



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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Feb. 12, 2018

Steven V. King, Executive Director and Secretary  
Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Westward Hoe Construction, Inc.*  
Commission Staff's confirmation of compliance with Order 01  
Docket D-161117

Dear Mr. King:

On Nov. 10, 2016, Westward Hoe Construction, Inc., (Westward Hoe) was issued a \$16,000 penalty for a violations of RCW 19.122. Westward Hoe had the option to have a \$10,000 portion of the penalty suspended and ultimately waived on the conditions that: (1) Westward Hoe attend Dig Safe training provided through the National Utility Contractors Association (NUCA); and (2) that the company commit no further violations of RCW 19.122 within the next 12 months.

On Dec. 2, 2016, the commission received mitigation request from Westward Hoe. In Order 01, issued Dec. 23, 2016, the commission denied the mitigation request and adopted staff's recommendation to allow Westward Hoe to pay \$6,000 of the penalty amount and suspend the remaining \$10,000 subject to conditions. Westward Hoe paid the \$6,000 amount due on Dec. 30, 2016.

Staff has confirmed that the first condition of the penalty waiver was met as Westward Hoe attended NUCA Dig Safe training on Feb. 17, 2017. In addition, staff confirmed on Feb. 7, 2018, that according to commission records Westward Hoe has committed no further violations of RCW 19.122 within the past 12 months. The second condition of the penalty waiver has also been met.

As both conditions of the commission's penalty assessment in this docket have been met, staff recommends the suspended \$10,000 penalty amount against Westward Hoe be permanently waived and the docket closed.

Sincerely,

Sean C. Mayo, Director  
Pipeline Safety