



Washington State Dig Law Safety Committee

1673 S Market Blvd, #121
Chehalis, WA 98532

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

October 16, 2023

Received

Records Management
Oct 16, 2023

Kathy Hunter, Acting Executive Director and Secretary
UTC Records Center
Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Re: Review Committee Decision – Complaint Case 23-086 M&L Construction vs.
Avista Corporation

Dear Ms. Hunter:

The Washington State Dig Law Safety Committee (committee) received a complaint filed by M&L Construction against Avista Corporation (Avista) regarding a potential violation of the Washington State Dig Law RCW 19.122.030.

On Oct. 4, 2023, the committee formed a peer review board and reviewed Complaint Case 23-086.

The peer review board determined that the respondent, Avista, violated RCW 19.122.030(4)(a) one time, for not providing information to the excavator pursuant to RCW 19.122.030(3) within two business days.

Therefore, the committee recommends a total penalty of \$5,000 be assessed to the respondent as follows:

- \$5,000 for one violation of RCW 19.122.030(4)(a) for Complaint Case 23-086

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

Sincerely,

Jim Walton, Chair

cc: Marina Rathbun, UTC
Tyler Proszek, Avista
Scot Hattenburg, M&L Construction