

This is an electronic copy.

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

NC 6

PUBLIC UTILITY COMMISSION OF	)
OREGON,	)
	)
Complainant,	)
	)
v.	)
	)
MICHAEL E. SEAY, dba ALPINE	)
LANDSCAPES, and dba ALPINE	)
IRRIGATION AND DESIGN,	)
	)
Defendant.	)

ORDER

**DISPOSITION: STIPULATION ADOPTED**

On October 25, 1999, a complaint was filed by the Public Utility Commission of Oregon against defendant. The complaint charged defendant with two violations of law and requested a penalty of \$1,000. On October 27, 1999, a copy of the complaint was served.

On November 12, 1999, the parties to this proceeding entered into a stipulation which is attached.

The defendant admits committing the violations alleged in the complaint. The stipulation is approved.

From the foregoing, it is concluded that no hearing is required; that, under the terms of the stipulation, the allegations of the complaint are true; that defendant has violated Oregon Administrative Rule(s) as alleged; and that, 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. Civil monetary penalties shall be assessed against defendant in the amount of \$1,000; and
2. Payment of the penalties (\$1,000) shall be suspended for a period of one year following entry of this order.

Made, entered, and effective \_\_\_\_\_.

---

**Ron Eachus**  
Chairman

---

**Roger Hamilton**  
Commissioner

---

**Joan H. Smith**  
Commissioner

Under ORS 756.580, a party may petition the circuit court for judicial review of this order.

BEFORE THE PUBLIC UTILITY COMMISSION

**Of Oregon  
NC 6**

PUBLIC UTILITY COMMISSION OF OREGON,

Complainant,

v.

MICHAEL E. SEAY, dba ALPINE LANDSCAPES, and dba ALPINE IRRIGATION AND DESIGN,

Defendant.

STIPULATION FOR ENTRY OF FINAL ORDER

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

1.

A Complaint in this case is pending before the Commission charging the defendant with two violations of law, as set out in the attached Complaint on file herein.

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(s) were committed as alleged in the Complaint and is willing for the Commission to enter an order finding that those violation(s) were committed as alleged in the Complaint.

1 4.

2 The parties further agree that the Commission may enter an order assessing civil  
3 monetary penalties against the defendant in the amount of \$1000 under the following terms and  
4 conditions:

5 A. Payment of the penalties (\$1,000) shall be suspended for a period of one year following the  
6 entry of the Commission's final order in this case. If defendant complies with all of the rules  
7 adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for that one  
8 year period, the penalties (\$1,000) shall be dismissed and no further penalties shall be  
9 imposed for the violations alleged in the Complaint.

10 B. The defendant shall arrange for a natural gas safety presentation by Cascade Natural Gas  
11 Corporation to be given to employees of Alpine Landscapes.

12 C. In the event that complainant contends that the defendant has not complied with all OUNC  
13 rules for that one year period, complainant may reopen this proceeding and petition for  
14 imposition of all or a portion of the suspended penalties. In such case defendant shall be  
15 entitled to a hearing and to be notified of the basis upon which complainant contends that  
16 compliance has not occurred.

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 5.

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

4           DATED this \_\_\_\_\_ day of December 1999.

5

6

7

\_\_\_\_\_  
Paul A. Graham, OSB #77190  
Assistant Attorney General  
Of Attorneys for PUC Staff

8

9

DATED this \_\_\_\_\_ day of October 1999.

10

11

12

\_\_\_\_\_  
Representative for Defendant

13

14

15

16

17

18

19

20

21

22

23