

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
PENALTY ASSESSMENT DG-200757, Investigation # 8216

072054

**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 violation occurred and enclose \$1,000 in payment of the penalty.
- 2. **Accept conditions.** I admit that the violation occurred. I also accept the Commission's offer to suspend, and ultimately waive, the entire \$1,000 penalty amount subject to the following conditions:
  - Company management must attend Dig Safe training provided through NUCA within twelve (12) months of this Notice; and
  - The Company must submit documentation of that attendance to the Commission **within five (5) days** of attending the training; and
  - The Company must not commit any 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 violation did not occur for the reasons I describe below (**if you do not include reasons supporting your contest here, your request will be denied**):

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- 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 violation, 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: 9-28-21 [Month/Day/Year], at Rockley, WA [City, State]

PGH Excavating, Inc.  
Name of Respondent (Company) - please print

[Signature]  
Signature of Applicant

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

**If you do not act within 15 days**, the Commission may refer this matter to the Office of the Attorney General for collection. The Commission may then sue you to collect the penalty.

DATED at Lacey, Washington, and effective October 13, 2020.

*/s/ Rayne Pearson*  
RAYNE PEARSON  
Director, Administrative Law Division



State of Washington  
WASHINGTON UTILITIES &  
TRANSPORTATION COMMISSIC  
621 Woodland Square Loop S.E., L&  
P.O. Box 47250, Olympia, WA 98504

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P.O. Box 1151  
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