



Pacific Power |  
Rocky Mountain Power  
825 NE Multnomah, Suite 1800  
Portland, Oregon 97232

Public Utility Commission of Oregon  
Administrative Hearings Division  
PO Box 1088  
Salem, Oregon 97308-1088

RECEIVED  
SEP 20 2018  
P.U.C.

RE: DOJ File No. 860140-GB0423-18 / OPUC Docket No. NC 386

To Whom it May Concern:

Enclose is an executed Stipulation for Entry of Final Order executed by PacifiCorp in Docket No. NC 386.

Please let me know if there are any questions I may answer.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dustin Till", with a long horizontal flourish extending to the right.

Dustin T. Till  
Assistant General Counsel  
Pacific Power  
503.813.6589  
dustin.till@pacificorp.com

cc: Johanna M. Riemenschneider, Oregon Dep't of Justice



1  
2 The parties further agree that the Commission may enter an order assessing a civil  
3 monetary penalty against Defendant in the amount of \$1,000, under the following terms and  
4 conditions:

- 5 A. Defendant must sign and return this Stipulation within 20 days of the date it was  
6 served upon (mailed to) Defendant.
- 7 B. Payment of the civil penalty (\$1,000) is suspended and will be waived and no further  
8 penalties will be imposed for the violation alleged in the Complaint unless Defendant  
9 fails to comply with all of the terms of this Stipulation and all of the rules adopted by  
10 the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a one-year  
11 period following the date of the Commission's entry of an order adopting this  
12 Stipulation. The Commission also imposed but suspended a \$1,000 civil penalty  
13 under Order No. 18-223, and the terms of that Order are incorporated by reference in  
14 this Stipulation. Accordingly, the parties have agreed to the suspension and possible  
15 waiver of total penalties of \$2,000 subject to the terms of this new Stipulation.
- 16 C. On or before the 60<sup>th</sup> day following the Commission's entry of its order in this  
17 docket, to fulfill Order No. 18-223 and this stipulation, Defendant must provide a  
18 current plan or procedure (policy) that results from Defendant's internal review of its  
19 procedures for responding to notifications from the OUNC and addresses the  
20 Company's workflow for marking underground facilities, investigating and  
21 troubleshooting damages to underground facilities. The policy must include, though  
22 it is not limited to the following:
- 23 (1) Description of the purpose of the policy and commitment thereof by leadership,  
24 management, and employees;
- 25 (2) Identification of notifications and types of responses for marking underground  
26 facilities;

- 1 (3) Identification of tasks assigned to participants by title or position and their roles  
2 and responsibilities in the workflow process;  
3 (4) Identification of the technology or systems and methods used throughout the  
4 policy that enables the completion of identified tasks; and  
5 (5) Criteria for periodic review of effectiveness and identification of best practices.

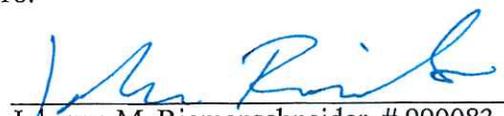
6 D. In the event that Complainant contends that Defendant has not complied with all of  
7 the terms of this Stipulation and all OUNC rules for that one-year period,  
8 Complainant may reopen this proceeding and petition for imposition of all or a  
9 portion of the suspended penalty. In such case, Defendant is entitled to a hearing and  
10 to be notified of the basis upon which Complainant contends that compliance has not  
11 occurred.

12 E. Complainant's failure to enforce any provision of this Stipulation, or decision to  
13 waive any violation or nonperformance of this Stipulation in one instance, will not  
14 constitute a waiver by the Complainant of that provision, any other provision, or any  
15 other violation or nonperformance in another instance.

16 5.

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

19 DATED this 27 day of August 2018.

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

25 DATED this 17th day of September 2018.

26   
Defendant / Representative (signature)

Dustin T. Till, Assistant General Counsel  
(Print Name)