

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT **DG-200722**, Investigation # 8213

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 \$2,500 in payment of the penalty.

2. **Accept conditions.** I admit that the violation occurred and enclose \$1,000 toward the payment of the penalty. I also accept the Commission's offer to suspend, and ultimately waive, the remaining \$1,500 penalty amount subject to the following conditions:

- Company management must attend Dig Safe training provided through NUCA within twelve (12) months of this Notice; and
- The Company must submit documentation of that attendance to the Commission **within five (5) days** of attending the training; and
- The Company must not commit any further violations of RCW 19.122 within twelve (12) months of the date of this Notice.

3. **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**):

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 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 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: 9/28/20 [Month/Day/Year], at Brush Prairie, WA [City, State]

EM3 Inc.
Name of Respondent (Company) – please print

Opdy Miller
Signature of Applicant

RECEIVED
RECORDS MANAGEMENT
OCT 07 2020
STATE OF WASH.
UTIL. & TRANSP. COMMISSION