

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Penalty
Assessment Against

TOWN AND COUNTRY TREE
SERVICE

In the Amount of \$1,000

DOCKET DG-160328

NOTICE OF BRIEF
ADJUDICATION

SETTING TIME FOR ORAL
STATEMENTS

(Set for June 21, 2016, at 9:30 a.m.)

- 1 On April 18, 2016, the Washington Utilities and Transportation Commission (Commission) issued a Penalty Assessment in Docket DG-160328 against Town and Country Tree Service (Town and Country or Company) in the amount of \$1,000, alleging one violation of RCW 19.122.030(1)(a) by failing to request a dig ticket prior to performing an excavation.
- 2 On May 9, 2016, Town and Country filed with the Commission a request for hearing on the form provided by the Commission. Town and Country checked the box on that form indicating that the Company admits to the violations, but requests a hearing to present evidence.
- 3 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission determines that a brief adjudicative proceeding is appropriate for determining whether the penalty should be mitigated and what actions are necessary for Town and Country to maintain future compliance, pursuant to statutory provisions of RCW 19.122.030.
- 4 **THE COMMISSION GIVES NOTICE That it will hold a brief adjudicative proceeding in this matter at 9:30 a.m., on Tuesday, June 21, 2016, in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 5 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

6 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Olympia, Washington, copies of documents in the current record for use by the parties or others who may want to review them.

7 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents no later than 5:00 p.m. on Tuesday, **June 14, 2016**, and bring an original and one (1) copy to the hearing. Filing shall be in accordance with WAC 480-07-140 and – 145.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

9 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Brett P. Shearer
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1187
bshearer@utc.wa.gov

Respondent: Town and Country Tree Service
85545 Highway 11
PO Box 168
Milton-Freewater, OR 97862

10 Administrative Law Judge Rayne Pearson, from the Commission’s Administrative Law Division, will preside during this proceeding.

11 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective June 6, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

Service Date: June 6, 2016

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250.
(PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____