



Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

September 25, 2017

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

Steve King, Executive Director and Secretary
Members of the Commission
Utilities and Transportation Commission
1300 Evergreen Park Drive SW
Olympia, WA 98504-7250

**Re: Review Committee Decision - Case Numbers 17-015 & 17-029
M&L Construction, Inc. vs Charter Communications**

Dear Mr. King:

The Washington State Dig Law Safety Committee received complaints regarding potential violation of the Washington State Dig Law RCW 19.122.030(4) for work performed on April 11, 2017 and on June 26, 2017.

On September 14, 2017, the Washington State Dig Law Safety Committee Review Board heard complaint Cases 17-015 and 17-029, M&L Construction, Inc. vs Charter Communications.

The Review Committee determined that the respondent Charter Communication did violate RCW 19.122.030(4)(a) on case 17-015 by failing to reasonably locate facilities in advance of the excavator's project but did not violate the dig law on case 17-029.

The Review Committee recommends the following penalty be assessed to the respondent:

- Case 17-015 \$1000.00 for violating RCW 19.122.030(4)
- Case 17-029 no penalty assessed

The Safety Committee recommends that \$1000.00 be deferred for one year, if Charter Communications incurs no additional violations of RCW 19.122.030(4) and Charter Communications provides the Safety Committee and One Call Concepts accurate contact information that is kept up to date for use on all future locate tickets.

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

Sincerely,

Dave Christensen, Chair
Cc: Lynda Holloway, UTC
Charter Communications