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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
PENALTY ASSESSMENT DG – 170350

MAY 23 2017

WASH. UT. & TP. COMM

**PLEASE NOTE:** You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

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2017 MAY 23 AM 8:20  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

- 1. **Payment of penalty.** I admit that the violations occurred and enclose \$1,000 in payment of the penalty
- 2. **Accept conditions.** I admit that the violations occurred and I accept the Commission's offer to suspend, and ultimately waive, \$1,000 of the penalty on the conditions that all J & B Enterprises employees, including ownership and management, attend the NUCA Dig Safe training within 12-months of this penalty assessment; submit documentation of that attendance to the Commission within five (5) days of attending the training; and commit no further violations of RCW 19.122 within the next 12-months.

3. **Contest the violations.** I believe that the alleged violations did not occur for the reasons I describe below:

a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.

OR  b) I ask for a Commission decision based solely on the information I provide above.

4. **Request mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:

a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.

OR  b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 5/13/17 [Month/Day/Year], at Benton City WA [City, State]

J & B Enterprises  
Name of Respondent (company) – please print

Donald H. Martin  
Signature of Applicant

RCW 9A.72.020: