WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION PENALTY ASSESSMENT D-260601 Investigation # 9348

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, 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 violation(s) occurred:
- ☐ Enclose $1,000 in payment of the penalty.
- ☐ Attest that I have paid the penalty through the Commission's payment portal.

☐ 2. **Accept conditions.** I admit that the violation(s) occurred and enclose $200 toward the payment of the penalty. I also accept the Commission's offer to suspend for 90 days, and ultimately waive, the remaining $800 penalty amount subject to the following conditions:
- Company management and field crew responsible for excavation at the time of the incident, must complete NUCA Dig Safe training (https://utc-9183.quickbase.com/db/bpkt6vndh) within 90 days of service of this Penalty Assessment; and
- The Company must submit documentation of training completion (Certificate) to the Commission. (See attached **NUCA Dig Safe Training Verification Record**).

☐ 3. **Contest the violation(s).** I believe that the alleged violation(s) did not occur for the reasons I describe below (**if you do not include reasons supporting your contest here, your request will be denied)**:

☐ 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 violation(s), but I believe that the penalty should reduced for the reasons set out below (**if you do not include reasons supporting your application here, your request will be denied)**:

☐ 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: _____ [Month/Day/Year], at _____ [City, State]

_____ _____

Name of Respondent (Company) – please print Signature of Applicant

RCW 9A.72.020 “Perjury in the first degree.”

(1) A person is guilty of perjury in the first degree if in any official proceeding he or she makes a materially false statement which he or she knows to be false under an oath required or authorized by law.
(2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his or her statement was not material is not a defense to a prosecution under this section.
(3) Perjury in the first degree is a class B felony.