



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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November 19, 2021

RE: *In the Matter of the Penalty Assessment Against Johansen Excavating, Inc., aka
Johansen Construction Company, Inc., in the Amount of \$1,000,
Docket D-190243*

TO ALL PARTIES:

On May 2, 2019, the Washington Utilities and Transportation Commission (Commission) assessed a \$1,000 penalty against Johansen Excavating, Inc., d/b/a Johansen Construction Company, Inc., (JCC or Company) for one violation of Revised Code of Washington (RCW) 19.122. On August 12, 2019, the Commission entered Order 01, Denying Request for Hearing; Denying contest of Violations; Denying Mitigation; Suspending Penalty Subject to Condition (Order 01). Order 01 denied mitigation or reduction of the \$1,000 penalty but suspended the entire penalty for two years, subject to the condition that the Company incur no further violations of RCW 19.122 within that time.

On November 4, 2021, Commission staff (Staff) filed a letter informing the Commission that the Company had not incurred any additional violations of the dig law since Order 01. In its letter, Staff recommends the Commission waive the \$1,000 suspended penalty and close the docket.

The Commission agrees that JCC has complied with the condition of the penalty suspension. The \$1,000 suspended penalty is thus waived, and this Docket is closed.

AMANDA MAXWELL
Executive Director and Secretary