



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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Feb. 22, 2016

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

Re: Roy Murphy, D-150571 Penalty Assessment

Dear Mr. King:

On Aug. 10, 2015, Roy Murphy was assessed a \$1,000 penalty for violations of RCW 19.122.031(1)(a) and RCW 19.122.050. Mr. Murphy had the option to have \$800 of the penalty waived on the conditions that: (1) Mr. Murphy attend “Dig Safe” training provided through National Utility Contractors Association (NUCA); and (2) that Mr. Murphy commit no further violations of RCW 19.122 within the next 12 months. Mr. Murphy was required to respond to the penalty assessment with his selection within 15 days of his receipt of the penalty assessment.

On Sept. 30, 2015, Mr. Murphy submitted a request to respond to the penalty assessment beyond the 15-day timeline specified in the penalty assessment. On Jan. 26, 2016, the commission granted Mr. Murphy’s request to submit a late response to the penalty assessment. In the notice, the commission specified that Mr. Murphy was to pay the \$200 of the penalty by Feb. 9, 2016, and he was to attend the NUCA Dig Safe training within 90 days of the notice. Mr. Murphy paid the \$200 penalty on Feb. 3, 2016.

On Feb. 19, 2016, Mr. Murphy submitted a request to extend the 90 days by which he was to attend the NUCA Dig Safe training. Mr. Murphy stated in his request that the upcoming NUCA Dig Safe training class for which he was signed up for was cancelled, but that he will sign up for the next available class.

Staff believes that Mr. Murphy does want to comply with RCW 19.122, and as compliance is the commission’s ultimate objective, staff recommends that the commission accept Mr. Murphy’s request to extend the 90 day deadline for attending the NUCA Dig Safe training class. Staff recommends that Mr. Murphy be given until June 1, 2016, to complete the NUCA Dig Safe training class.

Sincerely,

Susie Paul, Acting Assistant Director
Consumer Protection