

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT D-191006, Investigation # 8122

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

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, am 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 violations occurred and enclose \$1,000 in payment of the penalty.

2. **Accept conditions.** I admit that the violations occurred. I also accept the Commission's offer to suspend, and ultimately waive, the entire \$1,000 penalty amount subject to the following conditions:

Andrew Pittman attends Dig Safe training provided through NUCA within twelve (12) months of the date of this Notice; and

Submit documentation of that attendance to the Commission within five (5) days of attending the training; and

Andrew Pittman incurs no additional violations of RCW 19.122 within twelve (12) months of the date of this Notice.

3. **Contest the violation.** I believe that the alleged violation did not occur for the reasons I describe below: Digging occurred outside of the right of way; where no utilities would have been located, on this private property. This property has had multiple locates in the past years and No Utilities were found historically nor were any utilities struck. The origin of this infraction was based off a former tenant dispute, through the city of Ellensburg as well as DOE.

a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.

OR

b) I ask for a Commission decision based solely on the information I provide above.

4. **Request mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:

a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.

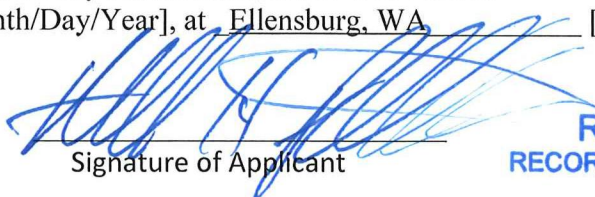
OR

b) I ask for a Commission decision based solely on the information I provide above.

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: 12/2/20 [Month/Day/Year], at Ellensburg, WA [City, State]

Andrew H Pittman
Name of Respondent – please print


Signature of Applicant

RECEIVED
RECORDS MANAGEMENT

DEC 08 2020

STATE OF WASH.
UTIL. & TRANSP. COMMISSION