



Washington State Dig Law Safety Committee

1673 S Market Blvd, #121
Chehalis, WA 98532

Received
Records Management
Sep 5, 2025

September 4, 2025

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 – 25-063 Complaint Case – Puget Sound Energy vs
Miller Brothers Landscaping, Inc.

Dear Mr. Killip:

The Washington State Dig Law Safety Committee (committee) received a complaint filed
by PSE against Miller Brothers Landscaping, Inc. (Miller Brothers) regarding alleged
violations of the Washington State Dig Law RCW 19.122.030 and 19.122.040.

On Sept. 4, 2025, the committee formed a peer review board and reviewed 25-063
Complaint Case.

The peer review board determined that the respondent, Miller Brothers, violated RCW
19.122.030(5) by submitting a locate request, then not waiting for all known facility
operators to mark their underground facilities.

The peer review board also determined that the respondent Miller Brothers violated RCW
19.122.040(2)(a) for failing to determine the precise location of underground facilities that
have been marked.

Therefore, the committee recommends that a total penalty of \$2,000 be assessed to the
respondent as follows:

- \$1,000 penalty for one violation of RCW 19.122.030(5) that occurred on Aug. 29, 2024,
at 13002 NE 102nd Place, Kirkland, WA
- \$1,000 penalty for one violation of RCW 19.122.040(2)(a) that occurred on
Sept. 12, 2024, at 13002 NE 102nd Place, Kirkland, WA

Additionally, the committee recommends that a deferral opportunity be offered to
suspend \$1,600 of the total \$2,000, based on the conditions that company owners,
management, and field crews involved in excavation at Miller Brothers attend NUCA
Dig Safe training and that the company incurs no additional violations of RCW 19.122
within the next 12 months.

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
Erika Hunter, PSE
Chris Miller / Shauna Hahn, Miller Brothers

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