

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT DG-210696, Investigation #8392

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:

1. **Payment of penalty.** I admit that the violation occurred and enclose \$1,000 in payment of the penalty.
2. **Accept the Conditions.** I admit that the violation occurred, enclose \$200 in partial payment of the penalty, and I accept the Commission's offer to suspend, and ultimately waive, \$800 of the penalty amount subject to the following conditions:
- o Hattenburg supervisors and applicable field staff must attend dig safe training provided through NUCA within 90 days of the date of this Notice; and
 - o Hattenburg **must submit documentation of that attendance to the Commission within five (5) days of attending the training;** and
 - o Hattenburg must not commit any additional violations of RCW 19.122 within twelve (12) months of the date of this Notice.
2. **Contest the violation.** I believe that the alleged violation did not occur for the reasons I describe below (if you do not include reasons supporting your contest here, your request will be denied):

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- 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 provided above.
3. **Request mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reasons set out below (if you do not include reasons supporting your application here, your request will be denied):

- 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 provided 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: 10/20/2021 [Month/Day/Year], at Spokane WA [City, State]

Hattenburg Excavating, Inc.
Name of Respondent (Company) – please print

[Signature]
Signature of Applicant