



Shelley Cornelius <wsdlsafetycommittee@gmail.com>

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## Complaint Form

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

Fri, Feb 9, 2018 at 10:44 AM

## Complaint Form Request

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### Requester Information

**Name:** Erika Hunter  
**Company:** Puget Sound Energy  
**Company Phone:** (425)456-6995  
**Company Email:** erika.hunter@pse.com  
**Company Address:** 355 110th Ave NE, EST4W, Bellevue, 98004  
**Ticket Requested:** no

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### Violation Information

**Violation RCW:** RCW 19.122.030  
**Violation Section:**  Excavating without locates; Digging before the required two business days [RCW 19.122.030(2)]  
**Violation Description:** 1. On 12/22/2017 PSE's Damage Prevention Representative observed an All American Fencing crew installing fencing between lots at the above listed address including freshly installed fence posts. Bob contacted the owner, Richard Shanebrook, who was not able to provide a valid locate ticket number for the excavation that occurred. 2. PSE's Damage Prevention Representative checked Washington One Call 's managetickets site and found no valid locate ticket for the location involved with this complaint.  
**Violation Address:** 27805 153 Place SE, Covington, WA  
**Violation Date:** 12/22/2017

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### Alleged Violator

**Violator Name:** All American Fencing  
**Violator Phone Number:** (253)347-6687  
**Violator Email:** allamericageneralcontractor@gmail.com  
**Violator Address:** PO Box 98071, Auburn , 98071  
**Violator Employess On Site:** Richard Shanebrook

Richard Brooke  
206-651-6065  
PO Box 812 In Auburn 98071

### Other Information

**Other Information:**

## PSE Complaint

**Requestor:**

Erika Hunter  
Damage Prevention Program Manager  
Puget Sound Energy  
PO Box 97034, EST-4  
Bellevue, WA 98009-9734

**Alleged Violator:**

RICHARD SHANEBROOK  
All American Fencing  
PO Box 812  
AUBURN, WA 98071  
WA UBI 602 349 111  
253-347-6687

**Date:** 12/22/2017

**Location:** 27805 153 Place SE, Covington, WA

**Damage Prevention Representative:** Bob Douglas (primary) and Joan Burlingame (secondary)

**Locate Ticket Number Associated with Address:** No locate called in for this location by All American Fencing.

**Ticket Number:** No ticket

**Original Call Date:** Was not called in

**Work to Begin Date:** Damage Prevention Field Representative observed work without locates on 12/22/2017

**Notes about the Ticket:** N/A

**Violation(s):**

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- Excavating without locates; Digging before the required two business days [RCW 19.122.030(2)]**

**Summary:**

1. On 12/22/2017 PSE's Damage Prevention Representative observed an All American Fencing crew installing fencing between lots at the above listed address including freshly installed fence posts. Bob contacted the owner, Richard Shanebrook, who was not able to provide a valid locate ticket number for the excavation that occurred.
2. PSE's Damage Prevention Representative checked Washington One Call's *managetickets* site and found no valid locate ticket for the location involved with this complaint.
3. The action taken by PSE's Damage Prevention Representative:
  - a. Requested that the excavator not do any further excavation until the company called for and received locates.
  - b. Had previously talked with the company owner, Richard Shanebrook and explained why the current situation was in violation of the law.
  - c. Documented through pictures the
    - i. address of the site,
    - ii. screen shot of the locate ticket (or the lack of a ticket)
    - iii. lack of marks on the ground,
    - iv. excavation on site,
4. As evidenced by the photographs below the installation of 4x4 fence posts into the ground meets the definition of excavation found in RCW 19.122.020 which states

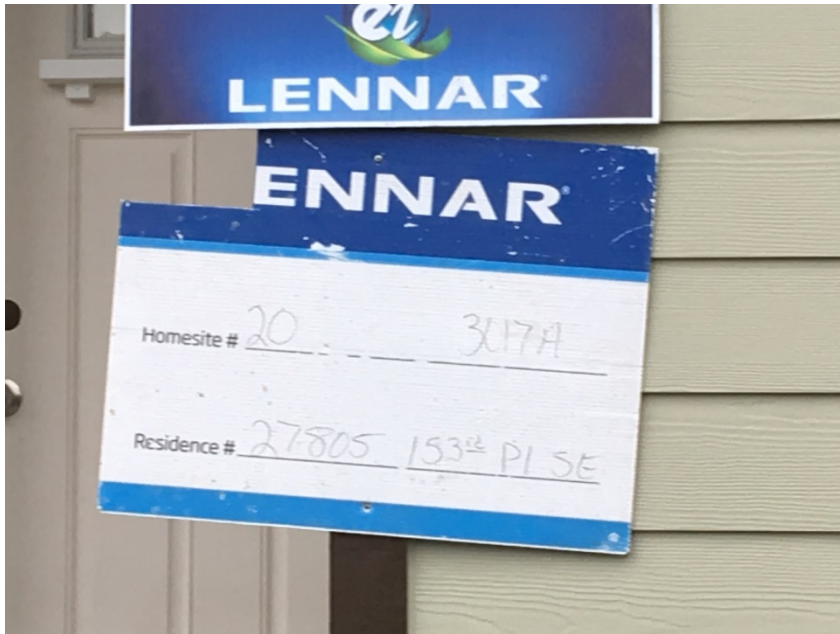
- a. "Excavation" and "excavate" means any operation, including the installation of signs, in which earth, rock, or other material on or below the ground is moved or otherwise displaced by any means." [RCW 19.122.020(8)]
5. Two of PSE's Damage Prevention Representatives had discussed locates with All American Fencing on multiple dates prior to documenting work being done without required locates on 12/22/2017.

## **Pictures and Other Evidence:**

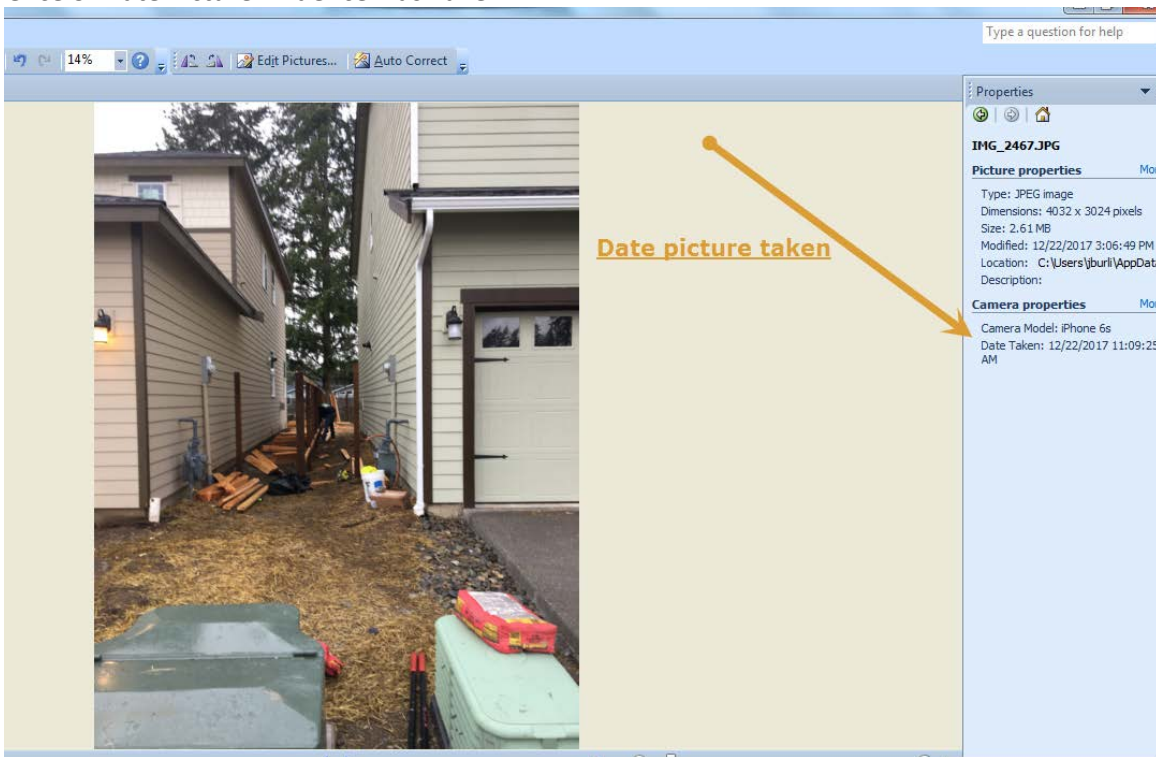
### **Contacts with Company Prior to the Date of this Complaint:**

- Bob Douglas, PSE Damage Prevention Representative, made his first contact with All American Fencing on 6/16/2017 and let the crew know that locates were needed. This was a site visit with a crew working in a Harbor Homes subdivision located in Kent, WA (9630 S 245 Place).
- Bob Douglas talked with Richard Shanebrook, company owner on 6/21/2017 about the legal requirement to get locates.
- Joan Burlingame, PSE Damage Prevention Representative, talked with the fencing crew working in Village Green, a Lennar subdivision on 10/10/2017 (135 St E and 186 Ave Ct E, Bonnie Lake) about needing to have locates and placed a call to Richard and left a voice mail requesting a call back to discuss locates.
- Bob Douglas observed a crew from All American Fencing working in Hawksberry (Lennar Homes 27805 153 Place SE, Covington Greg Wahl site superintendent) on 11/08/2017 and observed that locates were not on the ground. Bob did not speak with the crew, as the posts were set and the crew was building the fence. Bob took notes and addressed this with Richard over the phone.
- Bob Douglas encountered All American Fencing working without locates on three other occasions:
  - 12/18/2017 multiple lots within Otani Gardens, a Lennar Homes plat located in Seattle.
  - 12/20/2017 10419 11<sup>th</sup> St Ct E, Edgewood, View Pointe, a Lennar Homes plat.
  - 12/28/2017 10424 11<sup>th</sup> St Ct E, Edgewood, View Pointe, a Lennar Homes plat.
- After talking to both Bob Douglas and Joan Burlingame, All American Fencing called in
  - 41 locate tickets on 10/24/2017
  - 13 locate tickets on 12/28/2017
  - 21 locate tickets called in between 1/03/2018 and 1/21/2018
  - All American Fencing demonstrated knowledge of the legal requirement to call in locates and demonstrated the ability to obtain locates but did not apply this knowledge and ability across all of their work sites. All American Fencing demonstrated an inconsistent approach to complying RCA 19.122.

Address Evidence:



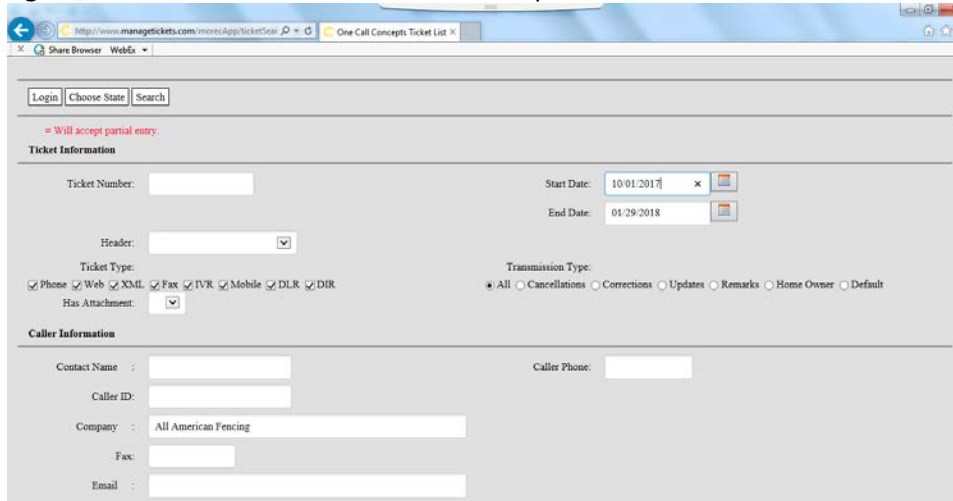
Evidence of Date Picture Evidence was Taken:



- PSE's Damage Prevention Representative took pictures of the excavation site on 12/22/2017.

**Evidence of a Lack of Locate Tickets:**

- PSE searched for all locate tickets requested by All American Fencing between 10/01/2017 and 1/29/2018 to document that a locate request was never called in for 27805 153 Place SE, Covington, the location associated with this complaint.



- The table below contains locate tickets called in by All American Fencing between 10/01/2017 and 12/28/2017 (primarily to demonstrate no locate being called in for 27805 153 Place SE, Covington, the location associated with this complaint).

<a href="#">17425909</a>	Phone	10/24/17 15:00:41	ALL AMERICAN FENCING	5501	24TH ST NE	TACOMA
<a href="#">17425911</a>	Phone	10/24/17 15:00:58	ALL AMERICAN FENCING	2422	55TH AVE NE	TACOMA
<a href="#">17425914</a>	Phone	10/24/17 15:02:16	ALL AMERICAN FENCING	2430	55TH AVE NE	TACOMA
<a href="#">17425918</a>	Phone	10/24/17 15:02:42	ALL AMERICAN FENCING	8263	S 118TH CT	SEATTLE
<a href="#">17425926</a>	Phone	10/24/17 15:05:42	ALL AMERICAN FENCING	8269	S 118TH CT	SEATTLE
<a href="#">17425930</a>	Phone	10/24/17 15:06:03	ALL AMERICAN FENCING	8227	S 118TH CT	SEATTLE
<a href="#">17425932</a>	Phone	10/24/17 15:06:17	ALL AMERICAN FENCING	8221	S 118TH CT	SEATTLE
<a href="#">17425933</a>	Phone	10/24/17 15:06:33	ALL AMERICAN FENCING	8237	S 118TH LN	SEATTLE
<a href="#">17425938</a>	Phone	10/24/17 15:07:08	ALL AMERICAN FENCING	8225	S 118TH LN	SEATTLE
<a href="#">17425941</a>	Phone	10/24/17 15:07:27	ALL AMERICAN FENCING	11833	82ND PL S	SEATTLE
<a href="#">17425944</a>	Phone	10/24/17 15:07:53	ALL AMERICAN FENCING	15305	SE 278TH PL	KENT
<a href="#">17425984</a>	Phone	10/24/17 15:17:02	ALL AMERICAN FENCING	10418	11TH ST CT E	EDGEWOOD
<a href="#">17425994</a>	Phone	10/24/17 15:19:23	ALL AMERICAN FENCING	5613	24TH ST NE	TACOMA
<a href="#">17425997</a>	Phone	10/24/17 15:20:27	ALL AMERICAN FENCING	5617	24TH ST NE	TACOMA
<a href="#">17496129</a>	Phone	12/28/17 11:19:14	ALL AMERICAN FENCING	10419	11TH STREET CT E	EDGEWOOD
<a href="#">17496188</a>	Phone	12/28/17 11:36:04	ALL AMERICAN FENCING	5605	24TH ST NE	TACOMA
<a href="#">17496200</a>	Phone	12/28/17 11:41:21	ALL AMERICAN FENCING	5517	24TH ST NE	TACOMA
<a href="#">17496203</a>	Phone	12/28/17 11:42:20	ALL AMERICAN FENCING	2434	56TH AVE NE	TACOMA
<a href="#">17496204</a>	Phone	12/28/17 11:43:18	ALL AMERICAN FENCING	5314	25TH ST NE	TACOMA

**Excavating Without Locates Evidence:**



- It is obvious that the fence line is located in the proximity of the gas and electric utilities. No locates on the ground.

