

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
RESPONSE TO COMMISSION FINAL ORDER
DG-240960 Investigation # 9058

PLEASE NOTE: You must complete and sign this document and send it to the Commission within 10 days after you receive the Final Order.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements:

- ☐ 1. **Payment of penalty.** I admit that the violation occurred:
- ☐ Enclose \$2,500 in payment of the penalty.
- OR ☐ Attest that I have paid the penalty in full through the Commission's payment portal.
- ☒ 2. **Accept conditions.** I admit that the violation occurred and enclose \$500 toward the payment of the penalty. I also accept the Commission's offer to suspend, and ultimately waive, the remaining \$2,000 penalty amount subject to the following conditions:
- Company management and field crew responsible for excavation must complete Dig Safe training provided through NUCA within 90 days of service of the Commission Final Order; and
 - The Company must submit documentation of training completion to the Commission; and
 - The Company must not commit any further violations of RCW 19.122 within twelve (12) months of the date of the Commission Final Order.

Please indicate your selection on the enclosed form and submit it electronically through the Commission's web portal at <https://efiling.utc.wa.gov/Form> **within TEN (10) days** after you receive this Final Order. If you are unable to use the web portal, you may submit it via email to records@utc.wa.gov. If you are unable to submit the form electronically, you may send a paper copy to the Washington Utilities and Transportation Commission, PO Box 47250, Olympia, Washington 98504-7250.

If you wish to make your payment online, please use this link: [Make a Payment Now \(wa.gov\)](#).¹
If you do not act within 10 days, the Commission may refer this matter to the Office of the Attorney General for collection.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: March / 11 / 2025 [Month/Day/Year], at Marysville, WA [City, State]

Jerry Bayna (Automatic Door & Gate)

Name of Respondent (Company) – please print

[Signature]
Signature of Applicant

¹ <https://www.utc.wa.gov/documents-and-proceedings/online-payments/make-payment-now>.

RCW 9A.72.020 "Perjury in the first degree."

- (1) A person is guilty of perjury in the first degree if in any official proceeding he or she makes a materially false statement which he or she knows to be false under an oath required or authorized by law.
- (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his or her statement was not material is not a defense to a prosecution under this section.
- (3) Perjury in the first degree is a class B felony.