



Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

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

March 11, 2020

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 – Cases 19-056 and 19-057
Puget Sound Energy vs. Modern Homes, LLC

Dear Mr. Johnson:

The Washington State Dig Law Safety Committee received two complaints regarding potential violations of Washington State Dig Law RCW 19.122.030 for work performed on April 30, 2019 and May 2, 2019.

On February 18, 2020, the committee formed a review board and heard Cases 19-056 and 19-057 filed by Puget Sound Energy against Modern Homes, LLC.

The review board determined that the respondent, Modern Homes, LLC, violated RCW 19.122.030(2) on one occasion by not requesting locates and RCW 19.122.030(2) on one occasion by not waiting the prescribed two business days before digging.

Therefore, the committee recommends a total penalty of \$6000.00 be assessed to the respondent as follows;

- Case 19-056 \$1000.00 penalty for one violation of RCW 19.122.030(2)
- Case 19-057 \$5000.00 penalty for one violation of RCW 19.122.030(2)

The recommended penalties total \$6000.00 with \$5000.00 deferred on the condition that field staff and ownership complete NUCA dig safe training and incur no additional violations of RCW 19.122 within twelve months of receiving a penalty assessment order.

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

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Sincerely,

A handwritten signature in black ink, appearing to read "Jim Walton".

Jim Walton, Chair

cc: Lynda Holloway, UTC

Pavel Afichuk, Modern Homes, LLC.