



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • www.utc.wa.gov

June 2, 2015

Steven V. King, Executive Director and Secretary
Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Blade Excavation.*
Commission Staff's Response to Application for Mitigation of Penalties
Docket DG-144098

Dear Mr. King:

On April 13, 2015, the Utilities and Transportation Commission issued a \$3,000.00 Penalty Assessment in Docket DG-144098 against Jeremy Kysar, d/b/a Blade Excavation (Blade Excavation) for three violations of RCW 19.122.030(1)(a), for failing to request a dig ticket prior to performing an excavation on three separate occasions. RCW 19.122.055(1)(a) states, in part, that any excavator who fails to notify a one-number locator service and causes damage to a hazardous liquid or gas facility is subject to a civil penalty of not more than ten thousand dollars for each violation.

On May 1, 2015, Blade Excavation wrote the commission requesting mitigation of penalties. In its mitigation request, Blade Excavation does not dispute that the second and third violation occurred. The company states, "I admit fault on #2 and #3." The company also states "Violation #1 and Violation #3 are the same violation."

Staff response: Upon further research, staff found that the correct address for the third violation was 1634 Lucca Lane, Richland, not 1638 Lucca Lane, as noted in the Penalty Assessment. The Penalty Assessment did note the correct dates of the three damage incidents, which all occurred without underground utility locates. Blade Excavation damaged underground utilities three times on three separate occasions, therefore, staff

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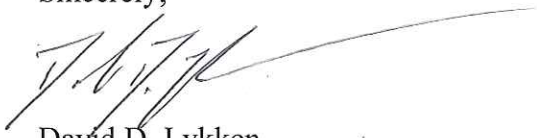
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does not support mitigation of the penalty assessment in this docket. The table below shows a summary of damages.

DATE OF DAMAGE	ADDRESS
January 4, 2013	1638 Lucca Ln
October 21, 2013	427 Sundance Dr
December 30, 2013	1634 Lucca Ln

If you have any questions regarding this recommendation, please contact Lynda Holloway at (360) 664-1118, or lhollowa@utc.wa.gov.

Sincerely,



David D. Lykken
Pipeline Safety Director