



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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Jan. 10, 2018

Steven V. King, Executive Director and Secretary
Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Frontier Communications, Inc.*
Commission Staff's Recommendation to Close Investigation
Docket D-170995

Dear Mr. King:

On Sept. 25, 2017, the Utilities and Transportation Commission (commission) received a referral from the Washington State Dig Law Safety Committee (Safety Committee), which was assigned Docket D-170995. The referral alleged one violation of RCW 19.122 against Frontier Communications, Inc. (Frontier).

On Sept. 14, 2017, the Safety Committee reviewed two complaints filed against Frontier for alleged violations of RCW 19.122.030(4), for failing to reasonably locate facilities in advance of an excavator's project. The Safety Committee found that Frontier committed one violation of RCW 19.122.030(4) in Case 17-014, but did not violate the dig law in Case 17-028. The Safety Committee recommended a \$1,000 penalty be imposed for the single violation with the option to suspend the entire penalty if the following two conditions were met; (1) Frontier had no additional violations within one year; and (2) Frontier provided the Safety Committee and One Call Concepts with accurate contact information that is kept up to date.

Staff conducted an investigation into the alleged violation in Case 17-014, and was unable to prove that a violation occurred based on the information provided by both companies. Staff believes that a violation most likely occurred but without the proper evidence to support the penalty, staff will not be recommending a monetary penalty in this case.

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Staff is concerned by the inaccurate information provided to One Call Concepts by Frontier. It was discovered during the investigation that the phone number available to customers on the One Call Concepts ticket management system was not valid for Frontier. Staff recommends that Frontier keep this information up to date for future use or face potential further enforcement action for any subsequent violations.

Staff recommends that this investigation docket be closed as unfounded and no further action be taken.

Sincerely,

Sean C. Mayo
Pipeline Safety Director