



Committee Members Represent:

Local Government

Natural Gas Utility

Contractors

Excavators

Electric Utility

Consumer – Owned Utility

Pipeline Utility

Insurance Industry

Utilities and Transportation
Commission

Telecommunications Company

Three At – Large Positions

Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

07/25/2017

Steve King, Executive Director and Secretary
Members of the Commission
Utilities and Transportation Commission
1300 Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Review Committee Decision - Case Numbers 17-022, 17-023, 16-022 and 17-027 Puget Sound Energy vs Watterson Excavating

Dear Mr. King:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of the Washington State Dig Law RCW 19.122.030 for work performed on various occasions both in 2016 and in 2017.

On July 19, 2017, the Washington State Dig Law Safety Committee Review Board heard complaint Cases 17-022, 17-023, 16-022 and 17-027 filed by Puget Sound Energy against Watterson Excavating.

The Review Committee determined that the respondent, Watterson Excavating did violate;

- Case 17-022 - 19.122.030(2) for failure to request locates. Previous locates were 65 days old.
- Case 17-023- 19.122.030(2) for violating the statute by commencing excavation before the required 2 business days.
- Case 16-022 - 19.122.050(1) for damaging, attempting to repair and then burying a gas pipeline. For alleged violations; 19.122.030(6) the Safety Committee had insufficient evidence that a violation was broken and 19.122.070(2) as defined is a civil matter and not an area of consideration for the Safety Committee
- Case 17-027 – 19.122.030(2) for failure to request locates. For alleged violation 19.122.030(1)(a) the Safety Committee had insufficient evidence that a violation was broken.

The Review Committee recommends the following penalty be assessed to the respondent:

- \$5000.00 for violating 19.122.030(2) Case 17-022
- \$5000.00 for violating 19.122.030(2) Case 17-023
- \$5000.00 for violating 19.122.050(1) Case 16-022
- \$5000.00 for violating 19.122.030(2) Case 17-027



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Additionally, the Safety Committee recommends that Watterson Excavating field supervisors, business leaders and business owners be instructed to complete NUCA formal Dig Safe training (translators can be made available upon request) within 90 days of receiving assessment. Safety Committee did not recommend any portion of the penalty be deferred for Watterson Excavating taking Dig Safe training because Watterson Excavation has been before the Safety Committee and the UTC for prior violations of RCW 19.122.

Please let me know if you have any questions regarding this case. I can be contacted at 425.430.7212.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Christensen".

Dave Christensen, Chair

Cc: Lynda Holloway, UTC
Watterson Excavating