.

Made, entered, and effective OCT 09 2018 .



Jason Eisdorfer
Jason Eisdorfer
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.

BEFORE THE PUBLIC UTILITY COMMISSION
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NC 387

PUBLIC UTILITY COMMISSION OF
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COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC,

Defendant.

STIPULATION FOR ENTRY OF FINAL
ORDER

The Public Utility Commission of Oregon, appearing by and through Johanna M. Riemenschneider, Assistant Attorney General, and Comcast Cable Communications Management, LLC, the Defendant herein, hereby stipulate as follows:

1.

A Complaint in this case is pending before the Commission charging the Defendant with a violation of OAR 952-001-0070(1), and proposing civil penalties of \$7,000.

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 pending 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.

4.

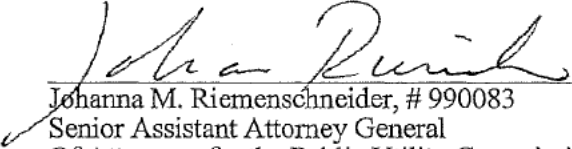
The parties further agree that the Commission may enter an order assessing a civil monetary penalty against Defendant in the amount of \$5,000 for violation of OAR 952-001-0070(1), with total civil penalties due of \$7,000 under the following terms and conditions:

- 1 A. Defendant must sign and return this Stipulation within 20 days of the date it was
- 2 served upon (mailed to) Defendant.
- 3 B. Payment of a civil penalty (\$2,000) is now due and payable from a previous Order
- 4 No. 17-460, along with payment of the civil penalty for the current violation (\$5,000)
- 5 on or before the 30th day following the Commission's entry of its order in this case.
- 6 C. Payment must be by money order made out to the Public Utility Commission of
- 7 Oregon, and the memo line of the money order must state the "NC" docket number
- 8 in the caption of this Stipulation.
- 9 D. Complainant's failure to enforce any provision of this Stipulation, or decision to
- 10 waive any violation or nonperformance of this Stipulation in one instance, will not
- 11 constitute a waiver by the Complainant of that provision, any other provision, or any
- 12 other violation or nonperformance in another instance.


5.

13
14 This Stipulation is conditioned upon final approval of its terms by the Commission. If
15 the Stipulation is not accepted in its entirety, it is deemed withdrawn.

16
17 DATED this 6th day of September 2018.

18
19 
20 Johanna M. Riemenschneider, # 990083
21 Senior Assistant Attorney General
22 Of Attorneys for the Public Utility Commission
23 of Oregon

24 DATED this 11th day of September 2018.

25 
26 Defendant / Representative (signature)

KENNETH R Shields
(Print Name)