

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Penalty Assessment
Against

SEFNCO COMMUNICATIONS INC.

In the Amount of \$10,000

DOCKET DG-190891

ORDER 01

GRANTING MOTION TO
WITHDRAW; DISMISSING
PROCEEDINGS

BACKGROUND

- 1 On December 3, 2019, the Washington Utilities and Transportation Commission (Commission) issued a Penalty Assessment in Docket DG-190891 against Sefnco Communications Inc. (Sefnco or Company) in the amount of \$10,000, alleging one violation of Revised Code of Washington (RCW) 19.122.030(2) for failing to provide the required notice to a one-number locator service not less than two business days before excavating and causing damage to an underground natural gas facility.
- 2 On December 26, 2019, Sefnco filed with the Commission a response to the Penalty Assessment, contesting the violation and requesting a hearing to present testimony and evidence.
- 3 On February 7, 2020, the Commission sent a notice of brief adjudication proceeding, set for March 19, 2020.
- 4 On February 20, 2020, the Company paid the penalty in full.
- 5 On March 3, 2020, the Commission issued a Notice Extending Deadline to File Exhibits and Exhibit Lists to March 12, 2020, by 5pm.
- 6 On March 9, 2020, Sefnco filed a motion to withdraw its application for hearing (Motion). In its Motion, the Company stated: “ we have discovered we were in fact at

fault for the indicated violations. We have submitted payment for the violation and would like to withdraw at this time.”

DISCUSSION AND DECISION

- 7 WAC 480-07-380(3)(a) provides, in relevant part, that “[o]nce the commission has issued a hearing notice or otherwise commenced an adjudicative proceeding pursuant to chapter 34.05 RCW, a party may withdraw the party’s application on which a proceeding is based, only upon permission granted by the commission in response to a written motion.” Sefnco’s Motion reasonably requests withdrawal of its application for hearing based on its discovery that it did, in fact, commit the violation at issue. As such, the underlying controversy is now resolved, and the penalty has been paid in full. Accordingly, we grant Sefnco’s motion to withdraw its application for hearing.

ORDER

THE COMMISSION ORDERS THAT:

- (1) Sefnco Communications Inc.’s Motion to Withdraw its application for hearing is GRANTED, and this docket is closed.
- (2) No penalty is due.

DATED at Lacey, Washington, and effective March 11, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Samantha Doyle
SAMANTHA DOYLE
Administrative Law Judge