

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**NOTICE OF PENALTIES INCURRED AND DUE  
FOR VIOLATIONS OF LAWS AND RULES**

PENALTY ASSESSMENT: DG-220896

PENALTY AMOUNT: \$1,000

Investigation #8641

UBI: 604-146-676

**SERVICE VIA EMAIL**

Palisade Homes LLC  
20810 E. 1<sup>st</sup> Ave  
Greenacres, WA 99016  
Nate Rasmussen  
[N8rasmussen@hotmail.com](mailto:N8rasmussen@hotmail.com)

**YOU MUST RESPOND WITHIN 15 DAYS OF THIS NOTICE – see page 4**

The Washington Utilities and Transportation Commission (Commission) believes that Palisade Homes LLC (Palisade or Company) has violated the Revised Code of Washington (RCW) 19.122.055(1)(a) by failing to contact the One-Call locate center two business days before beginning excavation. RCW 19.122.055(1)(a) states, in part, that excavators who fail to notify a one-number locator service and cause damage to an underground gas facility are subject to a civil penalty of not more than \$10,000 for each violation.

The Commission reviewed findings and recommendations made by Commission staff (Staff) and hereby notifies you that it is assessing a \$1,000 penalty (Penalty Assessment) against you on the following grounds:

On July 28, 2022, Palisade was excavating at 2123 S. Avalon Ridge Ln, Liberty Lake, Washington. While excavating, the Company struck an underground Avista Corporation (Avista) gas facility. The Damage Information Reporting Tool report submitted by Avista on August 9, 2022, indicated that the Company was excavating without a valid locate ticket.

Staff conducted an investigation that included reviewing damage information from Avista, a review of the One-Call center database, and communications with the Company. The documents reviewed identified a natural gas event that involved Palisade damaging a natural gas facility while excavating without a valid locate ticket. Before this incident, the Commission issued one warning letter to Palisade for excavation without a valid locate ticket.

Staff recommends the Commission assess a \$1,000 penalty for one violation of RCW 19.122.055(1)(a) with an offer to suspend an \$800 portion of the penalty for one year, and then waive it, subject to the conditions that: (1) Company supervisors and field crew responsible for excavation complete Dig Safe Training provided through the National Utility Contractors Association (NUCA) within 90 days of this Penalty Assessment; (2) the

Company must not commit any further violations of RCW 19.122 within 12 months of the date of this Penalty Assessment.

The Commission agrees with Staff's recommendation for a Penalty Assessment and assesses a \$1,000 penalty.

Your penalty is due and payable now. If you believe the violation did not occur, you may deny committing the violation and contest the penalty through evidence presented at a hearing or in writing. Or, if there is a reason for the violation that you believe should excuse you from the penalty, you may ask for mitigation (reduction) of the penalty through evidence presented at a hearing or in writing. The Commission will grant a request for a hearing only if material issues of law or fact require consideration of evidence and resolution in a hearing. Any request to contest the violation or for mitigation of the penalty must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request. *See* RCW 81.04.405.

If you properly present your request for a hearing and the Commission grants that request, the Commission will review the evidence supporting your dispute of the violation or application for mitigation in a Brief Adjudicative Proceeding before an administrative law judge. The administrative law judge will consider the evidence and will notify you of their decision.

**You must act within 15 days after receiving this Penalty Assessment** to do one of the following:

- Pay the \$1,000 penalty amount due; or
- Pay \$200 and notify the Commission that you accept the offer to suspend an \$800 portion of the penalty amount subject to the following conditions:
  - Palisade management and the field crew responsible for excavation must complete NUCA Dig Safe Training (<https://utc-9183.quickbase.com/db/bpkt6vndh>) within 90 days of service of this Penalty Assessment; and
  - **The Company must submit documentation of that attendance to the Commission within 5 days of attending training;** and
  - Palisade must not incur any additional violations of RCW 19.122 within 12 months of the date of this Penalty Assessment; or
- Request a hearing to contest the occurrence of the violations; or
- Request mitigation to reduce the amount of the penalty.

Please indicate your selection on the enclosed form and submit it electronically through the [Commission's web portal](#) **within FIFTEEN (15) days** after you receive this Penalty Assessment. If you are unable to use the web portal, you may submit it via email to [records@utc.wa.gov](mailto:records@utc.wa.gov). If you are unable to submit the form electronically, you may send a paper copy to the Washington Utilities and Transportation Commission, PO Box 47250, Olympia, Washington 98504-7250.

**If you do not act within 15 days**, the Commission may refer this matter to the Office of the Attorney General for collection. The Commission may then sue you to collect the penalty.

DATED at Lacey, Washington, and effective December 19, 2022.



**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**  
**PENALTY ASSESSMENT DG-220896 Investigation #8641**

**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 the Conditions.** I admit that the violation occurred. I enclose a \$200 partial payment of the penalty, and I accept the Commission's offer to suspend and ultimately waive the \$800 portion of the penalty amount subject to the following conditions:
- o **Palisade** supervisors and applicable field staff must attend dig safe training provided through NUCA within 90 days of the date of this Penalty Assessment; and
  - o **Palisade must submit documentation of that attendance to the Commission within 5 days of attending the training;** and
  - o **Palisade** must not incur any additional violations of RCW 19.122 within 12 months of the date of this Penalty Assessment.

3. **Contest the violation.** I believe that the alleged violation did not occur for the reasons I describe below (if you do not include reasons supporting your contest here, your request will be denied):

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 provided above.

4. **Request mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reasons set out below (if you do not include reasons supporting your application here, your request will be denied):

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 provided 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: 1/3/23 [Month/Day/Year], at Spokane Washington [City, State]

Palisade Homes LLC  
Name of Company (Company) – please print

  
Signature of Applicant



# INVOICE

Utilities & Transportation Commission  
 621 Woodland Square Loop S.E.  
 Lacey, Washington 98503  
 (360) 664-1349 Accounts Receivable  
 (360) 664-1289 Fax  
 Federal Tax ID: 91-6001121

Date: December 21, 2022

Agency No.: 2150

Invoice No.: 7185 - 1

To: Nate Rasmussen  
 Palisade Homes LLC  
 20810 E 1st Ave  
 Greenacres, WA, 99016  
 United States

Reference	Docket Number	Due Date
A penalty assessment has been issued to you by Commission order.	DG-220896	01/03/2023
Description	Contact Name	Amount
Payment Due January 3, 2023	Hagen, Joice	\$1,000.00
Balance Due		\$1,000.00

*200.00  
 +  
 take class*

Please remit payment to: Utilities and Transportation Commission  
 Attn: Financial Services  
 PO Box 47250  
 Olympia WA 98504-7250

### Pay your invoice online at [payments.utc.wa.gov](https://payments.utc.wa.gov)

\*A convenience fee of 2.5% (minimum of \$3.95) is charged by Official Payments for processing credit card payments.

## RECEIVED

### JAN 27 2023

### WASH.UT. & TP. COMM

AGENCY USE ONLY	
Receipt ID	75983
Payment ID	*2663
Supplemental Info	
Amount Received	200.00
Date Received	1/27/23

If you have any questions concerning this invoice please call Accounts Receivable at 360-664-1349

*Please see enclosed checks NOT sure why pmt d.d not work w bank numbers any questions please call Thanks  
 Nate Rasmussen  
 509-850-6538*



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY 1-800-833-6384 or 711

January 13, 2023

Palisade Homes LLC  
20810 E 1st Ave, WA  
Greenacres, WA 99016

emailed: 01/13/23

[n8rasmussen@hotmail.com](mailto:n8rasmussen@hotmail.com)

Re: ACH Returned

Nate Rasmussen,

You submitted an on-line payment through the Utilities and Transportation Commission's (UTC) website of \$200.00 for Invoice 7185 on January 6, 2023. On January 13, 2023, UTC received notification that the online ACH payment was returned for no account or unable to locate account.

The attached invoice and corresponding payment must be received by the UTC within 15 days of notice.

If you have questions concerning this payment, please contact Accounts Receivable at (360) 664-1349.

Thank you,

Michelle Parish  
Accounts Receivable  
Financial Services, Administrative Services Division