



STATE OF WASHINGTON

## UTILITIES AND TRANSPORTATION COMMISSION

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July 7, 2020

Mark L. Johnson, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

RE: Commission Staff's Letter Recommending Waiving Training Conditions  
DG-190245 – Eller Corporation – Investigation 7948

Dear Mr. Johnson:

Commission staff (staff) has reviewed the compliance order for Eller Corporation (Eller or Company) dated May 13, 2019. Compliance with the order required the following items be met:

- \$3,000 penalty for two violations of RCW 19.122, with the opportunity to suspend, and ultimately waive, \$1,500 of the penalty amount if employees of the Company attend Dig Safe Training within 12 months of the penalty assessment, and incur no additional dig law violations within 12 months.

On June 4, 2019, the Company notified the Commission of its acceptance of the conditions, and made a payment of \$1,500. The Company has not incurred any additional violations of the dig law since the penalty assessment. The Company was unable to attend dig safe training due to a lack of scheduled training availability in 2019, compounded by COVID related restrictions in 2020.

Due to the unavailability of dig safe classes, Staff recommends that the Commission waive the requirement of attending dig safe training as well as the suspended \$1,500 penalty amount, and close this docket.

Sincerely,

Sean C. Mayo  
Pipeline Safety Director