



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
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March 26, 2015

NOTICE RESCINDING PENALTY

RE: *In the Matter of the Penalty Assessment Against Tim Wise d/b/a Tank Wise, LLC*
Docket DG-144090

On February 26, 2015, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Tim Wise d/b/a Tank Wise, LLC (Tank Wise or Company), in the amount of \$2,000 for failing to request a dig ticket prior to performing an excavation, as required under RCW 19.122.030(1)(a).

On March 19, 2015, Tank Wise filed a request for a hearing of the penalty. Tank Wise states that the job identified in the penalty assessment was not done by Tank Wise, but rather Filco Company, Inc.

Commission Staff (Staff) has reviewed the Company's request for hearing and agrees that Tank Wise was not the responsible party for damage without a locate request at 121 Mercer Street, Seattle, Washington, on August 21, 2013. Staff recommends under these circumstances that there is no basis for penalizing the Company and that the penalty assessment should be rescinded.

The Commission accepts Staff's recommendation and rescinds the penalty of \$2,000 assessed against Tim Wise d/b/a Tank Wise, LLC. This docket is closed.

GREGORY J. KOPTA
Director, Administrative Law Division