



**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

Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

Steve King, Executive Director and Secretary
Members of the Commission
Utilities and Transportation Commission
1300 Evergreen Park Drive SW
Olympia, WA 98504-7250

**Re: Review Committee Decision - Case Number 17-050 Carl
Mollnow vs Northsky Communications**

Dear Mr. King:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of the Washington State Dig Law RCW 19.122.030(2) for work performed on Nov. 29, 2017

On January 31, 2018, the Washington State Dig Law Safety Committee Review Board heard complaint Case 17-050 Carl Mollnow vs Northsky Communications.

The Review Committee determined that the respondent Northsky Communications did violate RCW 19.122.030(2) by failing to call for locates.

The Review Committee recommends the following penalty be assessed to the respondent:

- \$1000 with \$800 deferred if the respondent completes Dig safe training as described below within 90 days of the UTC penalty assessment.
- The review committee recommends that the Northsky regional manager, superintendent and director of safety along with the employee involved in the violation all complete NUCA Dig Safe training.

The review committee commends Northsky for arranging 811 training through Don Evans of WA811 for all field personnel in Washington State.



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Please let me know if you have any questions regarding this case. I can be contacted at 425.430.7212.

Sincerely,

Dave Christensen, Chair

Cc: Lynda Holloway, UTC

Tanner O. Betteridge, Northsky Communications

Complaint Form

sendmail@washington-ucc.org <sendmail@washington-ucc.org>
To: wsdsafetycommittee@gmail.com

Mon, Dec 4, 2017 at 6:18 PM

Complaint Form Request

Requester Information

Name: Carl Mollnow
Company: Home Owner
Company Phone: (253)564-1481
Company Email: cmollnow741@comcast.net
Company Address: 5124 84th Ave W, University Place (Tacoma), 98467
Ticket Requested: no

Violation Information

Violation RCW: RCW 19.122.030
Violation Section: 19.122.030- failure to request utility location by calling 811
Violation Description: On Wednesday, Nov. 29th, 2017 , Northsky Communications did not call and wait to have Utilities Located before the technician excavated soil to install a Century Link Utility Line to [5118 84th Ave W., University Place, WA 98467](#). The technician did mark the area of proposed excavation with white paint with the letters "LOC" and "NSC" on 3 neighboring properties and my property without notifying me beforehand, but then they skipped calling to have the utility locate done and excavated the soil to do their work the same day. This was very alarming to me because I have had my water supply line to my home broken 2 separate times in the past: once by a contractor that did not have a Utility Locate done and once by the City of University Place because they did not have a utility locate done. I am taking this action so that this company and its technicians are educated and follow the Call before You Dig Law to prevent future utility line damage for myself and any others to prevent unnecessary catastrophes.
Violation Address: [5124 84th Ave W](#)
Violation Date: 11/29/2017

Alleged Violator

Violator Name: Northsky Communications
Violator Phone Number: (800)755-6920
Violator Email: hr@northskycomm.com
Violator Address: 11818 SE Mill Plain Boulevard, Suite 410, Vancouver, 98684
Violator Employess On Site: unknown

Other Information

Other Information: On Nov. 30th, 2017, my son saw and spoke to a different technician from Northsky Communications who came to perform the same work that day and did not know that the work was already completed by his company on Nov. 29, 2017, the day before. The technician after seeing the white location marks, speaking with my son, and researching company records found that the work had already been completed on Nov. 29th, 2017, the day before.



Shelley Cornelius <wsdlsafetycommittee@gmail.com>

Incident Statement from Carl Mollnow with pictures 3 of 8 total- Complaint Case Number 17-050 Carl Mollnow vs Northsky Communications

Carl J. Mollnow <cmollnow741@comcast.net>
Reply-To: "Carl J. Mollnow" <cmollnow741@comcast.net>
To: wsdlsafetycommittee@gmail.com

Tue, Jan 30, 2018 at 3:18 PM

Attached to this e-mail are 3 pictures of the areas in question of 8 total. I will send the rest in a following e-mail. Also in this e-mail is a written incident statement. The area described in the following incident statement and a description of each.

Picture #1- On our property, "NSC" clearly written.

Picture #2- Close up of Picture #1

Picture #3- One Marking on House 5126 Property and one marking on House 5124 property

The following is a statement regarding the incident.

From- Carl Mollnow and Corey Mollnow- written by Corey Mollnow

To- Washington State Dig Law Safety Committee

Incident Statement regarding RCW 19.122.030 Dig Law Violation

Date of Violation- 11/29/2017

Basic Description of Incident-

On Wednesday, 11/29/2017, a Northsky Communications Technician violated the Dig Law when he dug to install cable for Century Link at the address of 5118 84th Ave. W., University Place, WA without getting a utility locate completed by contacting 811.

The technician also painted white paint proposed excavation markings on 4 neighboring properties without notification to the property owners:

- 5124 84th Ave, W., University Place, WA
- 5118 84th W., University Place, WA
- 5116 84th W., University Place, WA
- 5126 84th Ave, W., University Place, WA

I, Corey Mollnow, on Wednesday, 11/29/2017, at approximately 3:00pm, I went outside to get our newspaper and was alarmed to find proposed excavation markings in white paint on our property and 3 other properties with the letters "LOC" and "NSC".

I then notified my father, Carl Mollnow, and he came outside to view the proposed excavation markings for himself.

We saw our neighbor, Mr. Yoder, that lives at 5116 84th Ave. W, that also had white proposed excavation marking in his yard too, and asked him if he knew who put the white markings down. He said that a company technician came to install Century Link Cable at the house next to him at 5118 84th Ave. W. and the technician was in the process of figuring out how to install cable to the house when Mr. Yoder encountered him and spoke to him. During their conversation, Mr. Yoder told the technician that he had a Century Link Cable Line connected to his house, but that he did not use it and they had Comcast. Mr. Yoder said to the technician that he could disconnect the Century Link Line to his house and use it to connect to the home at 5118 84th Ave. W., instead of having to dig a trench through his property and the other properties from 5118 84th Ave. W. to 5124 84th Ave. West, where the cable box is located. Mr. Yoder said the technician decided to do this and then disconnected the Century Link line from Mr. Yoder's House, dug a trench from Mr. Yoder's house at 5116 84th Ave. W. to the house at 5118 84th Ave. W., installed the Century Link Line, and filled the trench back in, which completed the installation and the technician left.

Nov. 30th, 2017, Thursday- I, Corey Mollnow, heard an engine running noise outside and looked out our front window to see a Northsky Communications Truck outside. I went outside and spoke to the technician to find out if they would be doing any additional work and ask why they did not get the locate done before digging.

I spoke to the Northsky Communications Technician and he said that he was not aware of the work done the day before and that he was there to do the installation of cable to the home at 5118 84th Ave. W..

On his computer he checked to find the work order and the work order record, but could not find any work done at that address. He then tried several other search methods and found the record of the work being done and how it was done. I told him my father and I were alarmed when we saw the white proposed excavation markings on our property and the other properties and called 811 to find out if there were any locates done for that address by Northsky Communications or anybody and there were none. He said that before any work is done that the previous technician should have contacted the affected property owners and if not home, hung a door knob tag on their doors that notifies them of work being done.

Why did we report this Violation-

Our water supply line has been broken 2 times in the past. Both parties DID NOT have the utilities located by calling 811 before digging. One water supply line break was by the City of University Place that was putting in a street sign and one water supply line break was by a contractor that was replacing a neighbor's driveway.

These 2 incidents created catastrophic problems for our family that many of which still remain unresolved today. One of these incidents occurred just a few days after my mother was discharged from the hospital after a nearly deadly heart attack and 12 hour emergency double heart bypass surgery. This left her with no clean water to clean her long incision wounds and forced us to buy hundreds of gallons of bottled water just so she could take a bath and thousands more for everything else for all of us. We could not use our toilets, our sinks, our bathtub, or our clothes washing machine for months.

Many people, citizens and contractors, fail to understand the potential catastrophes that can result from not having utilities located first, before they dig, by calling 811.

Unfortunately, our family, knows all too well, the incredible hardships that these unnecessary disasters cause.

This is why we now do everything we can to prevent them from happening now and in the future.

It is all about prevention.

This is why we reported this violation.

Submitted by Carl Mollnow and Corey Mollnow









Shelley Cornelius <wsdlsafetycommittee@gmail.com>

Pictures 4-6 of 8 Total regarding- Complaint Case Number 17-050 Carl Mollnow vs Northsky Communications

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Tue, Jan 30, 2018 at 3:41 PM

Pictures 4 through 6 of 8 Total- regarding- Complaint Case Number 17-050 Carl Mollnow vs Northsky Communications.

Here are pictures 4 through 6 of 8 total with a description of each.

Picture #4- Wide picture of House 5118 on left with House 5116 on right. White Excavation Markings visible in front yard on left.

Picture #5- Wide Picture of Dig Area between House 5118 on left and House 5116 on right. White Excavation Marking visible. Dig Area near down spout and utility box on House 5116 on left then extending over to House 5118 on right.

Picture #6- Close up Shot of Dig Area- Dig area is between Utility Box on House 5118 on left and Utility Box on House 5116 on right . Utility Box on House 5116 is behind Garbage Can.

From Carl Mollnow









Shelley Cornelius <wsdlsafetycommittee@gmail.com>

Pictures 7 through 8 of 8 Total regarding- Complaint Case Number 17-050 Carl Mollnow vs Northsky Communications

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To: wsdlsafetycommittee@gmail.com

Tue, Jan 30, 2018 at 3:48 PM

Pictures 7 through 8 of 8 Total regarding- Complaint Case Number 17-050 Carl Mollnow vs Northsky Communications.

Description of Pictures:

Picture #7- White Excvation Markings in front yard. This is also seen in Picture #4.

Picture #8- Close up of Picture #7. The letters "NSC" are clearly visible. These Letters stand for Northsky Communications.

Submitted by Carl Mollnow.



