



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

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March 25, 2024

RE: *In re Penalty Assessment Against T.E. Briggs Construction Co., in the Amount of \$1,000 for Violation of RCW 19.122.055, Docket DG-220906*

TO ALL PARTIES:

On January 4, 2023, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment (Penalty Assessment) against T.E. Briggs Construction Co. (T.E. Briggs or Company) for one violation of RCW 19.122.055(1)(a). In the Penalty Assessment, the Commission offered to suspend, and ultimately waive, an \$800 portion of the penalty subject to the conditions that: a) T.E. Briggs pay the remaining \$200 unsuspended portion of the penalty within 15 days of the Penalty Assessment; b) Company employees attend Dig Safe training provided by the National Utility Contractors Association (NUCA) within 90 days of the date of the Penalty Assessment; and c) the Company commit no further violations of Chapter 19.122 RCW during the 12 months following the Penalty Assessment.

On January 9, 2023, T.E. Briggs Construction Co. contested the violation. On February 16, 2023, the Commission issued an order Denying the contest of violation.

On January 4, 2023, the Commission received notice of the Company's NUCA Digs Safe training attendance, however T. E. Briggs did not provide a copy of the training certificate. Payment of \$200 was made on March 2, 2023.

On November 2, 2023, the Commission issued a Penalty Assessment of \$2,500 to T. E. Briggs Construction Co. for one violation of RCW 19.122.055(1)(a) that occurred on May 17, 2023, in Docket DG-230866.

On March 13, 2024, Commission staff (Staff) filed a letter in this Docket informing the Commission of the Company's repeat violation. Staff recommends that the Commission impose the \$800 portion of the penalty that was suspended because the Company incurred a repeat violation within the 12 month suspension period.

Due to the Company's failure to comply with the agreed conditions, the \$800 portion of the penalty that was suspended is now due and payable.

JEFF KILLIP

Executive Director and Secretary