



# Washington State Dig Law Safety Committee

A Standing Committee of Washington Utilities Coordinating Council

COMMUNICATION – COOPERATION – COORDINATION

P.O. Box 734 – Poulsbo, WA 98370

February 26, 2016

Steve King, Executive Director and Secretary  
1300 Evergreen Park Drive SW  
Olympia, WA 98504-7250

Re: Review Committee Decision - Case Number 15-005  
M&L Construction, Inc. v. EMAN Networks  
UTC Case Reference Number D-151106

Dear Mr. King:

The Washington State Dig Law Safety Committee processed a complaint through its Review Hearing system and determined that EMAN Networks had violated the Dig law by not being a member of a one-call service and by not locating their underground facilities. Our recommendation, by letter to you dated May 6, 2015, has been under review by your Consumer Protection and Communications Section of the UTC (Reference Number D-151106). Since the time the complaint was sent to the UTC, EMAN Networks has transferred all of its facilities in the Spokane area to Fatbeam, and gone out of business. The Safety Committee has spoken with Fatbeam and with the One-Call Center and we have confirmed that Fatbeam has taken responsibility for these facilities to ensure they are in their coverage area for One-Calls, and has been working hard at locating the facilities they can and providing the ability to locate those facilities previously that were unlocatable.

Given that EMAN Networks has transferred their facilities and gone out of business, and that Fatbeam has taken appropriate responsibilities for these facilities, the Safety Committee would have no objection if the UTC made a determination to drop this matter at this time. Our goal was to ensure that the facilities were properly located, and the safety Committee feels confident with the ownership change that that goal has been met. By reference, the Safety Committee had a second case (15-016) filed against EMAN Networks that was withdrawn by the complainant based upon the conclusions provided above.

Please let me know if you have any questions regarding this case. I can be contacted at 425.430.7212.

Sincerely,

Dave Christensen  
Chair

cc: Lynda Holloway, UTC  
Darren Tinnerstet, UTC

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