

ORDER NO. 14 15 i
ENTERED MAY 06 2014

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 339

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

v.

PORTLAND GENERAL ELECTRIC
COMPANY, (an Oregon corporation),

Defendant.

ORDER

DISPOSITION: AMENDED STIPULATION ADOPTED

On April 11, 2014, 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 \$1,000. On April 11, 2014, a copy of the complaint was served.

On April 16, 2014, Complainant mailed an Amended Stipulation For Entry of Final Order (stipulation) to Defendant. On May 5, 2014, the parties to these proceedings entered into a stipulation, which is attached as Appendix A.

Under the terms of the stipulation, Defendant admits that the violation was committed as alleged in the Complaint and agrees that the Commission may enter an order assessing civil monetary penalties. 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.

The parties further agree that a portion of the penalties should be suspended, unless defendant fails to comply with any provision of the stipulation or violates any rule adopted by the Oregon Utility Notification Center under ORS 757.552 for a period of one year following the date of the Commission's final order in these proceedings.

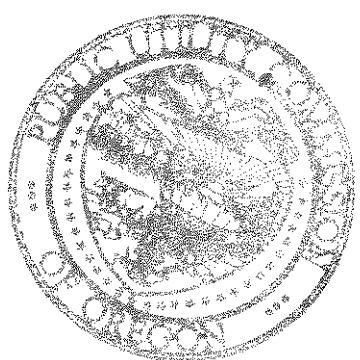
The stipulation is adopted. From the foregoing, it is concluded that no hearing is required. Under the terms of the stipulation, the allegations of the complaint are true, and defendant has violated Oregon Administrative Rule as alleged. Under the provisions of ORS 757.993, penalties should be assessed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

ORDER

IT IS ORDERED that:

1. The Amended Stipulation For Entry of Final Order, attached as Appendix A, is adopted.
2. Civil monetary penalties shall be assessed against Portland General Electric Company, (an Oregon corporation), in the amount of \$1,000 for one violation of law.
3. Defendant shall pay the sum of \$200, 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.)
4. Payment of the balance of the penalties (\$800) shall be suspended, unless:
 - (a) Defendant fails to comply with paragraph 3 above; or
 - (b) A showing is made that defendant has violated, within one year of the date of this order, any rules administered by the Oregon Utility Notification Center.
5. If defendant has not paid the amount assessed in paragraph 3 above within 30 days from the date of service of this order, the unpaid balance of the amount assessed in paragraph 2 shall be due immediately following the expiration of that time period.

Made, entered, and effective MAY 06 2014 .



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
OF OREGON**

NC 339

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

v.

PORTLAND GENERAL ELECTRIC
COMPANY, (an Oregon corporation),

Defendant.

AMENDED STIPULATION FOR ENTRY
OF FINAL ORDER

The Public Utility Commission of Oregon, appearing by and through Johanna M. Riemenschneider, Assistant Attorney General, and Portland General Electric Company, Defendant, 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.

Although the Defendant admits that the violation was committed as alleged in the Complaint, the Defendant contends that the violation was the result of actions by its designated agent, and not by the Defendant. Nevertheless, the Defendant admits that it bears responsibility, and thus 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 \$1,000 under the following terms and conditions:

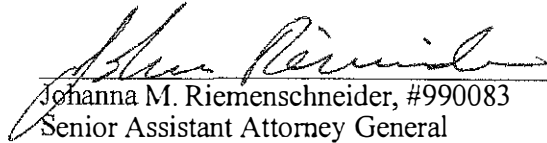
- A. Defendant must sign and return this Amended Stipulation within 14 days of the date it was served upon (mailed to) Defendant.
- B. \$200 becomes due and payable on or before the 30th day following the Commission's entry of its order in this case.
- C. Payment must be by money order or company check made out to the Public Utility Commission of Oregon, and the memo line of the money order must state the "NC" docket number in the caption of this Amended Stipulation.
- D. Payment of the balance of the penalties (\$800) will be permanently suspended and no further penalties will be imposed for the violation alleged in the Complaint unless Defendant fails to comply with all of the terms of this Stipulation and all of the rules adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a one-year period following the date of the Commission's entry of an order.
- E. In the event that Complainant contends that Defendant has not complied with all of the terms of this Stipulation and all OUNC rules for that one-year period, Complainant may reopen this proceeding and petition for imposition of all or a portion of the suspended penalties. In such case, Defendant is entitled to a hearing and to be notified of the basis upon which Complainant contends that compliance has not occurred.
- F. Complainant's failure to enforce any provision of this Stipulation, or decision to waive any violation or nonperformance of this Stipulation in one instance, will not constitute a waiver by the Complainant of that provision, any other provision, or any other violation or nonperformance in another instance.

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5.


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

DATED this 16 day of April 2014.



Johanna M. Riemenschneider, #990083
Senior Assistant Attorney General
Of Attorneys for the Public Utility Commission
of Oregon

DATED this 5th day of May 2014.



Defendant / Representative (signature)

SAR
4/20/14

LOREY W. MELZER

(Print Name)