



Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

November 26, 2018

**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

Mark Johnson, 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 18-074 M&L
Construction, Inc. vs Avista Corporation

Dear Mr. Johnson:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of the Washington State Dig Law RCW 19.122.030(3)(a) for work performed on 8/7/2018.

On October 31, 2018 the Washington State Dig Law Safety Committee Review Board heard complaint Case 18-074 M&L Construction, Inc. vs Avista Corporation.

The Review Committee found that Avista Corporation did not locate their facilities in the work area that was marked in white by M&L Construction Inc. Therefore, the Review Committee determined that Avista violated RCW 19.122.030(3)(a) for not locating their facilities in the work area.

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

- \$1000.00 penalty for one violation of RCW 19.122.030(3)(a)

Please let me know if you have any questions regarding this case. I can be contacted at 206-794-9823.

Sincerely,

Jim Walton, Chair

cc: Lynda Holloway, UTC

Scot Hattenburg, M&L Construction, Inc.

Linda Burger, Avista Corporation