



# Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

State Of WASH.  
 UTIL. AND TRANSP.  
 COMMISSION

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**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

January 3, 2023

Amanda Maxwell, Executive Director and Secretary  
 Members of the Commission  
 Utilities and Transportation Commission  
 621 Woodland Square Loop SE  
 Lacey, WA 98503

Re: Review Committee Decision – Case 22-028 Avista Corporation vs. M&L Construction Inc.

Dear Amanda Maxwell:

The Washington State Dig Law Safety Committee received a complaint regarding a potential violation of Washington State Dig Law RCW 19.122.030 for work performed on 06/28/2022.

On 12/20/2022, the committee formed a review board and heard Case 22-028 filed by Avista Corporation against M&L Construction Inc.

The review board determined that the respondent, M&L Construction Inc., violated RCW 19.122.040(2)(a) on one occasion for failing to find the precise location of a marked facility before drilling and then again for excavating before finding the precise location of a marked facility.

Therefore, the committee recommends a total penalty of \$1000 being assessed to the respondent as follows:

- \$1000 penalty for two violations of RCW 19.122.040(2)(a)

The recommended penalties total \$1000.

Please let me know if you have any questions regarding this case. You contact me at 206-794-9823.

Sincerely,

Jim Walton, Chair  
 Cc: Lynda Holloway  
 Scot Hattenburg  
 Tyler Proszek