



Washington State Dig Law Safety Committee

P.O. Box 734 • Poulsbo, WA 98370

September 16, 2020

**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

Mark Johnson, 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 19-087 Johansen
Construction Company vs. Puget Sound Energy

Dear Mr. Johnson:

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 September 19, 2019.

On September 15, 2020, the committee formed a review board and heard Case 19-087 filed by Johanson Construction Company against Puget Sound Energy.

The review board determined that the respondent, Puget Sound Energy, violated RCW 19.122.030(3)(a) for failing to mark the facility operator's underground facilities with reasonably accurate information.

Therefore, the committee recommends a total penalty being assessed to the respondent as follows;

- \$1000.00 penalty for one violation of RCW 19.122.030(3)(a)

The panel's recommended penalty totals \$1000.00, with \$800.00 deferred on the condition that Puget Sound Energy incur no additional violations of RCW 19.122 within twelve months of receiving a penalty assessment order.

Please let me know if you have any questions regarding this case. I may be contacted at 206-794-9823.

Sincerely,

A handwritten signature in black ink that appears to read 'Jim Walton'.

Jim Walton, Chair

Cc: Lynda Holloway

Jeff Horton, PSE Project Manager

Alex Fromong, Johansen Construction Co.