

FINAL Meeting Minutes
OREGON UTILITY NOTIFICATION CENTER
BOARD OF DIRECTORS

Meeting Minutes, NW Natural – Sherwood, Room 113-A, 20285 Cipole Road, Sherwood OR, 97140, November 14, 2018

Board members in attendance as follows: X = present O = absent P = phone participant

X	Nathan Rivera Municipal Electric	X	Chris Grissom Natural Gas Distribution	X	Micah Brown NULCA	X	Lori Koho OPUC
O	Shannon Potter Telecom >50K Access Lines	O	Nathan Taylor Excavators	X	Genece MacKay Regulated Electric	O	Fred Corona Interstate Natural Gas Pipeline
X	Joyce Nelsen Regulated Telecom <50K Access Lines	X	Scott Clement Cities Population >25K	O	Johnny Sapp ODOT	X	Mitch Burghlea Cable TV
X	Ryan Sandhu Special Districts	O	John Norrena Public Utility Districts	X	Scott Gallegos OUCC	X	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Others in attendance were: Greg Snyder – OCC, Kitty Davis – OUNC Administrative and Outreach Coordinator, John Eckis – SCTC, Don Evans – WA811, Clint Kalfell – MT811, Melanie Lewis – PPL, Mike Hieb – PGE, Jim Brenneke – PGE, Sylvia Van Dyke – DOJ, Johanna Riemenschneider – DOJ.

Introductions: Nate Rivera welcomed everyone to the meeting and introductions were completed.

Nate asked if anyone had an objection to moving several presentations to the beginning of the meeting. There were no objections.

Presentation 1 – Johanna Riemenschneider and Sylvia Van Dyke with the Oregon Department of Justice provided information and answered questions regarding proceeding with the hiring of an Executive Director

Presentation 2 - Don Evans, the Executive Administrator for WA811, provided information and answered questions on the services he provides WA811.

Presentation 3 – Clint Kalfell with MT811 gave a presentation of the excavation safety training he provides. The Training and Education Committee would like to be able to provide this same type of training for Oregon excavators.

Adopt Previous Board Meeting Minutes: Tim Smith moved to accept the October 2018 meeting minutes. Joyce Nelsen seconded the motion. [Vote record 11-14-18-01](#).

Open Testimony: None

OUNC Operations Report: Greg Snyder reported that OCC is still looking into the creation of the interactive calendar that can be used to show when marks should be completed based on the date the locate ticket was placed. Greg will keep the Board up to date on any progress.

Greg noted he was waiting for the Board to send the signed letter that will then be sent via a free format message from the Call Center to members regarding their eligibility for the \$500 limit exemption.

Greg also reported that the request to lock the Work To Begin Dates is progressing. During the OAR Committee Meeting there was discussion on postponing locking the dates under the current 48 hour Work To Begin Date and to have the locking mechanism go into effect after the first of the year once the 2 full business days Work To Begin Date is in place. Micah Brown moved to amend the Boards previous motion to lock tickets to the 48 hour Work To Begin Date and have the locking go into effect on January 3rd, 2019 once the Work To Begin Date has been changed to 2 full business days. Geneece MacKay seconded the motion. [Vote record 11-14-18-02](#)

Two other requests are being worked on at Systems, one to advise excavators that multiple locators may be responding to a locate request is and, second, thee addition of 3 new questions on the ticket intake form. Greg will provide updates as they become available.

Greg also advised the Board that he had received an email from Williams wanting to see about establishing procedures for reporting emergency notifications involving wildfires. Greg agreed to forward the email to all Board Members for review and future discussion.

Since Oregon is implementing a 45 day ticket life on 1/1/19, there was discussion on adding the ticket expiration date onto the information that goes out to the excavators. Micah Brown made a motion to have the 45 day ticket expiration date and time added to the email that is sent out to excavators as well as to display in Search and Status. Scott Gallegos seconded the motion. [Vote record 11-14-18-03](#)

All Board Members had previously been emailed copies of the October 2018 operations reports. Greg Snyder went over the highlights for the month. The incoming ticket total for October was 30,660 which is up 8.68% over 2017. The ITIC percentage for October was 62.59%. The incoming ITIC Mobile total for

October 2018 was 311, which is up from 75 in 2017. The Average Speed of Answer (ASA) was 30 seconds for October 2018.

OUNC Billing & Aging Report: All Board Members were previously emailed copies of the billing reports and the aging reports for October 2018.

Treasurer Report: Joyce Nelsen: At the last Board Meeting the budget reports had not been received from the accountants, so Joyce Nelsen reviewed the OUNC Balance Sheet, Profit and Loss Detail and Profit and Loss Budget Performance for September 2018. Lori Koho moved to approve the budget as presented and Tim Smith seconded the motion. **Vote record 11-14-18-04**. Joyce then reviewed the OUNC Balance Sheet, Profit and Loss Detail and Profit and Loss Budget Performance for October 2018. Scott Clement made a motion to accept the Treasurers Report as submitted. Scott Gallegos seconded the motion. **Vote record 11-14-18-05**.

Board of Directors Officer's Reports:

Chair's Report: Nate Rivera. Nate asked if anyone felt that Decembers Committee meetings time should be changed to a full Board Meeting. After discussion it was decided it will remain a Committee Meeting date.

Nate noted that this meeting will be his last as the OUNC Chair and that Scott Gallegos will be the OUNC Chair starting at the January 2019 OUNC Board Meeting.

Vice Chair Report: Scott Gallegos – Scott lead discussion on filling the now vacant 2019 Vice Chair Position. Scott Gallegos made a motion to nominate Micah Brown as the 2019 Vice Chair and Scott Clement seconded the motion. **Vote record 11-14-18-06**

Treasurer Report: Joyce Nelsen – No report

Secretary Report: Ryan Sandhu – No report

PUC Representative Report: Lori Koho – Lori reported that Phil Boyle has submitted his paperwork to the Governor for approval as the new PUC Representative.

Lori also advised the Board that as a result of the September 2018 gas line fires in Massachusetts pipeline standards and enforcement will be increasing.

Executive Session: None

Committee Reports:

Budget and Audit Committee: Joyce Nelsen: Joyce reported that there is a potential for a large shortage if ticket revenue remains the same and the Board hires an Executive Director. The incoming ticket volume is up but revenue is down. Greg Snyder at the Call Center will go over the reports and discuss findings with Joyce. Possible rate increase was referred to the Executive Director Committee to be reviewed once more information is available. Would like their recommendation by January 2019 with implementation by July 1, 2019.

Joyce went over the proposed 2019 budget. Scott Gallegos moved to accept the amended budget and Geneece Mackay seconded the motion. [Vote record 11-14-18-07](#)

Contracts Committee: Shannon Potter: No report.

There was discussion on whether or not the OUNC still had a contract with pacific Marketing. Need to get the contract specific from Pacific Marketing.

Damage Reporting/Dirt: Lori Koho: No report

Oregon Administrative Rules (OAR'S) & Tariff: Micah Brown: Micah reported that the public notice for the OAR changes was successful and that the OUNC can file any time after 11/9/18.

Micah Brown made a motion to take language from OR 952-001-0070 (1(a) to OAR 952-001-0080 (1(a) so that both reflect the same rule for marking purposes. Joyce Nelsen seconded the motion. [Vote record 11-14-18-08](#).

Micah reported that slots for weekend calls were added onto the Call Timeline graphic at the last OAR Committee Meeting.

Micah provided a handout showing the new language for the Complaint Process to be included in the new Standards Manual (See ATTACHMENT 1). After discussion Micah Brown made a motion to accept the Complaint Process as revised with the removal of paragraphs 3,4, and 5. Scott Gallegos seconded the motion. [Vote record 11-14-18-09](#). The enforcement Committee will work on clarifying the steps necessary for this process.

Micah presented pricing bids for the Standards manual. The OAR Committee proposes using B&B Litho for 20,000 manuals at \$12,000 - \$15,000 for 52 pages. Using B&B Litho allows more hands on during the process. Lori Koho made a motion to approve the Standards manual changes as final draft and hire B&B Litho for print. Joyce Nelsen seconded the motion. [Vote record 11-14-18-10](#).

The OUCC will be provided with a PowerPoint presentation for training on new OARs.

An E-shot from the OCC Creative Team will be sent to approximately 14,000

There was discussion on the best way to get the new OAR information out to the public. Can notice that the 30-minute PowerPoint presentation will be played before each OUNC Board Meeting. Requests for information on the new OARs can be referred to the pdf download on the OUNC website.

Scott Gallegos made a motion to file on 1/2/19 the current OARs with the one change to correct the language. Tim Smith seconded the motion. [Vote record 11-14-18-11](#).

Policy & Procedures Committee: Johnny Sapp – No report

Publicity Committee: Fred Corona: No report

It was noted there are now 35,000 calendars available on-line.

Scott Gallegos noted that it may be time to update the OUNC mascots.

Enforcement: Lori Koho: Lori reported that Comcast will be paying a \$7,000 fine.

The committee needs to discuss priorities – fines, referrals to OSHA, training, etc.

Training and Education Committee: Mitch Burghlea: Discussion on Excavation Safety Training. This was referred to the committee to discuss at the December Committee Meetings and make a recommendation.

Scott Gallegos gave an update on the excavator-training program that NW Natural and other operators are building as on-line training. Can earn CEU for CCB. Estimates a first part of 2019 rollout. It will be available in English and Spanish versions. Scott would like to offer the training to the OUNC at no cost. The OUNC will just need to host and provide the administrative support. Micah Brown made a motion to accept the on-line Excavator Training Program under the terms listed above. Geneece MacKay seconded the motion. **Vote record 11-14-18-12**

Membership: Lori Koho: No report

Kyle Sutton still waiting for approval from Governors office.

Oregon Utilities Coordinating Council (OUCC) Report: Scott Gallegos. No report

Executive Coordinator Committee: Ryan Sandhu: Ryan noted that there was a lot of needed information provided in the morning's presentations. The committee has had three conference call meetings and needs to work on finalizing the job description.

National Industry News: NULCA, CGA, Open Discussion: The 2019 OCC Users Group Meeting will be held in Portland Oregon September 24 – 26.

Old business: Review of 2019 Board meeting locations.

Remove December Locator Training class until a determination on Clint's Excavation Safety Training has been made.

Nate is sending the tariff exception letter to Greg and Kitty. The Call Center will send out the free format messages and notify the OCC Billing Office.

OUNC Board Members should submit a head shot of them selves to be included on the OUNC website. If no picture submitted the Board will take the pictures at January meeting.

New Business: None

Good of the Order: None

Meeting Adjourned.

**Voting Record
Motion 11-14-18-01**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 11

No = 0

Not Present = 5

**Voting Record
Motion 11-14-18-02**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 11

No = 0

Not Present = 5

**Voting Record
Motion 11-14-18-03**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 11

No = 0

Not Present = 5

**Voting Record
Motion 11-14-18-04**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 11

No = 0

Not Present = 5

**Voting Record
Motion 11-14-18-05**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 11

No = 0

Not Present = 5

**Voting Record
Motion 11-14-18-06**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 11

No = 0

Not Present = 5

**Voting Record
Motion 11-14-18-07**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	N P	Mitch Burghlelea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 10

No = 0

Not Present = 6

**Voting Record
Motion 11-14-18-08**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	N P	Mitch Burghlelea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 10

No = 0

Not Present = 6

**Voting Record
Motion 11-14-18-09**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	N P	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 10

No = 0

Not Present = 6

**Voting Record
Motion 11-14-18-10**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	N P	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 10

No = 0

Not Present = 6

**Voting Record
Motion 11-14-18-11**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	N P	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 10

No = 0

Not Present = 6

**Voting Record
Motion 11-14-18-12**

Y	Nathan Rivera Municipal Electric	Y	Chris Grissom Natural Gas Distribution	Y	Micah Brown NULCA	Y	Lori Koho OPUC
N P	Shannon Potter Telecom >50K Access Lines	N P	Nathan Taylor Excavators	Y	Geneece MacKay Regulated Electric	N P	Fred Corona Interstate Natural Gas Pipeline
Y	Joyce Nelsen Regulated Telecom <50K Access Lines	Y	Scott Clement Cities Population >25K	N P	Johnny Sapp ODOT	N P	Mitch Burghlea Cable TV
Y	Ryan Sandhu Special Districts	N P	John Norrena Public Utility Districts	Y	Scott Gallegos OUCC	Y	Tim Smith Cities Population <25K
	Open Counties		Open National Telecom Damage Prevention		Open Electric Cooperatives		Open Telecom Cooperatives
	Open Railroads		Open Contractors				

Summary

Yes = 10

No = 0

Not Present = 6

ATTACHMENT 1

Current

2019 Revision

Complaint Process

This process is complaint-driven and administered by the Oregon Public Utility Commission (OPUC). All penalties provided under this law are set forth in ORS 757.993. All civil penalties collected by the OPUC for violations of the excavation laws are sent to the OUNC for deposit in the Publicity and Education Fund.

The complaint process is initiated by a Request for Administrative Action (RAA). The RAA form provides the mechanism for reporting probable violations of the Oregon excavation laws. The RAA form and an accompanying cover letter explaining its use is available online at www.digsafelyoregon.com or from the One Call Center at (503) 232-1987.

Oregon law provides that a violation of any rule of the OUNC shall incur a penalty of not more than \$1,000 for the first violation and not more than \$5,000 for each subsequent violation. In addition to all other penalties provided by law, every person who intentionally violates or who intentionally procures, aids or abets in the violation of any rule of the OUNC shall incur a penalty of not more than \$5,000 for the first violation and not more than \$10,000 for each subsequent violation.

After the RAA form is completely filled out, it must be sent back to the One Call Center for the background research necessary for the OPUC to determine if further action is appropriate. If further action is indicated, the process can involve up to three distinct steps:

1. OPUC staff will contact the person named in the RAA and discuss the probable violation(s). First offense violations carry a civil penalty of up to \$1,000 but may be reduced depending on the circumstances involved. If the penalty is reduced, there will be a requirement for additional training on the excavation laws, and the portion of the penalty waived will be held in abeyance for a period of one year. If no further violations are committed, the record will be cleared. If another violation is committed within the year of probation, and proved, the waived amount becomes due and payable in addition to civil penalties imposed for the current violation.
2. The OPUC has established an Enforcement Committee that provides an informal setting for both sides of a dispute to discuss the issues. The Enforcement Committee is made up of representatives from the following: The Oregon Utility Notification Center Board of Directors, the Oregon Utility Coordinating Council, the Construction Contractors Licensing Board, the insurance industry. At the conclusion of the meeting, the Enforcement Committee will apprise the violator of their findings and recommendations for resolution of the RAA. If there is an agreement, the recommendation will be forwarded to the OPUC for final action. The Enforcement Committee recommendation is advisory only, and is not binding on the OPUC (In the majority of cases, the OPUC has accepted the Enforcement Committee recommendations).
3. If a resolution cannot be reached through either of the first two steps, the RAA will be processed as a formal hearing before an OPUC Administrative Law Judge in accordance with established hearing procedures found under ORS 756.500 to 756.610. At the conclusion of the hearing, the judge will make a ruling, and a formal OPUC Order will be issued.

The violator may pursue an appeal of the formal OPUC Order to the Circuit Court for Marion County for final disposition.

Complaint Process

The complaint process is initiated by a Request for Administrative Action (RAA). The RAA procedure provides the mechanism for reporting possible violations of the Oregon excavation laws. The RAA process and explanation for how to proceed with filing a complaint is available online at www.digsafelyoregon.com or from the One Call Center at (503) 232-1987.

Oregon law provides that a violation of any rule of the Oregon Utility Notification Center (OUNC) shall incur a penalty of not more than \$1,000 for the first violation and not more than \$5,000 for each subsequent violation. In addition to all other penalties provided by law, every person who intentionally violates or who intentionally procures, aids or abets in the violation of any rule of the OUNC shall incur a penalty of not more than \$5,000 for the first violation and not more than \$10,000 for each subsequent violation.

After all necessary documentation pertaining to the RAA process is complete, it will be sent back to the One Call Center for the background research necessary for the OUNC Enforcement Committee to determine if further action is appropriate.

The OUNC Enforcement Committee provides an informal setting for both sides of a dispute to discuss the issues. The Enforcement Committee is made up of a panel of industry stakeholders appointed by the OUNC Board of directors. At the conclusion of the meeting, the Enforcement Committee will apprise the violator of their findings and recommendations for resolution of the RAA. If there is an agreement, the recommendation will be forwarded to the Oregon Public Utility Commission (OPUC) for formal action. The Enforcement Committee recommendation is advisory only, and is not binding on the OPUC (In the majority of cases, the OPUC has accepted the Enforcement Committee recommendations). If a resolution cannot be reached, the process will be escalated to the OPUC which will assess further action.

The violator may pursue an appeal of the formal OPUC Order to the Circuit Court for Marion County for final disposition.

