



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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September 6, 2024

RE: *In re Penalty Assessment Against the City of Kent Public Works Department in the Amount of \$1,000 for Violation of RCW 19.122.055(1)(a),*
Docket DG-230516

TO ALL PARTIES:

On July 24, 2023, the Washington Utilities and Transportation Commission (Commission) issued a \$1,000 penalty assessment (Penalty Assessment) against the City of Kent Public Works Department (City of Kent) for one violation of Revised Code of Washington (RCW) 19.122.055(1)(a). In the Penalty Assessment, the Commission offered to suspend, and ultimately waive, an \$800 portion of the penalty subject to the conditions that: a) the City of Kent pay the \$200 unsuspended portion of the penalty within 15 days of the Penalty Assessment; b) City of Kent employees attend Dig Safe training provided by the National Utility Contractors Association (NUCA) within 90 days of the date of the Penalty Assessment; and c) the Company commit no further violations of Chapter 19.122 RCW within 12 months of the date of the Penalty Assessment.

On August 23, 2023, the Commission received notification from the City of Kent admitting to the violation and accepting the Commission's offer to suspend an \$800 portion of the penalty and the associated conditions.

The Commission verified completion of Dig Safe training on August 28, 2023, and a payment of \$200 was made on August 23, 2023.

On September 4, 2024, Commission staff (Staff) filed a letter in this docket informing the Commission of a repeat violation by the City of Kent of RCW 19.122.055(1)(a) that occurred on November 30, 2023 (DG-240229). In the letter, staff recommended that the Commission impose the suspended \$800 portion of the penalty because the City of Kent incurred a repeat violation within the 12-month suspension period.

The Commission agrees that the \$800 suspended portion of the penalty should be imposed as a result of the City of Kent's failure to comply with the afore mentioned condition. The suspended \$800 penalty is now due and payable.

JEFF KILLIP

Executive Director and Secretary