



# Washington State Dig Law Safety Committee

1673 S Market Blvd, #121  
Chehalis, WA 98532

April 18, 2024

Jeff Killip, 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 24-013 M&L Construction vs.  
Avista Corporation

Dear Mr. Killip:

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 April 11, 2024, the committee formed a peer review board and reviewed Complaint Case 24-013.

The peer review board determined that the respondent, Avista, violated RCW 19.122.030(3)(a) one time for failing to provide the excavator with reasonably accurate information by marking the location of its facilities.

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(3)(a) that occurred on March 20, 2024, at 8103 N Howard Drive, Spokane, WA

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 Const.

Committee Members  
Represent:

Local Government

Natural Gas Utility

Contractors

Excavators

Electric Utility

Consumer Owned Utility

Pipeline Utility

Water Utility

Utilities and  
Transportation  
Commission

Telecommunications  
Company

Three At-Large Positions