



STATE OF WASHINGTON  
**UTILITIES AND TRANSPORTATION COMMISSION**  
621 Woodland Square Loop SE • P.O. Box 47250 • Lacey, Washington 98503  
P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY (360) 586-8203

June 16, 2021

Mark L. Johnson, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

RE: *Washington Utilities and Transportation Commission v. Edge West, LLC*  
Commission Staff's Response to Application for Mitigation of Penalties  
Docket DG-200424

Dear Mr. Johnson:

On August 19, 2020, the Washington Utilities and Transportation Commission (Commission) issued a penalty against Edge West, LLC (Edge West or Company) for \$6,000 for violations of RCW 19.122.055, as follows:

- \$1,000 penalty for the violation of RCW 19.122.055 that occurred on September 26, 2019; and
- \$5,000 penalty for the violation of RCW 19.122.055 that occurred on February 26, 2019.

This violation notice was for damage incidents to underground natural gas facilities on September 26, 2019, and February 26, 2019. These occurred because Edge West failed to provide the required notice to facility operators through a one-number locator service before excavating and subsequently damaged underground natural gas facilities. In both incidents, there were no requests for locates made to the One-Call center.

In its letter to the Commission requesting mitigation, Edge West expressed concern regarding an incorrect address the Commission was mailing documents to. They indicated they had never received any prior communications from the Commission and denied ever signing any certified mail deliveries from the Commission.

Edge West admitted the violations occurred but explained they had prior locates and knew where the lines were. The Company explained damage occurred because the ground was frozen solid and as a frozen clump of dirt was pulled up, the gas corp stop supply valve was torn off the pipe because it had become frozen into the dirt clump. They further explained during the project they had multiple incidents in which gas lines were found improperly installed and too shallow. Edge West stated they always call in for locates and had not had any breaches in over a year. They explained the Company conducts quarterly dig safety education for their employees and is always willing and able to continue education on dig safety. The Company expressed concern about the shutdown in 2020 for Covid 19 and that their business was sluggish. They stated a significant financial penalty would be a hardship for their Company.

Respect. Professionalism. Integrity. Accountability.

Staff believes that the Company's response and mitigation request indicates that the Company is taking Dig Safety seriously and will take advantage of the opportunity to accept a deferment with conditions. Staff is also taking into consideration the financial hardships and the lack of access to Dig Safe training during 2020.

Therefore, staff recommends that the Commission suspend the penalty amount for a period of 12 months and waive the training requirement; and Edge West incurs no additional dig law violations within 12 months of the date of the Commission order. If the Commission discovers any subsequent violations of RCW 19.122 within the 12 months, the suspended penalty amount will become immediately due and payable, in addition to any penalties that may be assessed for the subsequent violation(s).

If you have any questions, please contact Joice Hagen, Compliance Investigator, Pipeline Safety and Damage Prevention, at (360) 664-1321, or by email at [Joice.Hagen@utc.wa.gov](mailto:Joice.Hagen@utc.wa.gov).

Sincerely,

Sean C. Mayo, Director  
Pipeline Safety