



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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January 14, 2020

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. Sefnco Communications*
Commission Staff's Response to Contest of Violation
Docket DG-190891

Dear Mr. Johnson,

On December 3, 2019, the Commission issued a \$10,000 penalty against Sefnco Communications (Sefnco or Company) for one violation of RCW 19.122.030(2). This violation was for excavation damage to an underground natural gas facility on June 6, 2019, caused because Sefnco failed to provide notice to the one-call utility locator service as required by the statute prior to excavating and causing damage to an underground natural gas facility.

Staff's investigation of the damage incident included a review of the Damage Incident Reporting Tool (DIRT) report submitted by Avista Corporation (Avista) as well as additional information received from Avista's damage prevention staff regarding the incident. Avista's DIRT report, submitted July 2, 2019, indicated that Sefnco was responsible for damaging a 2-inch tee affixed to an underground natural gas system on June 6. Additional information obtained from Avista during the investigation noted that the tee was connected to a 2-inch natural gas main. Avista also provided photos of the damage area. During the investigation, Staff attempted to contact Sefnco at the phone number provided by Avista on the damage report, and left two messages on a voicemail box identifying itself as belonging to Sefnco, but did not receive a response.

On December 26, 2019, the Commission received a response to the penalty assessment from Sefnco, which denied causing the damage and stated it has no records of working or causing damage at 1809 E Crawford St on June 6, 2019. The Company also included two utility locate requests it submitted after the damage incident in question occurred, one of which was for 1809 E Crawford St, Deer Park, submitted on August 2, 2019, and the other for 100 N Weber Rd, Deer Park, submitted June 24, 2019.

After receiving Sefnco's response, Staff again reached out to Avista and confirmed that the DIRT information from the original report was accurate, and that no additional information about the damage arose after the completion of the investigation to suggest that the Company was not responsible for the

damage. Additionally, Avista submitted Claim R-968441, billed to Sefnco for the damage, which Sefnco paid with “no dispute at all,” according to Avista’s claim department notes. Avista also provided the name and phone number of the Sefnco employee who initially called to report the damage to Avista, who described the “slight whistle” of a gas leak that occurred during hand-digging work being done at the corner of N Country Club Dr and E Crawford St. All of the evidence Staff gathered during the investigation and follow-up subsequent to Sefnco’s denial indicates that Sefnco is responsible for the damage incident, and did not have a valid utility locate request for the excavation that caused it.

Staff believes that the evidence is sufficient to support the penalty assessment and demonstrates that Sefnco is responsible for the damage incident in question.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sean C. Mayo', with a stylized flourish at the end.

Sean C. Mayo, Director
Pipeline Safety