



D-230967

Washington State Dig Law Safety Committee

1673 S Market Blvd, #121
Chehalis, WA 98532

**Committee Members
Represent:**

November 22, 2023

Local Government

Kathy Hunter, Acting Executive Director and Secretary
UTC Records Center
Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Received
Records Management
Nov 22, 2023

Natural Gas Utility

Contractors

Excavators

Electric Utility

Re: Review Committee Decision – Complaint Cases 23-093 and 23-099
M&L Construction vs. Avista Corporation

Consumer Owned Utility

Dear Ms. Hunter:

Pipeline Utility

The Washington State Dig Law Safety Committee (committee) received complaints filed by M&L Construction against Avista Corporation (Avista) regarding potential violations of the Washington State Dig Law RCW 19.122.030.

Water / Sewer

On Nov. 14, 2023, the committee formed a peer review board and reviewed Complaint Cases 23-093 and 23-099.

**Utilities and
Transportation
Commission**

Regarding Case 23-093, the peer review board determined that the respondent, Avista, violated RCW 19.122.030(4)(a) one time, for not providing information to the excavator pursuant to RCW 19.122.030(3) within 2 business days and recommends a \$5,000 penalty assessment.

**Telecommunications
Company**

Regarding Case 23-099, the peer review board determined that the respondent, Avista, violated RCW 19.122.030(3)(a) one time for failing to accurately locate the company's electric service and recommends a \$5,000 penalty assessment.

Three At-Large Positions

Please let me know if you have any questions regarding this recommendation. You may contact me at 206-794-9823.

Sincerely,

Jim Walton, Chair

cc: Marina Rathbun, UTC
Tyler Proszek, Avista
Scot Hattenburg, M&L Const.