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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT DG-190058, Investigation # 7931

MAR 26 2019

WASH. UT. & TP. COMM

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 violations occurred and enclose \$2,000 in payment of the penalty.

2. **Accept conditions.** I admit that the violations occurred and have enclosed \$500 of the penalty amount. I also accept the Commission's offer to suspend, and ultimately waive, the remaining \$1,500 of the penalty amount subject to the following conditions:

Company employees, including management and crew foremen involved in excavations, attend Dig Safe training provided through NUCA 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 twelve (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 (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 provide above.

4. **Request mitigation.** I admit the violations, 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 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: 3-22-2019 [Month/Day/Year], at Pullman, WA [City, State]

Annjie Burnet - Mega D Excavation
Name of Respondent (company) please print

[Signature]
Signature of Applicant