

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment Against SOUND DRILLING, LLC in the amount of \$7,000	DOCKET DG-260192 ORDER 01 DENYING CONTEST
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BACKGROUND

1 On April 14, 2026, the Washington Utilities and Transportation Commission (Commission) issued a \$7,000 penalty against Sound Drilling, LLC (Sound Drilling or Company) for seven violations of the Revised Codes of Washington (RCW) as follows:

- **First Violation:** \$1,000 penalty for one violation of RCW 19.122.030(1)(a) that occurred on September 10, 2025, at 2433 East Blackburn Road, Mount Vernon, WA.
- **Second Violation:** \$1,000 penalty for one violation of RCW 19.122.030(2) that occurred on October 20, 2025, at 2433 East Blackburn Road, Mount Vernon, WA.
- **Third Violation:** \$1,000 penalty for one violation of RCW 19.122.030(2) that occurred on November 25, 2025, at 2433 East Blackburn Road, Mount Vernon, WA.
- **Fourth Violation:** \$1,000 penalty for one violation of RCW 19.122.030(1)(a) that occurred on January 7, 2026, at 2433 East Blackburn Road, Mount Vernon, WA.
- **Fifth Violation:** \$1,000 penalty for one violation of RCW 19.122.030(2) that occurred on January 7, 2026, at 2433 East Blackburn Road, Mount Vernon, WA.
- **Sixth Violation:** \$1,000 penalty for one violation of RCW 19.122.030(1)(a) that occurred on February 12, 2026, at 2433 East Blackburn Road, Mount Vernon, WA.
- **Seventh Violation:** \$1,000 penalty for one violation of RCW 19.122.030(2) that occurred on February 12, 2026, at 2433 East Blackburn Road, Mount Vernon, WA.

- 2 The Penalty Assessment offered Sound Drilling the opportunity to suspend \$5,600 of the penalty on the condition that Company management and field crew responsible for excavation successfully complete National Utility Contractors Association (NUCA) Dig Safe training within 90 days of service of the Penalty Assessment and submit documentation of training completion to the Commission's web portal.
- 3 On April 21, 2026, the Company responded to the Commission's penalty assessment and contested the violation. In its summary response, Sound Drilling stresses its commitment to Washington's dig laws, seeks reconsideration, and requests the penalty be dismissed or reduced to a warning citing unreliable photographic evidence. The Company emphasizes that the photos from Cascade Natural Gas Corporation (CNGC) lack dates, timestamps, and metadata, making it difficult to confirm if white lining was absent during the relevant locate responses, especially given the changing field conditions
- 4 On April 30, 2026, Commission staff (Staff) filed a response letter in this docket recommending the Commission deny the Company's contest of the violation. In its letter, Staff states that chapter 19.122 Revised Code of Washington (RCW) is clear in its requirements that excavators are required to mark the boundary of the excavation area with white lining and provide notice to a one-number locator service not less than two full business days and not more than 10 full business days before the scheduled work-to-begin date.
- 5 According to Staff, it submitted a Memorandum on April 7, 2026, detailing which documents, photographs, One Call Center database records, communications between CNGC and Sound Drilling, and Staff communications with CNGC and Sound Drilling were reviewed. The One Call Center database confirmed that Sound Drilling requested locate ticket #25390798 on September 8, 2025, which was updated by tickets #25457862 on October 19, 2025, #25508403 on November 25, 2025, #26001759 on January 5, 2026, and #26058974 on February 12, 2026. Staff notes that the previously reviewed communications between the Company and CNGC indicated ongoing issues with tickets being updated, no work getting started, and no white lining occurring. Staff also states that while the two photographs provided to Staff by CNGC were not dated and timestamped, both were associated with the fourth update to the original ticket #26058974, which was re-located on February 12, 2026. Staff indicates that the pictures were emailed to the Company on February 12, 2026, advising that the location had not been marked with white paint, and that Sound Drilling acknowledged that it was having difficulties with a third-party vendor automatically updating tickets that didn't need to be renewed or had been cancelled.
- 6 Staff asserts that Sound Drilling's contest of the violations does not dispute the updated locate requests or the Company failing to begin work not less than two full business days and not more than 10 full business days from the ticket requests as required by RCW 19.122.030(1)(a). Further, Staff points out that Sound Drilling requested documents to

properly understand and respond to the allegations, that Sound Drilling has not provided any new factors or information that was not previously considered, and that Sound Drilling has not provided any evidence that it did not commit the alleged violations of requesting updated locate tickets and failing to begin work or failing to white line the boundary of the excavation area. Staff concludes that the preponderance of evidence for this case substantiates that Sound Drilling had repeated updates to locate ticket #25390798, failed to begin work after each locate request, and failed to white line the boundary of the excavation area. As a result, Staff recommends that the Commission deny Sound Drilling's contest of the violations and uphold the assessed penalty as appropriate.

DISCUSSION AND DECISION

- 7 RCW 19.122.030(1)(a) states, in part, that an excavator must mark the boundary of the excavation area with white lining, or, when necessary, white pin flags applied on the ground at the worksite, then provide notice of the scheduled commencement of excavation to all facility operators through a one-number locator service. RCW 19.122.030(2) states, in part, that an excavator must provide notice to a one-number locator service not less than two full business days and not more than 10 full business days before the scheduled work-to-begin date, unless otherwise agreed by the excavator and facility operators in writing. RCW 19.122.055(3) states, in part, that any excavators who violate any provision of this chapter but does not cause damage to an underground gas facility are subject to a civil penalty of not more than \$5,000 for each violation. Here the commission assessed a penalty of \$1,000 for each of the seven violations for a total penalty of \$7,000.
- 8 The Commission agrees with Staff's recommendation and denies the Company's contest of the violations. The disputed facts are those that were fully considered in the original investigation, Sound Drilling has provided no new factors or information that were not previously considered. Specifically, the Company has questioned two photos, but has not disputed any of the other underlying evidence which include multiple locate tickets submitted for the location and communications between the Company and CNGC over concerns over white lining. Additionally, the Company does not dispute the updated locate requests or the Company failing to begin work not less than two full business days and not more than 10 full business days from the ticket requests as required by RCW 19.122.030(1)(a).
- 9 However, the Commission's interest in any enforcement action is in ensuring future compliance. Accordingly, we reiterate the offer in the Penalty Assessment to suspend an \$800 portion of the penalty subject to conditions. Accordingly, Sound Drilling must take one of the following actions within 14 days of the effective date of this Order:
 - Pay the \$7,000 penalty; or

- Pay \$1,400 of the penalty amount and notify the Commission that the Company accepts the Commission's offer to suspend, and ultimately waive, the remaining \$5,600 portion of the penalty subject to the condition that: 1) Company management and field crew responsible for excavation must complete NUCA Dig Safe Training (<https://utc-9183.quickbase.com/db/bpkt6vndh>) within 90 days of service of this Penalty Assessment; and 2) The Company must submit documentation of training completion to the Commission's web portal at <https://efiling.utc.wa.gov/Form>.

ORDER

THE COMMISSION ORDERS THAT:

- 10 (1) Sound Drilling, LLC's contest of the violations is DENIED.
- 11 (2) Sound Drilling, LLC must either pay the \$7,000 penalty or accept the deferral option described in paragraph 9, above, within 14 days of the effective date of this Order. See the form served with this order titled Response to Commission Order 01.

DATED at Lacey, Washington, and effective May 7, 2026.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



JEFF KILLIP
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.