

Service Date: July 6, 2023



**STATE OF WASHINGTON**  
**UTILITIES AND TRANSPORTATION COMMISSION**

**621 Woodland Square Loop S.E. • Lacey, Washington 98503**

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July 6, 2023

RE: *In the Matter of the Penalty Assessment Against Eller Corporation in the Amount of \$1,000, Docket DG-220163*

TO ALL PARTIES:

On May 6, 2022, the Washington Utilities and Transportation Commission (Commission) assessed a \$1,000 penalty (Penalty Assessment) against Eller Corporation (Eller or Company) for one violation of Revised Code of Washington (RCW) 19.122.055(1)(a). In the Penalty Assessment, the Commission offered the Company the option to suspend and ultimately waive an \$800 portion of the penalty subject to the conditions that: a) the Company timely pay the \$200 portion of the penalty that was not suspended, b) Eller employees attend National Utility Contractors Association (NUCA) Dig Safe online training, and c) the Company commit no further violations of RCW 19.122 within 12 months from the date of the Penalty Assessment.

On July 14, 2022, the Company notified the Commission that it accepted the conditions and paid the \$200 unsuspended portion of the penalty. On June 9, 2023, the Commission received verification of the Company's NUCA Dig Safe training attendance.

On June 13, 2023, Commission staff (Staff) filed a letter informing the Commission that the Company had timely paid the \$200 portion of the penalty that was not suspended, had verified completion of the required training, and had not incurred any additional violations of the dig law since the Penalty Assessment. In its letter, Staff recommends the Commission waive the suspended penalty and close the docket.

The Commission agrees that Eller has complied with the conditions of the Penalty Assessment. The penalty is thus waived, and this docket is closed.

*/s/ Rayne Pearson for*  
AMANDA MAXWELL  
Executive Director and Secretary