



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop SE • Lacey Washington 98503

P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

Received
Records Management
07/14/21 12:47
State Of WASH.
UTIL. AND TRANSP.
COMMISSION

July 14, 2021

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: Washington Utilities and Transportation Commission v. Able Concrete Designs, LLC
Commission Staff's recommendation to impose suspended penalty Docket D-200037

Dear Mr. Johnson:

On February 14, 2020, Able Concrete Designs (Able Concrete) was issued a \$1,000 penalty for a violation of RCW 19.122. Able Concrete was provided the opportunity to have \$800 of the penalty waived on the following conditions;

- Able Concrete commits no further violations of RCW 19.122 within the next twelve months.
- The owners of Able Concrete complete National Utility Contractor Association (NUCA) Dig Safe Training within 12 months of the date of the Penalty Notice.

On February 27, 2020, the Commission received a \$200 payment and notification from Able Concrete that the company admitted the violation occurred and accepted the Commission's offer to suspend the remaining penalty based on the stated conditions.

Staff is not aware of any new violations of RCW 19.122, indicating that Able Concrete may have met the first of the two conditions specified in the Notice. On May 21, 2021, Staff contacted Able Concrete requesting verification of NUCA Dig Safe Training completion. Able Concrete indicated they believed the Commission should have the verification. Staff told the company that the Commission only had proof of the registration through the commission for free Dig Safe Training, but they would still need to complete the training by logging into the NUCA Dig Safe online training site. Staff reminded them proof was still required. On July 1, 2021, Staff again reminded Able Concrete that verification of completion of the training was still needed to recommend compliance and closure of this case.

Staff verified with NUCA that as of the date of this letter, no one from Able Concrete had logged into their system or completed the training. Given the compliance date expiring five months ago, with no proof of

training completion, Staff recommends the Commission impose the suspended penalty of \$800, making that amount due and payable immediately.

Sincerely,

Mayo, Sean
(UTC)
Sean C. Mayo, Director
Pipeline Safety

Digitally signed by Mayo,
Sean (UTC)
Date: 2021.07.14 09:24:56
-07'00'