



# Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

July 6, 2020

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UTIL. AND TRANSP.  
COMMISSION

**Committee Members  
Represent:**

**Local Government**

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**Electric Utility**

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**Insurance Industry**

**Utilities and Transportation  
Commission**

**Telecommunications  
Company**

**Three At – Large Positions**

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 20-018 Avista Corporation vs. Neighborhood Fence

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 April 24, 2020.

On June 30, 2020, the committee formed a review board and heard Case 20-018 filed by Avista Corporation against Neighborhood Fence.

The review board determined that the respondent, Neighborhood Fence, violated RCW 19.122.030(5) by failing to wait until all locates are marked or communicated before starting excavation.

Therefore, the committee recommends a total penalty of \$2500 is assessed to the respondent as follows:

Case 20-018 \$2500 penalty for one violation of RCW 19.122.030(5)

The recommended penalty totals \$2500 with \$1500 deferred on the condition that the owners of Neighborhood Fence attend NUCA dig safe training and incur 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 may be contacted at 206-794-9823.

Sincerely,

Jim Walton, Chair  
Cc: Lynda Holloway  
Ray Spies  
Linda Burger