

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT D-220622 Investigation # 8554

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 \$2,000 in payment of the penalty.
2. **Accept the Conditions.** I admit that the violation occurred. I enclose \$200 in partial payment of the penalty, and I accept the Commission's offer to suspend, and ultimately waive, the \$1,800 penalty amount subject to the following conditions:
- o Hero Greens successfully complies with the conditions of Penalty Notice D-220622 and completes NUCA Dig Safe Training (<https://utc-9183.quickbase.com/db/bpkt6vndh>) within 45 days of the date of this Penalty Assessment ; and
 - o Hero Greens must not commit any additional violations of RCW 19.122 within 12 months of the date of this Penalty Assessment;

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):

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 provided 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 provided 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.

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WASH. UT. & TP. COMM.

Dated: 10/14/22 [Month/Day/Year], at Spokane, WA [City, State]

Hero Greens Inc - Stephen Ertel
Name of Respondent (Company) – please print

[Signature]
Signature of Applicant

RCW 9A.72.020 "Perjury in the first degree."

- (1) A person is guilty of perjury in the first degree if in any official proceeding he or she makes a materially false statement which he or she knows to be false under an oath required or authorized by law.
- (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his or her statement was not material is not a defense to a prosecution under this section.
- (3) Perjury in the first degree is a class B felony.