



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

May 22, 2020

Mark Johnson, 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 20-014 POW Contracting vs.
City of Moses Lake

Dear Mr. Johnson:

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 August 23, 2019.

On May 20, 2020, the committee formed a review board and heard Case 20-014 filed by POW Contracting against the City of Moses Lake.

The review board determined that the respondent, the City of Moses Lake, violated RCW 19.122.040(1) for failing to acknowledge a change of conditions.

Therefore, the committee recommends a total penalty of \$1000.00 be assessed to the respondent as follows;

- \$1000.00 penalty for one violation of RCW 19.122.040(1)

The recommended penalty is \$1000.00, with \$1000.00 deferred on the condition that the City of Moses Lake has no additional violations of RCW 19.122 within twelve months of receiving a penalty assessment order.

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

Richard Law, City of Moses Lake

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