



# Washington State Dig Law Safety Committee

1734 Indigo Ln NE, Poulsbo, WA 98370

D-230099

February 15, 2023

**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**

Amanda Maxwell, 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 22-042 M&L Construction,  
Inc. vs. Avista Corporation

Dear Amanda Maxwell:

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 8/15/2022.

On 2/15/2023, the committee formed a review board and heard Case 22-042 filed by M&L Construction, Inc. against Avista Corporation.

The review board determined that the respondent, Avista Corporation, violated RCW 19.122.030(3)(a) by not accurately marking their locatable facilities.

Therefore, the committee recommends a total penalty of \$5000 assessed to the respondent as follows:

- \$5000 for one violation of RCW 19.122.030(3)(a)

The recommended penalties total \$5000.

Please let me know if you have any questions regarding this case. You contact me at 206-794-9823.

Sincerely,

Jim Walton, Chair

Cc: Lynda Holloway

Tyler Proszek, Avista Corporation

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