

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT DG-180998, Investigation # 7883

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements:

1. **Payment of penalty.** I admit that the violation occurred and enclose \$1,000 in payment of the penalty.
2. **Accept conditions.** I admit that the violation occurred and have enclosed \$500 of the penalty amount. I also accept the Commission's offer to suspend, and ultimately waive, the remaining \$500 of the penalty amount subject to the following conditions:
- Company employees involved in excavations, including management, attend Dig Safe training within 12 months of this Notice; and
 - Submit documentation of attendance to the Commission **within five (5) days of attending the training;** and
 - Commit no further violations of RCW 19.122 within 12 months of the date of this Notice.
3. **Contest the violation.** I believe that the alleged violations did not occur for the reasons I describe below:
- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.
- OR b) I ask for a Commission decision based solely on the information I provide above.
4. **Request mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reasons set out below:

- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.
- OR b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 2/22/19 [Month/Day/Year], at Richland, WA [City, State]

Brent Martell
Name of Respondent (company) – please print

[Signature]
Signature of Applicant