

**Avista Corp.**

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Received  
Records Management  
Jun 13, 2024

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Jeff Killip, Executive Director, and Secretary  
Utilities and Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

Re: Avista's Supplemental Response to Docket D-240262 - Notice of Opportunity to Respond

Dear Mr. Killip:

On June 11, 2024, Avista submitted comments in accordance with the Washington Utilities and Transportation Commission's (Commission) Notice of Opportunity to Respond issued in Docket D-240262, regarding the penalty assessed against Avista Corporation on June 3, 2024. Upon filing those comments, Avista found that two other parties, the Washington State Dig Law Safety Committee and M&L Construction, had also provided comments on this matter. Avista seeks to supplement its comments from June 11, 2024, to provide additional details and address the comments raised by the two aforementioned parties.

First, Avista would like to confirm the facts of this case.

- Avista received the locate request from M&L Construction on Thursday, March 7, 2024, making the "work to begin date" Tuesday, March 12, 2024, at 12:00am.
- This locate consisted of an area 100 feet wide, the front right-of-way of N. Howard St, and 1,500 feet long. This included nineteen (19) gas services, three (3) gas mains, and two (2) gas stubs.
- Despite this request being a "large project", ELM Utility Services (ELM), on behalf of Avista, provided reasonably accurate information for locatable underground facilities, as well as placed triangles at two locations indicating the presence of identified but unlocatable facilities (the two (2) gas stubs), at 4:45 pm on Monday, March 11, 2024.
- ELM consulted with Avista field and office personnel to acquire additional as-built information and determined the accurate location of the two unlocatable underground facilities. This was completed on Tuesday, March 12, 2024, at 11:37 am. At that time, all known Avista underground facilities had been accounted for.

- While excavating, M&L Construction found an unmapped underground gas stub on the west side of N Howard St, at the joint property line north of 8021 and south of 8103 N Howard St.
- 8021 N Howard St. has a gas service. The gas service is located on its south property line.
- 8103 N Howard St. has a gas service. The gas service is located on its north property line. As shown on the map provided on page 4, this is contrary to the assertions of the Washington State Dig Law Safety Committee who stated, “in this instance where an entire street has been located and there is one home in the middle of the block with no gas, a reasonable person would have questioned and investigated further.” That home alluded to in the middle of the block (8103 N. Howard) did have gas service, and that was properly marked.
- There was no digital or hard copy evidence of an underground facility in the area where the unmapped stub was uncovered at the time of the locate or the requestor’s excavation.
- All properties affected by this locate request had a gas service associated with them, with the exception of 8112 N Howard St, due to its service being abandoned and cut off at the main in 2021. All of this data was present on Avista’s digital mapping system at the time of the locate and requestor’s excavation.
- There were no physical indications of a buried underground facility where the excavator found the unmapped gas stub. No valve cans, stub markers, gas meters, gas risers, pipeline markers, or previous locate markings were present.
- Although it is common practice to look for signs of recent underground facility install or removal, it would not be reasonable to look for possibly unmapped facilities with zero physical indicators on site, nor is that identified as an operator’s obligation in RCW 19.122. Avista, as well as many other operators, have frequent instances of property owners not having gas or other underground utilities installed on their properties despite their neighbors having them.
- Regarding correction and updates to operator mapping systems, CGA’s best practices state, “[o]missions and errors may occur as a result of misdrawn records, changes during construction at the job site, repair or abandonment of facilities, and delays in posting new records. Failure to note errors or omissions when found could result in damages to the facility at a later date. The 1994 NTSB Excavation Damage Prevention Workshop stated that “facility operators should be required to update maps when excavation finds errors in the mapping system.”
- After Avista was made aware of the mapping error and the precise location of the gas stub from main to end point was determined, it was incorporated and mapped properly into Avista’s digital mapping system.

Additionally, please see the following pages for photo documentation explaining Avista’s prior mapping and service points, location of incident, and mapping correction.

Thank you for your consideration in this matter. If you have any question please contact Tyler Proszek at 509-495-8688 or [tyler.proszek@avistacorp.com](mailto:tyler.proszek@avistacorp.com) or myself at 509-495-4584 or [paul.kimball@avistacorp.com](mailto:paul.kimball@avistacorp.com).

Regards,

*/s/ Paul Kimball*

Paul Kimball  
Manager of Regulatory Compliance & Discovery

Avista mapping showing the field location where the excavator found the unmapped stub.



As you can see, the two houses to the north and the two houses to the south of the location where the unmapped gas stub was uncovered are supplied with gas through split services on opposite property lines of the unmapped stub's location.

Mapping correction to include the previously unmapped stub.

