

Having investigated the alleged violation, Staff believes that Northwest violated N.D.C.C. 49-23-04(1).

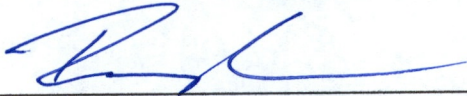
Northwest and Staff engaged in good faith settlement discussions resulting in this Consent Agreement. Having agreed that settlement of this proceeding will avoid further administrative proceedings or litigation and that entry of this Consent Agreement is the most appropriate means of resolving this administrative action, Staff and Northwest agree to the following, subject to the approval and acceptance of the Commission:

1. Northwest agrees to be assessed a civil penalty of \$5,000, payable to the North Dakota Public Service Commission within ten business days of service of an Order accepting or approving the Consent Agreement. Staff agrees no other proceeding will be initiated and no other remedy or penalty will be sought based on the violations alleged in the Cases.
2. Northwest consents to the filing of the Consent Agreement and an Order in the Cases and hereby waives any further procedural requirements with respect to the Order's issuance. Provided the Public Service Commission adopts this Consent Agreement and issues an Order consistent with it, Northwest understands and agrees in the Cases to waive all rights to contest the violations, the right to be represented by counsel, the right to present evidence and arguments to the Commission, the right to cross examine witnesses, or contest the validity of this Consent Agreement and Order Adopting this Consent Agreement, including all rights to administrative or judicial hearings or appeals.

3. There are no covenants, promises, undertakings, or understandings other than specifically set forth in this Agreement and Order.
4. This agreement may be executed in counterparts and duplicate copies, each which shall be deemed to be an original, and which, when taken together, shall constitute one and the same instrument.
5. The undersigned is authorized to act on behalf of Northwest and bind Northwest for purposes of this Consent Agreement, and knows and fully understands the content and effect.

Dated this 30th day of October, 2020

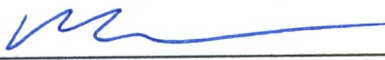
PUBLIC SERVICE COMMISSION
ADVOCACY STAFF – DAMAGE PREVENTION

By: 

Brian Johnson
Special Assistant Attorney General Bar ID 07397
North Dakota Public Service Commission
600 East Boulevard Avenue Dept. 408
Bismarck ND, 58505
701-328-2407

Dated this 15th day of October, 2020

Northwest Grading, Inc.

By: 

Bill Krick – President