



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 • TTY (360) 586-8203

October 16, 2018

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

RE: **Notification of Overdue Penalty**
Docket D-180342, All American Fencing

Dear Mr. Johnson:

On May 7, 2018, the Utilities and Transportation Commission (commission) issued a \$1000 Penalty Assessment in Docket **D-180342**, against **All American Fencing** for one violation of RCW 19.122.030(2), for failing to request a dig ticket prior to performing an excavation (Order). RCW 19.122.030(2) 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.

The Order mentioned that the Washington State Dig Law Safety Committee had recommended that the commission offer to accept certain penalty conditions, including attending training, in lieu of the full penalty, but the that the commission had declined to make that offer for reasons stated in the Order. The Order assessed a \$1000 penalty against All American Fencing, with no offer of conditional suspension. The Order was mailed First Class mail and Certified mail.

On Sept. 21, 2018 Richard Shanebrook of All American Fencing contacted Staff and requested an extension for training. Staff erroneously submitted a letter requesting to extend the timeline for the company to attend training. This letter was issued in error and Staff is withdrawing it.

The Order issued on May 7, 2018 is still applicable, and the penalty of \$1000 is overdue. If All American Fencing does not pay the penalty, it may be sent to collections.

Staff recommends that All American Fencing's owner and employees follow the additional recommendations in the Order and attend NUCA Dig Safe Training.

Respect. Professionalism. Integrity. Accountability.

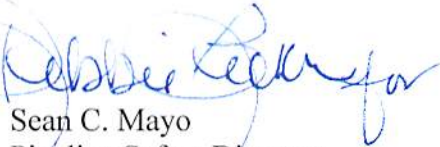
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If you have any questions regarding this recommendation, please contact the undersigned at (360) 644-1219, or sean.mayo@utc.wa.gov.

Sincerely,



Sean C. Mayo

Pipeline Safety Director