

Washington State Dig Law Safety Committee
A Standing Committee of Washington Utilities Coordinating Council
COMMUNICATION – COOPERATION – COORDINATION
5808 A Summitview PMB 227 • Yakima, WA 98908



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November 26, 2013

- Committee Members Represent:
- Local Government
- Natural Gas Utility
- Contractors
- Excavators
- Electric Utility
- Consumer – Owned Utility
- Pipeline Utility
- Insurance Industry
- Utilities and Transportation Commission
- Telecommunications Company
- Three At – Large Positions

Dave Lykken, Pipeline Safety Director
Members of the Commission
Utilities and Transportation Commission
1300 Evergreen Park Drive SW
Olympia, WA 98504-7250

Re: Review Committee Decision - Case Number 13021

Dear Mr. Lykken:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of the Washington State Dig Law RCW 19.122. On November 14, 2013 the Review Committee of the Safety Committee heard the complaint. The Complainant in this case is Trenchless Construction Services, LLC and the Respondent is Frontier Communications NW, Inc.

The complainant alleged violation of RCW19.122.030(3), failure to provide locates within the prescribed two business days and RCW 19.122.030(7) by not complying with reasonable costs to excavator. The Review Committee recommendation regarding the Respondent is as follows:

The Review Committee finds that the Respondent, Frontier Communications NW, Inc, did violate RCW 19.122.030(3) by not marking their existing utility infrastructure within the area identified in Dig Ticket 13070653 within the required two business days. The Review Committee further recommends that the penalty for this violation be a \$1,000 fine as identified in the RCW for a first time offense. Regarding the alleged violation of RCW 19.122.030(7) the Review Committee determined that it does not have the authority to adjudicate this specific section of the RCW and simply suggests that Frontier Communications NW, Inc works to facilitate reasonable compensation to Trenchless Construction Services, LLC as the excavator.

Sincerely,

Jon Cornelius
Chair

Cc: Trenchless Construction Services, LLC
Frontier Communications NW, Inc

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