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ELECTRICAL BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

January 29, 2026



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DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

ELECTRICAL BOARD MEETING
TRANSCRIPT OF PROCEEDINGS
JANUARY 29, 2026
VIA ZOOM VIDEOCONFERENCE
PAGES 1 THROUGH 93

CERTIFIED
TRANSCRIPT

Taken Before:
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1 BE IT REMEMBERED that on Thursday, January 29,
2 2026, at 9:00 a.m. via Zoom, an Electrical Board Meeting
3 was held before Rachel Wood, Washington State Certified
4 Stenographic Reporter, residing at Victoria, B.C.

5 WHEREUPON the following proceedings were had, to
6 wit:

7
8 * * * * *

9
10 CHAIR JENKINS: It is Thursday, January 29, 2026,
11 at approximately 9:00 a.m. I would like to call the
12 Washington State Electrical Board Meeting to order.

13 First of all, I would like to thank everyone for
14 joining. I know it's kind of a hassle sometimes to get
15 here and through the electronic side and get signed in,
16 so I appreciate you all being here. This meeting is
17 taking place largely over Zoom platform due to the
18 recent governor executive orders on spending.

19 I would ask that all individuals participating in
20 the meeting, unless you're Board Members, turn off your
21 cameras and mute your microphones until you are called
22 on. Further, we have a court reporter here taking
23 everything down, and the remote nature of this meeting
24 makes it imperative only one person at a time is
25 speaking. I would also ask that you please identify



1 venues where you have large numbers of people. You
2 know, I always say to position yourself in a way that
3 you can get to an exit fairly easily.

4 You know, be aware of the people around you.
5 People that are acting a little strange, you know,
6 something a little out of the ordinary. Make sure to
7 avoid those situations where, you know, any kind of
8 violence or destructive behavior can happen.

9 Be aware of the traffic when you are driving. Look
10 around you and make sure that everything is clear, you
11 know, drive very defensively. Watch out for those
12 drivers that are a little bit more aggressive; those can
13 turn into road rage very quickly. And so it's virtually
14 about keeping your head on a swivel and making sure that
15 you are just aware of your surroundings, because things
16 happen in seconds.

17 Right now, if you are protesting, that's good. If
18 you are not, avoid those areas completely. You know, I
19 don't promote it or not, but what I have asked my family
20 to do is if they are not engaged, engaged in a way that
21 is -- that is not looked upon as being aggressive, if
22 you are not engaged in that activity, then steer clear
23 around it and take different travel to get away from
24 that type of activity because these days it can get
25 -- it can change really quickly. Self-awareness I think



1 is of your -- of the area around you and the dangers
2 around you also go on to the constructions sites. You
3 know, make sure you do a complete scan of a construction
4 site, looking for those hazards that you may run into as
5 you are walking through or working that day is also
6 another self-awareness thing.

7 That's the safety topic for today, Mr. Chair.

8 CHAIR JENKINS: Thank you very much. Chair
9 Jenkins here. That's a very valid message, and I
10 appreciate that. I think that's very proactive.

11
12 ROLL CALL

13
14 CHAIR JENKINS: So moving on to our next item
15 here. Before we move on, actually, we need to do a
16 member roll call. So if the Board Members would please
17 unmute your mics, I would like to start going through
18 roll call. Give me a second there.

19 Board Member Allen Byron.

20 BOARD MEMBER BYRON: Here.

21 CHAIR JENKINS: Board Member Don Baker.

22 (No response.)

23 CHAIR JENKINS: Board Member Kerry Cox.

24 BOARD MEMBER COX: Here.

25 CHAIR JENKINS: Board Member Kevin Davis.



1 BOARD MEMBER DAVIS: Here.

2 CHAIR JENKINS: Board Member Stephen Entrekin.

3 (No response.)

4 CHAIR JENKINS: Board Member Bobby Gray.

5 BOARD MEMBER GRAY: Here.

6 CHAIR JENKINS: Board Member Ivan Isaacson.

7 BOARD MEMBER ISAACSON: Here.

8 CHAIR JENKINS: Board Member Gregory Johnson.

9 BOARD MEMBER JOHNSON: Present.

10 CHAIR JENKINS: Board Member Jack Knottingham.

11 BOARD MEMBER KNOTTINGHAM: Here.

12 CHAIR JENKINS: Board Member Erick Lee.

13 BOARD MEMBER LEE: Here.

14 CHAIR JENKINS: Secretary to the Board, Chief
15 Electrical Inspector Wayne Molesworth.

16 SECRETARY MOLESWORTH: Here.

17 CHAIR JENKINS: Board Member Mike Nord.

18 (No response.)

19 CHAIR JENKINS: And Board Member James Tumelson.

20 BOARD MEMBER TUMELSON: Present.

21 CHAIR JENKINS: Awesome. Thank you very much for
22 chiming in. For the record, we do have a quorum.

23 BOARD MEMBER NORD: Mr. Chair?

24 CHAIR JENKINS: Yes.

25 BOARD MEMBER NORD: Board Member Nord is here.



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CHAIR JENKINS: Thank you very much. Got you signed in; I appreciate it.

APPROVE TRANSCRIPT FROM OCTOBER 30, 2025
ELECTRICAL BOARD MEETING

CHAIR JENKINS: So the next portion here is the Chair will entertain a motion to approve the transcript of the last meeting of October 30, 2025.

BOARD MEMBER NORD: Board Member Nord, motion.

CHAIR JENKINS: We have a motion. Do we have a second?

BOARD MEMBER ALLEN: Board Member Allen, second.

CHAIR JENKINS: We have motion and we have a second. Any discussion? Hearing none.

All in favor, say "aye."

(Chorus of ayes.)

CHAIR JENKINS: Any opposed? Motion passes. Thank you very much.

APPEALS

CHAIR JENKINS: Moving right along, we're into the appeals.



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KCME, KENNETH COBB, AND GREGG ROSSO:
ECHBO02374 THROUGH ECHBO02381

CHAIR JENKINS: So we are looking at 3a for KCME, Kenneth Cobb, and Gregg Rosso. So the matter before us here today is the appeal of the matter of KCME, Kenneth Cobb, and Gregg Rosso, Docket Numbers 10-2024-LI-02279, 10-2024-LI-02280, and 10-2024-LI-02281.

This hearing is held pursuant due to proper notice to all interested parties and proceeding via Zoom on January 29, 2026, at approximately 9:09 a.m.

This is an appeal from the initial order issued by the Office of Administrative Hearings on September 12, 2025. It is my understanding that the decision was affirm Citation and Notices Numbers ECHBO02374 through ECHBO02381, issued by the Department of Labor and Industries on August 2, 2024, and August 22 -- I'm sorry -- on August 2, 2024, and August 22, 2024. It is further my understanding that the firm has timely appealed the decision to the Electrical Board.

Is there a representative from the KCME, the firm? If so, please state and spell your name for the court reporter.

MR. COBB: Yes. My name is Kenneth Cobb;



1 K-E-N-N-E-T-H, C-O-B-B.

2 CHAIR JENKINS: Thank you very much.

3 Is a representative for the department present this
4 morning? If so, please speak and spell your name for
5 the court reporter.

6 MS. MULLEN: Good morning. Yes. I am Kathryn
7 Mullen -- K-A-T-H-R-Y-N, M-U-L-L-E-N -- standing in for
8 Natalie Roberts.

9 CHAIR JENKINS: Thank you very much.

10 The Electrical Board is a legal body authorized by
11 the legislature to -- sorry -- to not only advise the
12 department regarding electrical program, but to hear
13 appeals when the department issues citations or takes
14 some other adverse action regarding electrical license
15 certification and/or compliance.

16 The Electrical Board is a completely separate
17 entity from the department, and will such independently
18 review the action taken by the department. When the
19 department issues penalties and -- issues penalties, the
20 hearing is assigned to the Office of Administrative
21 Hearings to conduct the hearing pursuant to the
22 Administrative Procedure Act. The ALJ who conducts that
23 hearing then issues a proposed decision and order.

24 If either party appeals, that decision is subject
25 to review by the Electrical Board. Please keep in mind



1 that while our review is de novo -- in other words, we
2 sit in the same position as the administrative law judge
3 and will review the entire record regardless of whether
4 a certain piece of evidence is reference by the ALJ --
5 we are bound to the evidence in the record, and no new
6 evidence can be submitted at this hearing.

7 Each party will be given approximately 15 minutes
8 today to argue their merits of their case. Any Board
9 Member may ask questions at that time, and the time may
10 be extended at the discretion of the Board.

11 At the conclusion of the hearing, the Board will
12 determine if the findings and conclusions reached by the
13 ALJ are supported by the facts and rules pertaining to
14 electrical installations.

15 Are there any questions before we begin?

16 MR. COBB: Not on my part.

17 CHAIR JENKINS: Okay. The firm KCME, Mr. Kenneth
18 Cobb, you are the appealing party so you have the burden
19 of proof that the proposed decision is incorrect.
20 Therefore we will hear from you first. The floor is
21 yours.

22 MR. COBB: Okay. Thank you. Thank you,
23 everybody.

24 I don't know. This -- everything about this
25 stinks. Everything about it's wrong, but let's start



1 out with the statute of limitations. For some reason,
2 the statute of limitations -- which is Washington law,
3 it's not a suggestion. It's law, and it can be
4 violated, even ethically, but it's two years statute of
5 limitations. The reason it's two years is because it's
6 not listed in the statute of limitations.

7 Now, originally when Sarah Hollister was going to
8 negotiate 30 percent off of this bill, I asked her about
9 the statute of limitations and the attorney general sent
10 the findings, which is exactly right: It's two years.
11 The electrical department generally is two years from
12 the act of the violation.

13 My citations were written well after two years.
14 That's been well-documented. The -- I noticed that
15 there was a final order already written up by the
16 Attorney General's Office to be signed today
17 immediately, and in that final order I want to speak
18 about the --

19 (Technical interruption.)

20 MR. COBB: Hello?

21 CHAIR JENKINS: One second, please.

22 SECRETARY MOLESWORTH: Can you -- Matthew --

23 CHAIR JENKINS: -- can you mute your mic, please.

24 MR. COBB: Hello?

25 CHAIR JENKINS: Okay. You may continue. Go



1 ahead.

2 MR. COBB: Okay. In this final order -- the
3 -- that is ready to be signed, I noticed that the
4 attorney general put in there about the statute of
5 limits that it was correctly judged by the judge of the
6 Office of Administrative Hearings, OAH. And the
7 attorney general doesn't make up the law; they're not
8 allowed to dispense the law as they see fit. Washington
9 law is Washington law to be taken seriously.

10 I'm on the right side of the law all my life, or
11 try to be to the best I can. The word "correctly"
12 should not have been put in there, and that, in my
13 opinion, pollutes the minds of the people today to keep
14 in mind that the Washington statute of limitations is
15 two years, not more, and if you want discovery, an
16 extension, you go to the court and ask for it, not the
17 attorney general.

18 And in the hearing to the judge -- to Judge Martin,
19 the attorney general asked Benjamin Chavez, "Where did
20 you basically get permission to extend your -- the
21 statute of limitations?" And he said, "Well, your
22 office gave me that permission." And the attorney
23 general does not have that right. Now, that alone
24 should dismiss the case.

25 Then we go into the invoices. I have never denied



1 that the invoices to Pearce Electrical, that they were
2 mine. I have never denied it. What I have said on
3 there that -- which seems to be a twist of words, what
4 does "L2 swap" mean? Now, this was in a phone call
5 originally from Benjamin Chavez -- after two years, I
6 might add, he called -- and I draw a blank. The
7 invoices that I was -- this was the invoice Pearce made
8 us use, and if you will notice, if you look back, these
9 invoices are on an Excel spreadsheet-type thing that
10 could be edited or everything. So I have a copy of my
11 invoices, and on these invoices, "L2 swap campaign."

12 Now, what this means is periodically these
13 companies, whether it be Electrify America, Blink,
14 whatever, they have to maintain their -- their charging
15 stations. Maintain means cleaning the outside. Most of
16 our calls were to take a Magic Eraser -- I think Jessica
17 called it -- from Mr. Clean and some Windex and scrub
18 these things, the graffiti off, because it was horrible.
19 KCME has never, ever dug a ditch, ran conduit, pulled
20 wire, installed a breaker, on any EV charging station,
21 KCME.

22 I have installed through other contractors when I
23 worked for them one time, and that was in Redmond
24 -- Redmond, Washington. And that same job is the only
25 cord that was ever vandalized and cut off that I



1 changed. Sorry about that. I personally changed that
2 cord through another contractor. And through my
3 50 years of experience, I have never in my life hid
4 behind bushes, did something that I wasn't proud of, and
5 I'm not ashamed for people to come to the job, ask
6 questions.

7 As a matter of fact, when Benjamin Chavez called me
8 a year and a half ago, more than a year and a half, the
9 first think I did was apologize, "Well, man, if I did
10 something wrong, I'm sorry, and absolutely I take -- all
11 the responsibility is on me." We talked about it.

12 Now, this is well past two years, and I offered
13 Mr. Chavez, because, lord, I don't have any idea. My
14 invoices, Pearce's spreadsheet about my invoices,
15 nothing says what we did on this campaign. The campaign
16 consisted for our end almost all hands-off training.
17 Almost every one of these were hands-off training. If
18 we did do a swap, I took the wires out of the device.
19 Don't even know if we did even one or two on this
20 campaign. Took the wires out of the device, and then at
21 that point would let Jessica and Greg work on them. 59?
22 No way. Two, three, maybe. But I would not ever let
23 anyone touch anything that was electrically capable.

24 So on the invoices there's nothing. Nothing on 59
25 invoices that says what KCME did. I asked Mr. Chavez,



1 said, "Okay, let's go to all these sites. Let's go and
2 see if I can remember what part KCME had in this." And
3 he refused. He never set foot on any of our sites, made
4 phone calls, got information from Pearce Renewables that
5 was not damning information. On the same spreadsheet
6 that condemned KCME that supposedly Pearce Renewables is
7 why I ended up with \$70,000 worth of fines, lists me as
8 the technician. No one else. Me, Kenny Cobb, as the
9 technician. With me being the technician, what I am
10 telling you is that's not -- that's not right.

11 The reason I say that is in these training
12 processes we would put Jessica on some of those
13 invoices, Greg on some, or both of them on them. If you
14 notice, I was on maybe one or two or maybe none, I don't
15 really know. And with this in mind, the invoices -- the
16 information that Pearce Renewables sent the department
17 is not accurate.

18 My invoices, that I always turn in to customers --
19 and I actually submitted an invoice as a sample -- are
20 very well-detailed. Most customers want that. Pearce
21 wouldn't allow it; they would not allow me to detail an
22 invoice to say if we were there cleaning. A lot of
23 times we would go -- we would get a call and it would be
24 to put a new lockbox on the gate because the lockbox
25 would be broken off or wouldn't open, and we would put



1 new keys in there for a technician to go.

2 We could not repair -- now, mind you, this is the
3 pandemic, okay. We could not repair and test any site
4 because there's a box. It's a test box, and it looks
5 like it's in a nuclear suitcase. I forget the name of
6 this, like a CHAdEMO, or something like that, and they
7 are made in Germany, they're \$26,000 each. They --
8 Pearce Renewables couldn't get those, and I certainly
9 couldn't, so even if we did go work on, say, an
10 Electrify America thing, might change out a card reader,
11 the same thing, like, on a gas pump. That would be the
12 extent of it because we did not have the equipment to go
13 any further than that.

14 I'm going to say this about Jessica. This was the
15 pandemic, and there was a time where trainees didn't
16 know what to do because their seat time had to be -- it
17 had to be seat time. Jessica loved going to get her
18 CEUs. She loved going to school; not to get out of
19 work, she really, really, truly wanted to be an
20 electrician, and I was going to help her out the best
21 way I knew how.

22 Here comes the pandemic. Jessica, at that time,
23 her license -- it says she didn't have a license. It's
24 actually expired. Through the course of this, we tried.
25 We tried to find out what trainees do. And now it comes



1 back two and a half years later, now it's four or
2 whatever years later, that her licenses were expired.
3 And are we guilty of that? If there was some kind of
4 information there, we couldn't find it.

5 Gregg Rosso was not an electrician. He could not
6 touch anything. I would let him turn bolts or
7 something, but, like, we would go to sites, we would be
8 called to a site to pick up, like, hypodermic needles,
9 trash. Some sites we went to was a couple days, and
10 they would be doing a -- like a presentation for the
11 governor or mayor or whatever, and we would set tables
12 and chairs up.

13 Now, I will say this looking back on it and all I
14 have been through, the -- I guess KCME as an electrical
15 contractor probably was out of scope for putting new
16 keys in a key box, cleaning, because as we are not a
17 cleaning contractor, and, so.

18 And then it comes down to -- I am trying to get all
19 this in quickly -- it comes down to 300 and some
20 violations. 300 and some violations, citations, were
21 written in a matter of I think 12 days, some of them
22 duplicates. I went to the site that all of these
23 citations were on the address. Not this last December,
24 but the December before. The December before, and I
25 drove down to -- I think it was Vancouver -- to the



1 site that the addresses are all written on. KCME was
2 never there. I don't know why that address -- why
3 Benjamin Chavez used that address to write all of these
4 citations on, but KCME was never there.

5 Somewhere along the line it said that I admitted --
6 I think that I admitted to doing 20 of these or 23 or
7 something, and I -- there's no way. We did not swap out
8 or install, period. So the amount of violations, I
9 don't understand that according to the RCW, and I'm sure
10 you guys know it better than me

11 CHAIR JENKINS: Mr. Kenneth Cobb, you're at the
12 end of your time, but if you want to make a last
13 statement before we move on.

14 MR. COBB: The -- the -- that's the invoices that
15 the -- Jessica -- we talked about that. Greg did
16 nothing.

17 So then we go to Pearce Renewables, and Benjamin
18 Chavez --

19 CHAIR JENKINS: Mr. Kenneth Cobb?

20 MR. COBB: Yes.

21 CHAIR JENKINS: Sorry to interrupt, but you are
22 at your 15 minutes.

23 MR. COBB: Yes. I am asking the Board to be fair
24 and just on this and reasonable, and let's end this
25 -- let's end this now and not go any further. It's time



1 to end it. That -- thank you.

2 CHAIR JENKINS: Thank you very much. So
3 Assistant Attorney General Kaitlyn Mullen, the floor is
4 yours.

5 MS. MULLEN: Good morning. My name is actually
6 Kathryn Mullen. I'm an assistant attorney general, and
7 I am standing in for Natalie Roberts today.

8 The department is requesting that the Board affirm
9 the ALJ's initial order and the citations and penalties
10 at issue because the record supports each of them, as
11 the record demonstrates that KCME, Mr. Cobb and
12 Mr. Rosso and Ms. Brenner were performing electrical
13 work on electrical vehicle charging stations without
14 permits and the workers did not have the appropriate
15 licenses or certifications for the work, and no
16 exemption applied to that work.

17 First I will briefly address the statute of
18 limitations issue. The department citations were issued
19 within the statute of limitations. RCW 4.16.100(2)
20 provides a two-year statute of limitations for actions
21 involving a penalty issued by the State, but that
22 two-year period runs from the date of the discovery of
23 the violation, and that is based on a case that is cited
24 in the ALJ's order; I can provide the citation if the
25 Board would like that.



1 But the reasoning for that is basically common
2 sense. The department can't issue a citation about
3 something that it can't have discovered yet, so the time
4 for the statute of limitations does not begin to run
5 until the party bringing the action, using reasonable
6 diligence, has discovered the cause of action. And here
7 the record shows that that's what happened.

8 The department did not know that Pearce was
9 servicing EV charging stations until April of 2023, and
10 did not know that Pearce was contracting to KCME until
11 August of 2023. And then the citations were issued in
12 August of 2024. So that was well within that two-year
13 period of limitations.

14 Now turning to the citations themselves. They were
15 all properly issued because KCME was performing
16 electrical work at the EV charging stations involving
17 workers without the proper licenses or certifications
18 and without permits, and no exemption applied to that
19 work.

20 The work that they were performing was electrical
21 work because it was work on a current-carrying system,
22 and that is established throughout the record. The work
23 consisted of Mr. Cobb disconnecting the power at the
24 breaker of the charging station, after which Mr. Rosso
25 or Ms. Brenner would disconnect the old charger from the



1 junction box, remove the old charger, and install and
2 connect the new charger to the charging station. The
3 testimony of the inspector supports that based on his
4 initial conversation with Mr. Cobb, but it's also
5 supported by the inspector's testimony about his
6 conversations with Mr. Rosso and his conversation with
7 Ms. Brenner.

8 That's also supported by the invoices that Pearce
9 provided indicating that the work that KCME was
10 performing consisted out of L2 swaps and -- as well as
11 Exhibit 27 which contains an admission from Mr. Cobb and
12 KCME that that is the type of work they were doing.
13 Mr. Cobb also admitted to doing that type of work in his
14 testimony, which is in the administrative record.

15 Focusing also on the utility exemption that
16 Mr. Cobb raised at the Office of Administrative
17 Hearings, that exemption is defined in WAC
18 296-46B-925-18A, and that exemption did not apply
19 because the work KCME was doing was not for any
20 recognized utility. Neither Pearce, with which KCME
21 contracted, nor Electrify America, whom Pearce was
22 contracting with, are utility companies. This exemption
23 only applies to the electrical equipment owned by or
24 under the control of a serving utility that is used for
25 the transmission or distribution of electricity from the



1 source of supply to the point of contact.

2 The work that KCME was doing here was not on
3 equipment used for the transmission or distribution of
4 electricity from the source of supply to the point of
5 contact. And the inspector's testimony, as well as the
6 exhibits presented, particularly Exhibit 37, supported
7 that conclusion.

8 For those reasons, the department is asking that
9 the department affirm the initial order and all of the
10 citations and the penalties associated with them. And
11 if the Board has any questions, I am happy to address
12 those.

13 CHAIR JENKINS: Chair Jenkins. Thank you very
14 much for your time. We will open the questions up for
15 the Board Members now. Are there any questions from the
16 Board Members, or comments?

17 Board Member Gregory Johnson.

18 BOARD MEMBER JOHNSON: Yeah. In Exhibit 4, which
19 is page 381 of the packet, there's a series of Requests
20 For Admissions. Request number 13 says, "Admit that
21 KCME was hired by Pearce Renewables to perform work
22 known as an 'L2 swap.'" And the response I read is --
23 there is no check in either box. It says, "KCME was
24 hired for a maintenance program that included changing
25 old units."



1 Further down on Admissions 15, 16, 17, and 18, I
2 see "admit" on all those. And on those they further
3 describe that work -- admit that Kenneth Cobb would be
4 the electrician to disconnect the power at the breaker
5 to the charging station; admit that Jessica Brenner and
6 Gregg Rosso would disconnect the old chargers from the J
7 box, remove the old chargers, replace and reconnect the
8 new chargers to the EV station that Mr. Cobb had
9 previously disconnected; and admit there was no factual
10 dispute that electrical work was performed by KCME and
11 its employees from March 7 through April 17.

12 One other note, during the testimony in the record
13 on page 177 of the Board packet, Mr. Cobb, you
14 testified, "Changing old units would be -- I would
15 unhook the wires, the same thing as a fire damper.
16 Unhook the wires, take the old unit off, a couple of
17 bolts -- these were level 2. They're not like Electrify
18 America level 3. These are blank small ones. A couple
19 bolts, you take them off. You put the new one up there.
20 You put the bolts on. And I would hook the wires back
21 up."

22 So based on what I just heard you state now, was my
23 understanding that you are refuting your sworn testimony
24 and signed statements, or would you affirm that?

25 MR. COBB: Thank you for looking into this in



1 such depth. I refute -- no, I don't refute all of that.
2 I didn't disconnect the wire at the breaker, I would
3 have disconnected them at the unit to ensure that the
4 unit could not be energized.

5 But my whole dispute on this is, and I don't -- on
6 this affirmation thing you are talking about, the
7 attorney general sent that and I couldn't -- I couldn't
8 answer a lot of those questions, nor could I even
9 remember if we did one swap, two swaps. It wasn't very
10 many because Pearce Renewables didn't pay their bill;
11 they used their own people to come up there and service
12 and change.

13 We were included in this L2 campaign; we met all
14 the requirements, we did all the training. But in this
15 L2 campaign, we made it through the training process, we
16 would go in the field -- mostly Jessica and Gregg --
17 hands-off training to these addresses. For sure
18 everything below Tacoma and other parts of the State.
19 Oh, if I could -- I could probably remember the guy's
20 name, but Pearce sent their people up there. They
21 trained us.

22 We got paid for the training, and if you look at
23 the -- oh, one of our invoices, one hour to drive from
24 Gig Harbor, Bremerton, to Vancouver, swap out an EV
25 charging station and drive back for \$115, it's unheard



1 of.

2 I don't dispute that I was there. What I dispute
3 is the inaccuracy of any of the information that was
4 presented to the Board, especially to the damning
5 information that does not warrant the amount of
6 citations, which I think should -- the RCW says one
7 citation is a violation per day. I don't know how so
8 many citations per day could happen, so thank you for
9 your question.

10 CHAIR JENKINS: Thank you very much. Chair
11 Jenkins. Do we have any more questions from the Board?
12 Any comments from the Board?

13 Board Member Gregory Johnson. Is that hand up from
14 the last time, or is it still up for now?

15 BOARD MEMBER JOHNSON: Oh, a new one.

16 It wasn't mentioned in your statement today, but it
17 was mentioned in your briefs, and Ms. Mullen had noted
18 it too, that you are claiming a utility exemption. But
19 I believe there's a misconception because in -- let me
20 quote you -- I have to scroll to that spot really quick.
21 In there you had noted in -- I'm quoting you -- they are
22 granted a partnership through the government, the State,
23 the local federal government and that affords them or
24 gives them a right to have a metered service, not just
25 the utility company, your cell phones or metered



1 (indiscernible) -- and this definitely falls under the
2 State of Washington.

3 I believe that statement is in error in
4 understanding, so I think it's important to clear up.
5 The Tenth Amendment of the US Constitution says the
6 power is not delegated to the United States by the
7 Constitution nor prohibited by it to the states, are
8 reserved for the states respectively, or the people.

9 So essentially what that means is states regulate
10 construction, not the federal government. Federal
11 government regulates interstate commerce. So regarding
12 that, receiving a grant or changing an entity's federal
13 tax status, whether as a partnership or not, does not
14 suddenly exempt them from state regulation. Likewise, a
15 utility that operates across state lines, they have to
16 comply with both state and federal regulations. They're
17 not exempt from one or the other, and they have to
18 pertain to both.

19 I'm quite familiar with EVs because my employer I
20 work for is a utility that has to comply with all of
21 that, and I know that we have hired licensed contractors
22 to do the EV work, and I know we put a lot of effort
23 into ensuring the contractors we hire are licensed
24 because that -- we are not exempt from permits for the
25 EV chargers.



1 That's one of those things that is -- even if you
2 are a utility, which I don't see any record in here
3 about a utility anywhere noted throughout, there was no
4 proof that any utility was even involved in any fashion,
5 but even if there was, there is still a big test you
6 have to do. It has to be -- is it under exclusive
7 control of the utility? What's the purpose? Is it on
8 the distribution, transmission, generation, control,
9 transformation, and communications for power? And then
10 the location.

11 And then noting in the statements and the testimony
12 of inspector Ben Chavez, he specifically referenced --
13 on page 89 he references he was driving through a
14 parking lot in the Vancouver Mall. So I can tell you
15 right now a parking lot in the Vancouver Mall would not
16 even meet that test for the location for -- it doesn't
17 appear it would meet there.

18 I don't see any way -- I see it fails the utility
19 exemption that was claimed on multiple fronts. Like, I
20 don't see a utility involved, I don't see it meeting all
21 the other criteria.

22 CHAIR JENKINS: Thank you very much. Are there
23 any other questions or comments from any other Board
24 Members?

25 MR. COBB: Can I address -- can I address what he



1 said?

2 CHAIR JENKINS: Was that a question, Board Member
3 Gregory Johnson?

4 BOARD MEMBER JOHNSON: No, that was not a
5 question. That was a statement.

6 CHAIR JENKINS: Thank you. So the answer to that
7 would be no.

8 Any other questions from the Board? Hearing none,
9 is there a motion?

10 BOARD MEMBER JOHNSON: I will move to affirm the
11 administrative law judge's ruling in its entirety.

12 CHAIR JENKINS: So we have a motion. Do we have
13 a second?

14 BOARD MEMBER NORD: Board Member Nord, second.

15 CHAIR JENKINS: We have a motion and we have a
16 second. Any discussion.

17 MR. COBB: Does that mean discussion from me
18 also?

19 CHAIR JENKINS: No, sir. It's for the Electrical
20 Board. I appreciate your comment, though.

21 Hearing none, all in favor of the motion, please
22 indicate by saying "aye."

23 (Chorus of ayes.)

24 CHAIR JENKINS: Any opposed? Motion passes.
25 Thank you very much.



1 So the Board has made a decision.

2 Kathryn Mullen -- AAG Kathryn Mullen, would you
3 please get in contact with KCME, or in this case here it
4 looks like Mr. Kenneth Cobb, to seek and reach an
5 agreement that best reflects the decision of the Board.

6 MS. MULLEN: Yes, thank you.

7 CHAIR JENKINS: Thank you, very much. And please
8 advise that if you do not reach an agreement today, this
9 matter will be automatically set for presentment at the
10 next regularly scheduled meeting. If an agreed order
11 has not been received by that date, parties will be
12 expected to file their proposed orders and appear and
13 advise why their proposed order best reflects the
14 Board's decision. Hopefully this will not be necessary.
15 If you are able to reach an agreement, (indiscernible)
16 the form and the order before the next meeting, please
17 forward to the secretary at the Board's office and they
18 will ensure that it gets signed and copies are provided
19 to the parties.

20 Are there any questions?

21 MS. MULLEN: No, thank you.

22 CHAIR JENKINS: Mr. Kenneth Cobb, any questions?

23 MR. COBB: So when you asked Kathryn to get a
24 hold of me, would that be by way of a phone call, or a

25 --



1 CHAIR JENKINS: That or an e-mail. It's no
2 matter to us as long as you come an agreement that
3 reflects the Board's decision today.

4 MR. COBB: Okay. I will be looking forward to a
5 phone call, then.

6 CHAIR JENKINS: Thank you very much, and thank
7 you, Ms. Kathryn Mullen.

8 MS. MULLEN: Thank you.

9 CHAIR JENKINS: And the Court Reporter, are you
10 doing okay or do you need a break?

11 THE COURT REPORTER: I'm doing okay, thank you.

12 CHAIR JENKINS: So we are moving onto 3b, which
13 is Mr. Sobczak's appeal.

14

15 GREG SOBCZAK: ECHBO02515 & ECHBO02516

16

17 CHAIR JENKINS: The matter before us today is an
18 appeal in the matter of Gregg Rosso, 02-2025-LI-02370.
19 This hearing is being held pursuant due to proper notice
20 to all interested parties. Proceeding is via Zoom on
21 January 29, 2026, at approximately 9:45 a.m.

22 This is an appeal for an initial order by the
23 Office of Administrative Hearings on September 29, 2025.
24 It's my understanding that the decision affirmed
25 Citation and Notices ECHBO02515 and ECHBO02516, issued



1 by the Department of Labor and Industries on
2 November 15, 2024. And it's further my understanding
3 that Mr. Sobczak has timely appealed to the Electrical
4 Board.

5 Is Mr. Sobczak here this morning? And if so,
6 please speak and spell your name for the court reporter.

7 MR. SOBCZAK: I am here; good morning. It is
8 Greg Sobczak; G-R-E-G, S-O-B-C-Z-A-K.

9 CHAIR JENKINS: Thank you very much. Is a
10 representative here for the department? And if so,
11 please speak and spell your name for the court reporter.

12 MR. MACCANON: Yes, good morning. Justin
13 MacCanon for the department; J-U-S-T-I-N, M-A-C, capital
14 C, A-N-O-N.

15 CHAIR JENKINS: Thank you very much. Did you
16 hear my statement of the procedure from the previous
17 appeal?

18 MR. SOBCZAK: I did.

19 CHAIR JENKINS: And Mr. MacCanon?

20 MR. MACCANON: Yes, thank you.

21 CHAIR JENKINS: Okay. Are there any questions
22 before we begin.

23 MR. MACCANON: Not from the department. Thank
24 you.

25 CHAIR JENKINS: Okay. Mr. Sobczak, as the



1 appealing party you have the burden of proof to
2 establish the proposed order and decision is incorrect.
3 Therefore, we will hear from you first. You have the
4 floor.

5 MR. SOBCZAK: Thank you. I will address three
6 legal and procedural issues that independently require
7 reversal or dismissal of the citations.

8 The first issue is a pure question of law. The ALJ
9 interpreted RCW 19.28.061(5)(d) to impose a duty on an
10 administrator or a designated master electrician to
11 ensure that workers are properly certified. The statute
12 does not say that. Subsection D speaks only to ensuring
13 that required labels, permits, and licenses are used.
14 Certification appears elsewhere in the statutory scheme,
15 but it does not appear in Subsection D. The proposed
16 decision nevertheless treats uncertified workers as a
17 per se violation of Subsection D and imposes liability
18 and penalties on that basis.

19 Because a citation ECHB002515 is built entirely on
20 that expanded interpretation, it fails as a matter of
21 law. This is not a dispute about evidence, it is a
22 question of statute of authority.

23 The second issue concerns record integrity. The
24 proposed decision states that Department Exhibits 1
25 through 11 were admitted; that statement is incorrect.



1 Portions of Exhibit 4 and all of Exhibits 7, 9, 10, and
2 11 were excluded during the hearing. Despite that, the
3 proposed decision relies on those excluded materials
4 throughout multiple findings of fact and conclusions of
5 law, including findings that adopt inspector
6 determinations drawn from the department's internal
7 matrix rather than admitted firsthand evidence.

8 Findings based on excluded evidence or legal
9 opinion cannot constitute substantial evidence. Because
10 the excluded exhibits support findings essential to
11 liability and penalty, this error is not harmless and
12 independently requires reversal or remand.

13 The third issue concerns Citation ECHBO02516 and is
14 a failure of proof issue. To sustain this citation, the
15 department was required to prove that Apollo performed
16 the electrical work, that the work required a permit,
17 and that a permit was not obtained or used. The
18 admitted record does not establish those elements. The
19 department's only witness testified that he had no
20 firsthand knowledge of who performed the work at the
21 cited sites, did not visit the sites and did not
22 personally observe Apollo employees performing
23 electrical work. The department also failed to
24 establish that the work required a permit.

25 The proposed decision does not identify any



1 admitted evidence describing the specific electrical
2 work allegedly performed. The materials the inspector
3 relied on to infer the nature of the work, such as job
4 notices and internal matrixes, were excluded from the
5 record. Without admitted evidence describing the work,
6 permit applicability cannot be determined.

7 Finally, the only admitted exhibits that directly
8 address the permits are my exhibits, which show that
9 Elevate Northwest Electric pulled valid electrical
10 permits for each of the cited job locations on the cited
11 dates. The proposed decision asserts that those permits
12 were of the wrong scope and Apollo lacked licensure, but
13 those reports are not supported by the cited, admitted
14 exhibits, and are not accompanied by findings resolving
15 permit applicability or exemptions.

16 This is not a case of conflicting evidence, it is a
17 case where essential elements were assumed rather than
18 proven. Because the department failed to establish
19 permit applicability and permit absence by a
20 preponderance of the evidence, liability under Citation
21 ECHB002516 cannot attach. For these reasons, the
22 proposed decision should not be adopted.

23 Citation ECHB002515 rests on an expanded statutory
24 interpretation not found in RCW 19.28.061 (5) (d) .

25 Citation ECHB002516 rests on assumed permit violations



1 unsupported by the admitted record. I respectfully
2 request that the Board reverse the proposed decision and
3 dismiss both citations. Thank you.

4 CHAIR JENKINS: Thank you very much. Moving on
5 to AAG Justin MacCanon.

6 MR. MACCANON: Yes. Thank you. Good morning,
7 Justin MacCanon. I am assistant attorney general
8 representing the department in this case. The
9 department requests the Board affirm the ALJ's proposed
10 order because the evidence in the record supports the
11 citations. Before I get into the bulk of my argument, I
12 want to first respond to some of the appellant's
13 arguments.

14 The question of law issue regarding RCW 19.28.061,
15 Subsection 5d, and whether or not the word
16 "certification" is used in that subsection. Throughout
17 the statute, certification is used interchangeably with
18 other terms, so even though that word isn't specifically
19 located within that provision, doesn't mean it doesn't
20 apply to the appellant.

21 Furthermore, I am going to address the briefing of
22 the appellant that indicates that this section does not
23 apply to him. If you look at the statute, RCW
24 19.28.061, it states in the very beginning, (as read)
25 electrical contractors designate a firm to take master



1 electrician or administrator examination.

2 There's no dispute in the record that the appellant
3 was the master electrician for Apollo Drain at the time
4 of the inspection, and, in fact, the appellant was the
5 individual who reported to the department that Apollo
6 workers were, in fact, performing electrical work
7 without the proper certifications in their possession.

8 In terms of the record's integrity and exhibits
9 that were admitted or excluded, I think the record, if
10 you reviewed in totality, even with those exhibits that
11 were excluded, supports the fact that Apollo employees
12 were, in fact, performing electrical work and they
13 didn't have their proper certifications.

14 Finally, when it comes to establishing the elements
15 of proof, one of the exhibits that was admitted
16 describes what Inspector Simhouser (phonetic) found when
17 he inspected Apollo and found their workers were
18 performing electrical work. Another exhibit that
19 remains unchallenged included a statement from
20 Mr. Sobczak where he admitted to Mr. Chavez of the
21 violations that Apollo had committed. I just want to go
22 back to the bulk of my legal argument here.

23 The department cited the appellant for six separate
24 instances where he oversaw the work of at least ten
25 Apollo Drain and Rooter employees that were not licensed



1 to perform electrical work or did not have a certificate
2 of competency, a temporary permit, or training
3 certificate to do such electrical work.

4 The department also cited him separately for three
5 other separate instances working as Apollo's master
6 electrician when the appellant failed to ensure that all
7 electrical labels and permits required to perform
8 electrical work were used.

9 Now, I am not an electrician by any means, but in
10 this case it seems really clear: Either the employees
11 that were supervised by the appellant had proper
12 certifications to do electrical work, or they did not.
13 And having untrained employees performing electrical
14 work creates a danger to those employees and their
15 customers and the public in general. I think the
16 evidence and the record is sufficient for this board to
17 affirm the ALJ's decision because the department
18 correctly cited the appellant for violating the law.
19 Thank you.

20 CHAIR JENKINS: Thank you very much.

21 Any questions from the Electrical Board? Comments?
22 Board Member Gregory Johnson.

23 BOARD MEMBER JOHNSON: Yeah, so Exhibit 1, which
24 is with one of the exhibits that was admitted into
25 evidence, in there I will note -- I won't read the whole



1 thing but a short excerpt out of it, so that's page 185
2 of the Board packet -- in Greg's own words, it's, "I
3 reported Apollo as a possible electrical violator to
4 Washington's E CORE team in hopes that an official
5 warning or other notice of importance of compliance
6 would push Apollo's management, specifically the HVAC
7 Department Manager, Antonio into complying."

8 Preceding that there is a description of a bunch of
9 unlicensed individuals. And just to be specific, I will
10 read one more, "However, I remained uninformed of
11 specific jobs with need for electrical permits and
12 certified individuals, with one exception."

13 And another excerpt is, "It is likely, due to the
14 HVAC department manager Antonio's continued denial of
15 the need for licensure and certification, that the
16 others did not seek their trainee cards at that time."

17 I'll avoid reading the rest of the thing, but the
18 appearance here is that everything on the excluded
19 exhibits, all that info seems to be residing in other
20 locations in the record. What I saw in your own
21 admissions in this Exhibit 1, in addition to some of the
22 testimony that was given in the other exhibits, I --
23 everything that was excluded seems pretty much
24 collaborated elsewhere.

25 I am just wondering is there any material dispute



1 on whether there is violations at Apollo or not,
2 Mr. Sobczak?

3 MR. SOBCZAK: I don't think the record supports
4 an admission, first. But, secondly, is there dispute as
5 to whether the work was done?

6 The dispute is about the specific dates during
7 which I was the administrator. Apollo, if -- the record
8 clearly reflects Apollo had a long history of performing
9 electrical work without electrical licensure, and
10 there's no evidence in the record supporting that
11 violations took place during my time of responsibility,
12 which would span 19 days.

13 Does that answer your question?

14 BOARD MEMBER JOHNSON: When -- and I guess and
15 you can't testify, but is there any dispute that there
16 was any violations during your 19 days?

17 MR. SOBCZAK: Yes, there is.

18 BOARD MEMBER JOHNSON: And then the second
19 question I have for Mr. MacCanon. Just wondering -- so
20 it appears from what I am reading, the first time the
21 department became aware of this is when Greg made a
22 phone call to E CORE to report it. And I'm wondering:
23 Is it typical or customary for when an administrator or
24 master electrician reports a violation for an employer
25 for them to be also be implicated in that?



1 MR. MACCANON: Yes. It is my understanding that
2 is typical. This is considered to be a matrix case. If
3 you look at the exhibits and records -- for which there
4 are a substantial number of exhibits -- everyone down
5 the line was cited for this electrical work that was
6 performed inappropriately and in violation of the law.

7 CHAIR JENKINS: Chair Jenkins. Are there other
8 questions?

9 Board Member Gregory Johnson? Was that the last
10 one?

11 BOARD MEMBER JOHNSON: That was my last one.
12 Thanks.

13 CHAIR JENKINS: Thank you very much. Are there
14 any other questions or comments from the Electrical
15 Board? It's a quiet board today. All right. Hearing
16 none, I guess the Chair will entertain a motion.

17 BOARD MEMBER JOHNSON: Maybe we need a little
18 more discussion. I am split. I will state -- I am
19 seeing more likely than not and according to the
20 preponderance of the evidence, it seems like there were
21 violations, and I don't see much wiggle room in statute
22 in the WACs for any mercy.

23 But the challenge I am having is it seems to me
24 that the administrator was doing his best to cause
25 compliance and bring them into compliance, and he did



1 submit in his -- uphold his administrator from Apollo,
2 and it was even noted in the AAG's testimony that it's
3 not enough to simply report such infraction, but to also
4 remove oneself as a part of these violations. These
5 citations are issued due to the necessity of compliance
6 at all levels and laws that are in -- indiscernible
7 words -- that ensure proper protocol is followed in the
8 workplace.

9 According to that statement on 133 in the
10 testimony, I mean, it seems like Greg did pull his card.
11 So that's what I am kind of split on, is there any
12 -- I'm hoping for discussion from other Board Members
13 -- is there any leeway for when an administrator
14 actually does pull his card after 19 days because he
15 sees violations and he does do everything -- do we have
16 any leeway with that?

17 CHAIR JENKINS: Chair Jenkins, here. I guess
18 that question would go to the secretary. Is there any
19 -- would you like to add any comments to that, or is it
20 something you would like to address?

21 SECRETARY MOLESWORTH: Secretary of the Board
22 Wayne Molesworth.

23 So normally, no, we would not remove them at that
24 point just because they were there at the time of the
25 incidents, and removing themselves would prevent any



1 further problems, but not for past problems, not for the
2 past time they were there.

3 Does that help answer that question, Greg?

4 BOARD MEMBER JOHNSON: Yeah. Hoping to hear
5 other's thoughts too.

6 SECRETARY MOLESWORTH: Yeah.

7 MR. MACCANON: And I can provide additional
8 information if it's helpful, but I will defer to the
9 Board.

10 BOARD MEMBER JOHNSON: Yeah, I was hoping to hear
11 from other Board Members what their thoughts are.

12 BOARD MEMBER TUMELSON: Board Member Tumelson.

13 Quick question, Wayne: Is there a situation where
14 you want to be removed from a contractor? Like, what is
15 the time constraints?

16 I know, you know, being assigned to a contractor
17 takes a certain period of time, but if one goes to say,
18 "I want to be removed from this electrical contractor
19 due to whatever reasoning or rationale," what is the
20 time constraint or allowance for the department to say,
21 "Okay, you have made that request. That request
22 came" -- I am assuming writing, you know -- "it takes
23 five business days." Or -- what is that time, you know,
24 look like there?

25 SECRETARY MOLESWORTH: I'm sorry, Greg. I will



1 have to look that up. We would take that into
2 consideration, right.

3 For us, if they remove themselves and withdraw from
4 that contractor, then the contractor gets 90 days to get
5 another administrator, right. But as far as we are
6 concerned, that -- as soon as we get they are unassigned
7 in writing, that would be that point where we would want
8 to unassign them and take that into consideration.

9 BOARD MEMBER TUMELSON: So kind of instantaneous?

10 SECRETARY MOLESWORTH: Yeah.

11 BOARD MEMBER TUMELSON: Got it.

12 CHAIR JENKINS: Chair Jenkins. Any other
13 questions from the Board Members?

14 BOARD MEMBER COX: Board Member Cox.

15 And I am kind of on the same line as Board Member
16 Johnson, and this has been on my mind. In past cases
17 where administrators -- yes, we have that responsibility
18 to make sure that our workers are certified, permits are
19 pulled, that we are in compliance with laws, rules, and
20 regulations, but many times -- and I know we are talking
21 specifically about this case, but this kind of narrows
22 it down for me -- is we have a situation where the
23 administrator doesn't necessarily have full control of
24 his employer and/or every worker in the firm, and we are
25 penalizing an otherwise clean administrator record, for



1 lack of better terms, for me.

2 So that's my situation in this is the record shows
3 that I can see the violations weren't -- I mean, that
4 the citations were in order. But to hold this
5 administrator accountable for it looks like something
6 that is systemic in this company, and as we just pointed
7 out, you know, he pulled his association with this
8 company in 15 days, that -- I -- I'm split as well.
9 Because I see the legality of what the statute says,
10 what our WACs say, but I also understand that this is
11 damaging an administrator's record. Thank you.

12 CHAIR JENKINS: Chair Jenkins? Are there any
13 other questions or comments from the Board Members.

14 BOARD MEMBER KNOTTINGHAM: Board Member
15 Knottingham. I concur with what Board Member Cox said.
16 I do have some concerns. We want people to come forward
17 and admit that there's issues; this seems counter to
18 that. You know, I wish we had a little more leeway as
19 far as these citations. I agree they should be
20 affirmed, but I don't like the severity of them.

21 CHAIR JENKINS: Thank you very much.

22 Secretary Wayne Molesworth.

23 SECRETARY MOLESWORTH: Yeah, I would just like to
24 say I also agree about that. However, that takes some
25 changes in the law and the rules to make sure that we



1 can protect that administrator when they do things like
2 that.

3 Right now, it's -- that's the way the law is
4 written, right, they are in violation. And I appreciate
5 people that come forward, and we need to find in the
6 future some way to actually accept that, but we are here
7 to enforce the law as it's written now. So that's my
8 only comment.

9 CHAIR JENKINS: Chair Jenkins. I'll put my two
10 cents in here, also.

11 I totally am on the same position that has been
12 spoken here. I do believe the record is correct. I
13 think the violations happened and it would be under the
14 responsibility of the supervisor, but I do sympathize
15 with the idea of 15 or 19 days being an administrator.
16 I don't know whether the Board has any leeway to -- if
17 we make the assumption that the ALJ is correct, I don't
18 know if we have any leeway to make any adjustments to
19 that.

20 So given that, I would -- let's entertain a motion.

21 SECRETARY MOLESWORTH: Chair, may I add one more
22 thing there?

23 CHAIR JENKINS: Yes.

24 SECRETARY MOLESWORTH: I don't think that there
25 is any leeway there. However, in the past we have had



1 opportunities to look after you render your decision --
2 or the Board renders their decision -- and look at
3 penalty amounts depending on, you know, the
4 circumstances. We would be willing to look at that as
5 the agency.

6 CHAIR JENKINS: Chair Jenkins here. I want to
7 make sure this is clear, what was just said.

8 We as a board do not have that type of allowance.
9 That would be something the department can do after the
10 meeting.

11 SECRETARY MOLESWORTH: Correct.

12 CHAIR JENKINS: Thank you. Board Member Gregory
13 Johnson.

14 BOARD MEMBER JOHNSON: So I don't know if the
15 fines is really the issue, just because you look at the
16 fines and they're pretty small. It seems like it's
17 trying to keep his record clean. Would there -- this is
18 a question to you, Wayne.

19 SECRETARY MOLESWORTH: Yeah.

20 BOARD MEMBER JOHNSON: Does the department have
21 any leeway with how they treat this? Like, can they
22 vacate something after the fact? Can they -- like,
23 what's the department's -- I know the department has
24 more discretion than maybe the Board does.

25 SECRETARY MOLESWORTH: No, we wouldn't be able to



1 vacate, we would just be able to reduce the penalties.

2 CHAIR JENKINS: Thank you very much. Are there
3 any more questions or comments, and if not, the Chair
4 would entertain a motion.

5 BOARD MEMBER COX: Board Member Cox. I just want
6 to come into agreement with what was said.

7 That was my position too: It's not about the
8 fines, it's about this man's record as an administrator.
9 That goes on his record for a significant amount of
10 time.

11 One can assume anything they want when they look
12 up -- as this man goes and works for another contractor
13 and we look up, you know, potential employers or anyone
14 looks up his record as an administrator or a master
15 electrician and sees that there's a violation confirmed
16 on his record, that doesn't look well on him because of
17 a systemic issue of a company that he worked for for a
18 short period of time and found he was in a bad situation
19 and got himself out.

20 So that's, again, that's -- and to Chief
21 Molesworth's point, I understand that. It needs to be
22 changed in the statute, but I don't know -- I have a
23 hard time making this man the sacrificial lamb. Thank
24 you.

25 CHAIR JENKINS: Chair Jenkins, again. Thank you



1 very much.

2 Board Member Byron Allen, you have the floor.

3 BOARD MEMBER ALLEN: Board Member Allen here. I
4 guess I am looking for an alternative.

5 You know, I am hearing everything that is being
6 said and I agree with all of the concerns that are being
7 voiced by my fellow Board Members with regards to this
8 gentleman's reputation moving forward from this, and I
9 also understand the situation that Chief Molesworth
10 finds himself in that he is bound to uphold the rule as
11 stated.

12 So is there an alternative in terms of this board
13 to either A, take no action, sending a message saying
14 the Board believes that this rule needs to be viewed and
15 given some weight to that review, or can the Board
16 actually find the favor of Mr. Sobczak and against the
17 AG in this situation, thereby also sending that same
18 message that the rule is wrong and needs to be
19 rewritten. So I'm looking for some direction here.
20 Thank you.

21 CHAIR JENKINS: I am going to refer this back to
22 our counsel.

23 MR. BLOHOWIAK: Good morning. This is Benjamin
24 Blohowiak, Assistant Attorney General for the Electrical
25 Board.



1 Board Member Allen, the -- unfortunately, the Board
2 is constrained in a similar manner to the department.
3 It does not have any equitable powers. You can look at
4 the Board's order, OAH's order, the record that was
5 created there, and determine whether or not the evidence
6 supports the order or it does not.

7 If you are going to find in favor of the appealing
8 party this morning, you would have to point to the
9 record and find substantial evidence to overturn that
10 decision. You can't just do it because you disagree
11 with the law; there has to be facts and evidence in the
12 record to support that decision by the Board.

13 So you can -- but that is where the Board finds
14 itself this morning. Can I offer you any other
15 information?

16 BOARD MEMBER ALLEN: No, I appreciate your input.
17 Thank you.

18 CHAIR JENKINS: Board Member Gregory Johnson.

19 BOARD MEMBER JOHNSON: Another question for you,
20 Ben: At this stage, since there's already been an
21 initial proposed order from the ALJ, does the Attorney
22 General's Office and the department have any -- do they
23 have any power to make a motion? If they were so
24 choosing to, could they motion to dismiss stuff? Do
25 they have that power?



1 MR. BLOHOWIAK: No. As Chief Molesworth said,
2 the Department of Labor and Industries is charged with
3 enforcing the law as it is written and as it is on the
4 books, and the same applies for the Electrical Board and
5 -- I don't advise the electrical program, but my
6 understanding is, you know, the flexibility exists in
7 the fines and penalty amounts the department assesses,
8 but the actual violations, whether they occurred or not,
9 the department is required to follow the evidence that
10 they have and, you know, to issue those as they are
11 appropriate.

12 CHAIR JENKINS: Chair Jenkins again. Any
13 questions? Any more comments? Hearing none, again.

14 The Chair will entertain a motion.

15 MR. BLOHOWIAK: Board Members, this is Ben,
16 again. I can sense some hesitancy in the room, but the
17 Board could add findings to the order if they wished to
18 based on the record as you understand it, so long as
19 there is evidence in the record to support those
20 findings, could make additional findings.

21 I'm not telling you what those are, but I am saying
22 you could add findings this morning, and you could also
23 add an agenda item for future meetings where you may
24 want to advise the department on rulemaking and, you
25 know, legislative advocacy regarding this issue as well,



1 because I do believe the Board has some concerns this
2 morning on the law and how it is written when it comes
3 to reporting these things and, you know, how the
4 administrator gets caught up in it. So there are other
5 mechanisms that exist for the Board to take advantage to
6 use its influence.

7 CHAIR JENKINS: Chair Jenkins here. I'm going to
8 request as a courtesy to the Board for a ten-minute
9 break, and then for a counsel session with our counsel.
10 We will readjourn, say, at 10:30.

11 Can I get a motion to do that?

12 BOARD MEMBER KNOTTINGHAM: I accept that motion.

13 CHAIR JENKINS: One more time, please.

14 BOARD MEMBER JOHNSON: Board Member Gregory
15 Johnson so moved.

16 BOARD MEMBER NORD: Board member Nord, second.

17 CHAIR JENKINS: We have a motion and a second.
18 All in favor, say "aye." Any opposed? Motion passes.
19 We will pick back up at 10:30.

20
21 (A break was taken from
22 10:18 a.m. to 10:31 a.m.)

23
24 CHAIR JENKINS: Well, it is 10:31 a.m. The Chair
25 would like to bring the Washington Electrical Board



1 Meeting back to order.

2 After -- counsel, it sounds like to me the Chair
3 would entertain a motion to affirm the OAH order and an
4 additional finding of fact that the administrator,
5 Mr. Sobczak, removed himself from the employer due to a
6 noncompliant -- non-compliance -- due to non-compliance
7 in an expedited matter, and a finding of fact that the
8 administrator reported the non-compliance to the
9 department.

10 BOARD MEMBER LEE: So moved. Board Member Lee.

11 BOARD MEMBER NORD: Board Member Nord, second.

12 CHAIR JENKINS: We have a motion, and we have a
13 second. Discussion, I saw Mr. Wayne Molesworth. Did
14 you have a question during the discussion -- or a
15 comment?

16 SECRETARY MOLESWORTH: Just a comment. You
17 covered pretty much what I was going to say.

18 I just want to say we have to be very careful when
19 making these decisions not to set a precedent where
20 people can come and have, you know, maybe have a
21 disagreement with their employer, report them for
22 illegal activity, and then be, you know, exonerated
23 through this process.

24 You know, if we look at changing the law to give
25 people an upper hand, we also have to be careful that we



1 don't open it up so that, you know, we are changing the
2 law for the good people but also the ones that aren't so
3 good also get to take advantage of those laws, right.
4 So we have to be very careful when we are doing that so
5 we are making good decisions and protecting the people
6 of the State of Washington, which is what these laws are
7 designed to do.

8 So I do appreciate your motion and your second, and
9 that was the only comment I wanted to make.

10 CHAIR JENKINS: Chair Jenkins here. I want to
11 add my two cents here that I agree with you on that.

12 I don't think we ever want to make a precedent
13 based upon a broad paintbrush. I think we want to look
14 at individual cases, such as even this one, where we are
15 talking about a two or less than three-week situation
16 that this might -- I think individually looking at each
17 one would be a great way to do business, but I know the
18 law doesn't always have that type of allowance.

19 Whatever we can do to make that happen for future
20 changes so we could have some leeway in something like
21 this in a very specific application would be great.

22 Board Member Gregory Johnson, do you have a
23 comment?

24 BOARD MEMBER JOHNSON: I was wondering if I could
25 do a friendly amendment. Before I go into it, so a



1 friendly amendment, per Robert's Rules, something where
2 the person who made the motion and the person who second
3 it both have to agree, and if that happens then we don't
4 have to vote to do an amendment.

5 So friendly amendment would be that we add another
6 finding of fact that states that the evidence record
7 indicates that Greg had no -- didn't learn of violations
8 until after they happened during his tenure at Apollo,
9 so -- and he wasn't complicit in -- there's no complicit
10 or involvement he had in there, and he took action when
11 he learned -- immediate action when he learned of them.

12 I'm open to rewording if that's to other people's
13 likings.

14 BOARD MEMBER LEE: This is Board Member Lee; I
15 made the motion. Gregory, is there a specific motion
16 that states that in the evidence?

17 BOARD MEMBER JOHNSON: Yes, Exhibit 1.

18 BOARD MEMBER LEE: Okay.

19 BOARD MEMBER JOHNSON: So Exhibit 1 states -- it
20 lists out where he -- I'll find the exact quote, if that
21 helps. He said -- well, I read it earlier, there's
22 quite a few quotes for that, but the most one to
23 indicate was, "However, I remained uninformed of
24 specific jobs with need for electrical permits and
25 certified individuals, with one exception."



1 Another excerpt is, "After approximately" -- later
2 on it goes, "After approximately two weeks of continued
3 requests to get enrolled in L&I permit portal, and
4 continued requests to be directly involved in electrical
5 work and permitting, to most of which received
6 backlash," -- and I won't read the rest of that.

7 It appears to the record he did not even have
8 access to the L&I portal and he was making continued
9 requests to get informed and was kept in the dark.

10 BOARD MEMBER LEE: Board Member Lee. Is it
11 proper to say I'm good with the friendly amendment, and
12 we refer to Exhibit 1?

13 CHAIR JENKINS: Chair Jenkins. Can you give me
14 that in a simplified form so we can add that?

15 BOARD MEMBER JOHNSON: Okay. I will rephrase in
16 a more-simplified form.

17 According to the record, it appears that the
18 administrator, Greg Sobczak, was not aware of violations
19 until after they occurred during his tenure at Apollo,
20 and he took action upon learning of the violations.

21 CHAIR JENKINS: Chair Jenkins. Did the motion
22 -- did the motioner agree with that?

23 BOARD MEMBER LEE: Board Member Lee. I do.

24 CHAIR JENKINS: And the second?

25 BOARD MEMBER NORD: Board Member Nord. I do.



1 CHAIR JENKINS: Still in discussion, Secretary
2 Wayne Molesworth.

3 SECRETARY MOLESWORTH: So I just want to bring up
4 that there is no corroborating evidence that that was
5 the reason he turned him in. We don't know. We also
6 don't know if there were other factors why he decided to
7 leave the company, and so we are making assumptions as
8 to this was the only reason he left the company and that
9 he wanted them to come into compliance, right.

10 That may very well be, but we just don't have any
11 evidence that shows any of that. So I just wanted to
12 make that comment that we have to think about these
13 things as, you know, that's his statement, there's
14 nothing that corroborates that statement that I know of.

15 BOARD MEMBER JOHNSON: But we are tied to
16 more-likely-than-not, and there's nothing in the record
17 to indicate in the slightest to refute that whatsoever,
18 and so according to everything that's stated in the
19 record, I think I find that more-likely-than-not to be
20 true according to the burden of proof.

21 CHAIR JENKINS: Any more Board Members have any
22 discussions on this motion? Hearing and seeing none.
23 All in favor of motion by saying "aye."

24 (Chorus of ayes.)

25 CHAIR JENKINS: Any opposed?



1 BOARD MEMBER COX: Nay by Board Member Cox.

2 CHAIR JENKINS: Any other nays? Motion passes.

3 Okay. Give me one second, please. Thank you.

4 The Board has made its decision. Would you,
5 Mr. MacCanon -- if I am saying that correct -- please
6 get in contact with Mr. Sobczak to see if you can reach
7 an agreement that best reflects the decision of the
8 Board. Please be advised that if you do not reach an
9 agreement, this matter will automatically set for
10 presentment in the next regularly scheduled meeting.

11 If an agreed order has not been received by that
12 date, parties will be expected to file their proposed
13 orders, appear, and advise why their proposed order best
14 reflects their proposed decision. However, this will
15 not be necessary if you reach an agreement as to the
16 form of the order before the next meeting. Please
17 forward to the secretary of the Board's office, and they
18 will ensure it gets signed and copies sent to the
19 parties. Are there any questions?

20 Hearing none from Mr. MacCanon or Mr. Sobczak. All
21 right. We will move on. Thank you very much for your
22 time, we appreciate it.

23 MR. MACCANON: Thank you.

24 CHAIR JENKINS: Moving on.

25 MR. STEEN: Mr. Jenkins, briefly -- brief



1 procedural question about the agenda, if I may.

2 CHAIR JENKINS: Yes.

3 MR. STEEN: My name is Timothy Steen. Your
4 Honor, or excuse me, Chairman Jenkins, the presentation
5 of orders in the KBA Duncan matter was set for --
6 automatically set for presentation today at the last
7 board meeting. It doesn't appear on the agenda though.
8 Is the Board going to hear presentations on that matter
9 today?

10 CHAIR JENKINS: Yes, sir. That is actually the
11 next thing I was going to point to in our agenda here.
12 It did not make it into -- we are at that point here.
13 Presentation from --

14 SECRETARY MOLESWORTH: Board Chair.

15 CHAIR JENKINS: Yes.

16 SECRETARY MOLESWORTH: Communication with the
17 AAG, our AAG, we received the letter from them last
18 night after work hours, and -- to be on the agenda
19 today. So our AAGs have not had time to actually
20 review, and so they are requesting that we move this to
21 the April meeting so they have time to review it.

22 CHAIR JENKINS: Okay. Thank you. The Chair
23 -- one second, please. The letter you got, was that
24 -- I don't have any information concerning that. Did --
25 the one I have here was a proposed order from the



1 department. Did we also get one from KBA?

2 MR. STEEN: Yes, your Honor. KBA did submit
3 their proposed order. We are aware of a request from
4 the department's AAG that their order be considered
5 today as well. They have done both, apparently, based
6 upon Mr. Molesworth's comments asking for presentation
7 today as well as at a later date.

8 MR. BLOHOWIAK: Mr. Steen, when did you provide
9 your proposed order to the Board?

10 MR. STEEN: Last night. We had been working with
11 the department's attorney to try and reach an agreed
12 order that fell apart yesterday, and we promptly
13 submitted our order as soon as that fell through.

14 BOARD MEMBER JOHNSON: Point of order, wondering
15 if -- per the OPMA, don't we have to have 24-hour notice
16 before something is taken up? Would that be a reason to
17 push it to the next board meeting?

18 MR. STEEN: I think the matter was automatically
19 set at the last hearing.

20 CHAIR JENKINS: Chair Jenkins. That is correct.
21 We actually mentioned that just like our last meeting,
22 it is supposed to be automatically set, which means
23 today, but give me one more moment with our counsel.

24 The Chair will entertain a motion to postpone the
25 presentation of proposed order to our next meeting.



1 BOARD MEMBER JOHNSON: Board Member Gregory --

2 BOARD MEMBER NORD: Board Member Nord, second.

3 CHAIR JENKINS: So we have a motion from Gregory
4 Johnson and a second from Mike Nord. Are there any
5 discussion?

6 Hearing none. All in favor, say "aye."

7 (Chorus of ayes.)

8 CHAIR JENKINS: Any opposed? Motion passes.

9 Okay. Mr. Steen and I believe it's AAG
10 (indiscernible), is that correct, we are going to move
11 this onto the next meeting and it definitely will be in
12 the meeting minutes.

13 MR. STEEN: And scheduled for the upcoming --

14 CHAIR JENKINS: And scheduled for the next
15 meeting. That's correct, yes.

16 MR. STEEN: Thank you for your time.

17 CHAIR JENKINS: Thank you very much.

18 Moving on. Our next item is a certification and
19 CEU quarterly report by Technical Specialist Larry
20 Vance. Are you here and available today?

21

22 CERTIFICATION/CEU QUARTERLY

23 REPORT, EXAM PROVIDER UPDATE

24

25 MR. VANCE: I am, Chairman Jenkins. Thank you



1 very much.

2 Members of the Board, my name is Larry Vance. I'm
3 a technical specialist, or I guess my new title would be
4 an electrical construction inspector 5 is our new title
5 since we have reorganized, but today I have some
6 information about the electrical exams, the electrical
7 exam provider, and just a little bit of other
8 information to share.

9 There's been no noticeable changes in the exam pass
10 rate that is notable. The exam contract is still under
11 review with -- the vendor selection has not been made.
12 It's a complicated matter due to the fact that there's a
13 rulemaking that modifies how -- exam delivery, some
14 intervals. That will be discussed in a later update in
15 this meeting. So there's the rule, there's an IT
16 component to implementing the rule, and then there's the
17 contract implementation -- award and implementation.
18 All three of those mesh. So we are working towards that
19 direction, we just haven't made a selection, and we are
20 having some -- just -- it's a complicated matter, but we
21 are moving through it and making progress.

22 Other than that, I don't really have that much more
23 to report. I don't have anything to report, for that
24 matter, so. Anyone have any questions?

25 CHAIR JENKINS: It's been a quiet board today.



1 All right. Any questions from the Board for technical
2 specialist Larry Vance? Now, it's -- let's stick with
3 technical specialist for now.

4 MR. VANCE: Okay.

5 CHAIR JENKINS: Seeing none. Thank you very much
6 for your time. I appreciate it.

7 MR. VANCE: Thank you, Chairman Jenkins.

8 CHAIR JENKINS: Moving to number 5, rulemaking
9 updates with Randy Barnes and Lorin Lathrop. Are either
10 or both of you here today?

11

12

RULEMAKING UPDATES

13

14 MR. LATHROP: This is Lorin Lathrop with the
15 department. I am going to be doing the rulemaking
16 update for you, and I believe Randy will be on in just a
17 minute to do the legislative update.

18

19

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25

We have a number of rulemakings going on right now
from -- we've been very busy. The first one is we just
started the updated to the Washington Administrative
Code for the adoption and the minutes to the National
Electric Code. Earlier in December we passed the -- we
completed the rulemaking setting the adoption date for
the 2026 National Electrical Code for December 31 of
2026. And so we have started the process of gathering



1 TAC members, gathering proposals, and starting the
2 amendment process and the adoption process.

3 That's the first one. The second one is we have
4 also started another fee increase proposal. The
5 department is looking at increasing by the fiscal growth
6 factor of 6.51 percent. That is in line with what OFM
7 has put out for us. Also with that, all the processes
8 in our department, both contractors and plumbers, were
9 all doing this rulemaking together so it's program-wide.

10 I'll stop there if anyone has any questions so we
11 don't get too deep into the weeds. If anyone has a
12 question.

13 CHAIR JENKINS: Board Member Gregory Johnson.

14 BOARD MEMBER JOHNSON: Yeah, question is on the
15 TAC recruitment that you guys have. There's two
16 positions noted as Electrical Board Member observers,
17 and wondering -- maybe this is a question for you,
18 Mr. Chair -- what is the process for getting those
19 people from our board assigned to that?

20 CHAIR JENKINS: That was actually a part of my
21 assignments later on during the meeting. I was going to
22 open the doors to ask for requests for volunteers, so
23 let's go back to this before public comments. So those
24 on the meeting today, you can kind of consider sitting
25 on the TAC Committee, and I will raise this question



1 again between number seven and number eight of our list
2 today.

3 So Lorin Lathrop, the floor is back to you.

4 MR. LATHROP: Excellent. The third rulemaking
5 update is on the electrical vehicle charging and
6 electrician requirements that were put into law last
7 year.

8 So this is -- as Mr. Vance alluded to, this has
9 been a little difficult because we are navigating a lot
10 of things to make this rulemaking happen. We have IT
11 impacts for whenever we change any rules for who can
12 take an exam and what the process is, and so we are
13 trying to advance the idea that we want administrator
14 exams to look like electrician exams.

15 CHAIR JENKINS: Chair Jenkins. Mr. Lathrop, your
16 volume level dropped way low just now. I'm assuming
17 that's what Byron Allen is commenting about, you went
18 super quiet.

19 MR. LATHROP: Is that better?

20 CHAIR JENKINS: A little bit.

21 MR. LATHROP: I guess I will scoot closer to the
22 microphone. Can you hear me now?

23 CHAIR JENKINS: I think we are at an acceptable
24 level. Go ahead.

25 MR. LATHROP: Okay. I'll just start over.



1 With this third rulemaking we are working on, the
2 administrator competency exams require -- we wanted
3 administrators to approach the exam the same way
4 electricians do. So the way it was currently done is
5 that without any approval from us, or any approval at
6 all, they would then contact the exam provider. That
7 exam provider would administer the administrator's exam,
8 and we would find out after the fact if someone passed
9 or failed.

10 One of the problems with that is to identify these
11 applicants, the testing agency was using Social Security
12 Numbers. We wanted to get away from that, so we want to
13 introduce the distinct identifier, which is what we have
14 done with all the other electrical exams. This means we
15 have to have a process ahead of the time that the
16 administrator would go to the testing vendor.

17 What's complicated this for us is that we have got
18 IT impacts for that to create the portal so people can
19 register for the exam and let us know. We also
20 currently have out for bid the possibility of a new
21 testing vendor, along with some other things we are
22 trying to update our intervals for who can take the
23 test, how often, and how long their approval is for. So
24 we are trying to update our system, update our approach,
25 and there's a lot of moving parts that have made this



1 particular rulemaking a little slower than we would
2 like. We are working through those complications.

3 I will pause there just because I know that this
4 one is a little more in-depth, if anyone has any
5 questions.

6 CHAIR JENKINS: Chair Jenkins. Not seeing any
7 hands up, so I think you are good to go.

8 MR. LATHROP: Our final rulemaking is just an
9 update on one that was completed on December 19. We
10 adopted the date for adoption of the 2026 edition of the
11 National Electrical Code of December 31, 2026. We had
12 the modifying of the temperature rating for NM cables
13 with a suffix letter B and we clarified the deadlines
14 and consequences for trainees who miss the deadlines for
15 turning in affidavits so our rules were clear and easy
16 to understand if those deadlines are missed.

17 That concludes my update. If anyone has any
18 questions.

19 CHAIR JENKINS: Seeing none. Only question I
20 have: Can you give the date again when the deadlines
21 are? I don't have them right in front of me.

22 MR. LATHROP: For the -- for affidavits?

23 CHAIR JENKINS: Yes, affidavits and the
24 rulemaking and the TAC Committee applications.

25 MR. LATHROP: Sure. Applications are currently



1 open, and they will remain open until 11:59 of Sunday, I
2 believe it is February 15. I will double check that,
3 but I believe that is correct.

4 The other deadline is so -- when a trainee expires.
5 Whether it's an apprentice or trainee -- the holder of a
6 trainee card. When their trainee card expires, they
7 have 180 days from the expiration date on that trainee
8 card to turn in their hours of experience to the
9 department for them to be counted toward exam. So what
10 ends up happening is if you go beyond that 180 days, or
11 6 months, we don't have the ability through rule to
12 count those hours towards the qualification for
13 examination. So it was unclear in our rules if that was
14 the -- if that was the case, and so we wanted to make it
15 as clear as possible.

16 CHAIR JENKINS: Thank you very much. Thank you.

17 MR. LATHROP: You're welcome.

18 CHAIR JENKINS: Did you have part six of the
19 meeting today, or should I pass that off to Mr. Randy
20 Barnes?

21 MR. LATHROP: That should be Randy Barnes.

22 CHAIR JENKINS: All right.

23
24 LEGISLATIVE UPDATE
25



1 MR. BARNES: Chairman Jenkins, this is Randy
2 Barnes, also a technical specialist for Wayne
3 Molesworth. I appreciate your time. I am going to give
4 you a legislative update, and like Lorin just did, I am
5 going to pause between each proposed bill for any
6 questions.

7 The first set of bills I would like to tell you
8 about is House Bill 2296 and its companion, Senate Bill
9 6050. The name of the bill is Expanding the Use of
10 Distributed Energy; it's also known as a plug-in solar
11 balcony solar bill. This is RCW 80.60, this the public
12 utilities section of the RCW. The interest for us is
13 that Section 1 of this bill essentially provides an
14 allowance for and definitions for portable solar
15 devices.

16 The bill currently has some language for using
17 portable solar devices to be plugged in directly to
18 receptacles, but it also conflicts with other parts of
19 its bill that -- let's see. It has an outline that --
20 it references UL 3700, which is an outline for
21 investigation which essentially is a future standard for
22 plug-in solar. The bill also, in the second portion of
23 the bill, allows for meter-mounted devices, such as
24 transfer switches.

25 This currently is scheduled for executive session



1 today and tomorrow. So I will pause right there and see
2 if you have any questions.

3 Mr. Johnson.

4 BOARD MEMBER JOHNSON: So I read through this
5 bill. I have concerns about it for some public safety
6 and for both people and for firefighters.

7 So, one, on the plug-in solar portion there's no
8 way to stop -- since you have more than one receptacle
9 on a circuit, you could have 15 amps coming from your
10 utility source to the panel, and you could have power
11 coming through the solar, and if they plugged in more
12 than one plug-in solar device in the same circuit --
13 this is probably targeted at your apartments, so people
14 who live in apartments don't know the difference
15 between, "well, I plugged it into a different outlet,
16 but it's on the same circuit," so they might put a
17 couple panels up and you could have a certain area
18 where, if you have enough load devices on there, you
19 could get 30 amps on a 15-amp circuit.

20 Also, this kind of circumvents the outdoor -- the
21 disconnect requirements for solar, and so, like,
22 firefighters, when they want to put their hoses on they
23 have no ways to shut down that. And also I have
24 concerns about the meter-mounted device, like would --
25 that circumvents L&I's ability to inspect stuff,



1 because, I mean, the way I was reading it -- correct me
2 if I am wrong -- but it would basically be they contact
3 the utility and have the utility plug it in, and it
4 could circumvent L&I inspections, which is really needed
5 for public safety.

6 Those are concerns I had reading through. I don't
7 know if you can comment, are those issues that have been
8 raised by L&I or discussed?

9 MR. BARNES: Yeah. All valid points. We did a
10 bill analysis. We shared L&I's concerns with the bill
11 as it is currently written, the concerns you shared plus
12 a number of others. If you guys would like, I can
13 forward to you. UL has put out a white paper outlining
14 their concerns and where they think the standards should
15 go for this.

16 The bill did reference UL 3700 as well as the
17 current version of the NEC for these installations. The
18 problem is currently there are no products that meet
19 that which would conflict with the first few sentences
20 of the bill that the intent is to provide, you know,
21 cheap access, essentially, too, you know, as you
22 described it for an easy plug-in solar systems. So UL
23 has addressed that.

24 This stuff has been added to the bill, so some of
25 those concerns are being reviewed and looked at. We



1 raised many of those same concerns as well as a handful
2 of others.

3 As far as the meter-mounted equipment, there's
4 nothing in there that would allow for circumvention of
5 inspection or permitting. In fact, I believe the
6 language in there was modified to include an electrical
7 contractor would need to be involved. Part of the
8 reasoning for that is utilities cannot do work on the
9 customer side of the meter, and so now we are in one of
10 those spots where on the customer side of the product,
11 so that would require the contractor, not the utility,
12 to come out and plug it in, unless the utility owned it,
13 of course. I don't know of any utilities that want to
14 use their own equipment there, but maybe there are some.

15 To address your question, that wouldn't circumvent.
16 It would still be required they would have to have
17 permitting and inspection if they wanted to add one of
18 these meter-mounted devices, at least if it's
19 customer-owned and on the customer side of point of
20 service.

21 Does that answer your question?

22 BOARD MEMBER JOHNSON: Yes, thank you.

23 MR. BARNES: Yeah. The white pages that UL put
24 out outline many of the same concerns we have as far as
25 overload that you noted, GFCI, touch potential, you



1 know, grounding and bonding of these things. They do
2 reference rapid shutdown, islanding, the UL and IEEE
3 standard for -- to prevent that, but, again, you are
4 correct there is not external disconnects. The kind of
5 things that electricians and people that are in the
6 electrical industry would be concerned with.

7 CHAIR JENKINS: Chair Jenkins here. I also want
8 to add a little bit more information.

9 When this came out, I was concerned of both
10 information from other members and from other people
11 outside of our circle here, and so I did some research
12 of this and asked questions and apparently this is a
13 thing going on in, like, 27 different states that this
14 group of people are trying to push this product through
15 a manufacturer. This driving force to at least 27
16 states.

17 The only one with I have heard of is Utah that has
18 accepted some type of allowance for this, and I think it
19 sounds like the Board would be -- seeing one or two
20 people here now, but the safety issues that we
21 presented, I think the Board would take a negative
22 stance on this particular House Bill or Senate Bill to
23 go forward as it stands.

24 There needs to be a lot more information, the code
25 needs to get caught up on this before we can look at



1 something like this. The safety violations that can
2 happen with this could be insurmountable. What I have
3 read in the code book -- not the code book, the draft
4 from Oregon, the LC75, that and I think Washington has a
5 similar statement saying that the homeowner, whoever
6 connected this thing, takes no responsibility. And you
7 can't take responsibility for what they plugged in,
8 which is, wow. That's just crazy. So, yeah, I think
9 this needs to be personally shut down, but at least I
10 think we are probably on the same page of saying this is
11 a bad starting point.

12 Anything to chime in on that? Hearing none, I
13 guess it's back to you.

14 MR. BARNES: Fantastic. We greatly appreciate
15 your input on that. We have shared similar concerns.
16 Just to clarify, the bill in Utah also references
17 electrical standards and current NEC which seems to
18 conflict with the idea of just being able to plug a
19 solar panel or an inverter into an outlet.

20 Chair Member Mike Nord?

21 (No response.)

22 MR. BARNES: Again, that's an executive session
23 today and tomorrow. If we don't have any more
24 questions, I will move on to the next bill.

25 Okay. The second bill is House Bill 2378 and its



1 companion bill, Senate Bill 6112. This is a bill
2 directing L&I to adopt rules clarifying the scope of
3 work for HVAC refrigeration specialty electricians for
4 mini-split systems. We have seen variations of this,
5 but, again, this would be directing L&I to make rules
6 allowing 06A-certified people and contractors to install
7 mini-split systems and the -- essentially the line
8 voltage cable between the indoor and outdoor units.

9 This has not made it out of committee. There's no
10 executive sessions scheduled at this time, and the
11 chances of this bill moving forward at the moment due to
12 the short session time constraints has a low likelihood
13 of making it out. This is, you know, we are short
14 session. I could be wrong, but I believe February 4 is
15 the cut-off date, and this one hasn't made it anywhere.

16 CHAIR JENKINS: Chair Jenkins. I think the
17 Electrical Board has a -- the last time this stuff went
18 through, or tried to go through, we have also had a
19 negative response to that particular idea of changing
20 the scope of work for HVAC and split-system units.
21 Unless there's been a change in our attitude here, I
22 think we all still feel the same way. Thank you.

23 MR. BARNES: Thank you, again for your input.
24 There's no more comments or questions?

25 BOARD MEMBER JOHNSON: I'll just say Board Member



1 Gregory Johnson affirms what Chair just said. I mean, I
2 think we already have rules that cover this in the WAC
3 and RCWs appropriately, and I don't see a need for a
4 change.

5 SECRETARY MOLESWORTH: Just a quick comment. I
6 think we agree, however, these are things we can have
7 technical input in from a standpoint of the electrical
8 program.

9 In that bill, they actually had given the
10 department the authority for rulemaking, which we could
11 -- in that rulemaking it was identified we could
12 determine the scope, so how much, where, you know, that
13 type of thing, to actually give us some tools to make
14 sure it stays close to the scope it is right now. But
15 that would be rulemaking down the road.

16 Like Randy said, I don't think this will get
17 traction right now, but we need to know this has been
18 going on a long time, years, and so it will always come
19 back, and that's why we need to make sure we have
20 discussions about it to make sure we understand, you
21 know, who is looking for that scope of work and why.

22 The other thing I wanted to add with that is we can
23 change the scope of work and the people that are pushing
24 this are pretty good contractors, but what we have to
25 understand when we are changing the scope of work is



1 that we change it for everybody. We also change it for
2 those that are skirting the law, and HVAC is probably
3 one of the highest industries for compliance that we
4 deal with for supervision and training certificates and
5 permitting, all. And so it's a concern for us as well
6 when it comes down to that.

7 So always keep in mind when we change laws, we
8 change it for everybody. Some may have a real good
9 reason to be -- good contractors, but we always have to
10 consider the alternative as well. That was all I was
11 going to say.

12 CHAIR JENKINS: Okay. Any other questions from
13 the Board on House Bill 2378 or Senate Bill 6112?

14 Seeing none. I guess back to you, Mr. Randy
15 Barnes.

16 MR. BARNES: Fantastic. House Bill 2406 and
17 Senate Bill 6039, this is labeled Relating to
18 Modernizing Methods of Communications By L&I. This
19 would modify or amend several RCWs.

20 And really what it is is it's laying the groundwork
21 for how do we move forward in the electronic era and
22 communications. This would not affect the electrical
23 program. Everything we do right now abides by Section 6
24 through 9 of the Administrative Procedures Act, and so
25 essentially for us, at least the electrical part of L&I,



1 Had to make sure everything was on here; sorry about
2 that. Thank you Chief Jenkins, or Chair Jenkins, and
3 the Electrical Board. I'll go ahead and read in the
4 secretary's report into the record.

5 January 29, 2006 [sic]. Our budget: The
6 department continues to have a revenue reporting
7 discrepancy we are working to resolve. When it is, we
8 will be able to give a full account of the electrical
9 fund balance and revenue. The data reported here is not
10 complete, but we wish to share what we can with the
11 Electrical Board.

12 The electrical fund balance on December 31, 2025,
13 was \$9,792,095, which is about 3.6 times the average
14 monthly operating expenditure. The average monthly
15 operating expenditure for the second quarter of fiscal
16 year FY 2026 was \$3,133,781 compared to \$2,877,939 for
17 the same period last year, which is a increase of about
18 9 percent.

19 December 2025 customer service report: 41,555
20 permits were sold last quarter. 98.8 percent or 41,041
21 were processed online which is an increase 0.3 percent
22 from last quarter. 99.7 percent of contractor permits
23 are sold online, which is the same as the previous
24 quarter. Homeowners online sales from this quarter is
25 86.3 percent, which is a 1.2 percent increase from the



1 previous quarter. Online inspection requests is 75.6
2 percent, which is a 2.7 percent decrease from last
3 quarter. During this quarter, customers made 91.8
4 percent of all electrical license renewals online, which
5 is the same as last quarter.

6 So key performance measures we cover, last year the
7 same period in 2025 and then this year, FYI 2026, set
8 for the same time frame of October 1 to December 31.
9 The first one was percent of inspections performed
10 within 24 hours of request. Last year was 82 percent,
11 and this year it's 79 percent.

12 Percent of inspections performed within 48 hours of
13 request, last year it was 93 percent, this year
14 91 percent.

15 Total inspections performed was 65,590 for last
16 year, 62,607 for the current time frame.

17 Virtual electric inspections, VEI, performed 13,337
18 last year and 12,447 this year.

19 Number of focused citations and warnings,
20 contractor licensing, worker certification, no permit,
21 failing to supervisor trainees. The field did 326 and
22 ECOPE did 1,794 for a total of 2,020 last year, and this
23 year the field did 44, ECOPE did 46, for a total of 90.

24 The matrix citations are not being reported at this
25 time, and as we are going to find in the licensing



1 report, we just hired new citation staff. We have been
2 without citation staff for some time and unable to
3 process citations, and so we don't count those citations
4 until they are actually issued. So what you will see is
5 probably pretty good numbers in April and July because
6 they will be working to do a little catch-up on issuing
7 those citations. We are taking into consideration
8 certain citations that are more serious and sending them
9 out right away.

10 Six inspection stops per inspector per day.
11 Workload indicator show that 10.9 inspections were done
12 last year this time, and now it's 11.9 per inspector.

13 Serious electrical corrections that would result in
14 disconnection, last year there was 8,366, this year it's
15 7,717.

16 Turnaround time for average plan set reviews, last
17 year was two days, and we have got that down to one day
18 right now. So doing really good in plan review.

19 Plan pages reviewed, all electrically, 680 plans
20 reviewed last year, pages last year, and 375 for this
21 year.

22 If I could move my cursor here to get down to the
23 reports.

24 Percent of warning by focused violations, virtually
25 there was no warnings in licensing, certification,



1 permits, training, supervision. All focused citations
2 there were no warnings issued, primarily because of the
3 same reason you see the citation numbers low. We don't
4 -- didn't have the staff to be issuing the warnings as
5 well. They're still there and we will issue them as
6 soon as our new staff have trained up and can work
7 efficiently.

8 The data above reflects citations and warnings
9 issued for October 1, 2025, through December 31, 2025.
10 Citations processing has been delayed due to having no
11 staff in the citations desk for the electrical program
12 since December of 2024.

13 Electrical licensing, Citations, Amusement Rides,
14 and Appeals. As of January 1, 2026, there are
15 approximately 820 items waiting to be processed by the
16 licensing team. Oldest item is dated 11/13/2025. About
17 673 of these items waiting to be processed are
18 affidavits.

19 The team has made great strides in decreasing the
20 backlog, but the numbers continue to climb. In addition
21 to due processing documents, licensing staff are
22 responsible for answering all incoming electrical phone
23 calls for the time frame between 10/01/25 and 12/31/25.
24 They received 4,536 calls. This does not include
25 inbound calls to their direct lines or outbound calls to



1 the customer. This also does not include calls from our
2 partners in regional office locations that need help
3 when customers are in person with their questions.

4 The Citations, Amusement Rides, and Appeals
5 positions have been filled, however those that filled
6 those positions were previously customer service
7 specialists in licensing, so they are continuing to help
8 our current staff with work until we can fill those
9 vacant positions in license.

10 We also received an exception to the hiring freeze
11 to hire two additional customer service specialists and
12 one customer service specialist lead position, customer
13 service specialist 3. We completed the interview
14 process and will hopefully have those six positions
15 filled soon.

16 In the meantime, Amber Bac and Jenn Dietrich
17 continue to collaborate to manage urgent tasks across
18 Citations, Appeals, and Amusement Rides. However,
19 response times are significantly delayed, and some work
20 streams have been temporarily paused due to limited
21 capacity.

22 I would say that the interesting part of that is we
23 did get to add three more positions to licensing, so we
24 went from six positions to nine. There will take some
25 considerable training, but I am going to say that by



1 probably the beginning to middle of the summer you are
2 going to see a drastic difference in the number of
3 backlog and the speed in which documents are processed,
4 and those documents include training hours, approval for
5 exams, electrical contractor licensing, just to name a
6 few. So we want them to move along quickly, and we were
7 lucky enough to be able to add three more positions to
8 the licensing staff.

9 Testing lab report, there's no new testing labs
10 approved.

11 We talked a little bit about the legislation, so
12 nothing there.

13 I have a couple additional updates for the program
14 restructure. I think we made the Board aware that we
15 were going to do a restructuring of the electrical
16 program, and what that means is we have the entire
17 electrical program actually reporting through and up to
18 the chief. And so it's all consolidated into one
19 location now.

20 Randy and Lorin, who gave the previous reports, are
21 what we call our unit supervisors, and each one of those
22 supervises a supervisor in six offices. We split that
23 north to south, virtually. Doing a great job, just
24 trying to get everything organized and get everybody on
25 the same track. The reason for this is mostly



1 consistency and efficiency, making sure that our
2 customers will get to have the same expectation in one
3 area as they do in another, and that is what we are
4 working towards. I know that has always been a problem
5 for our customers is making sure they have a consistent
6 expectation of what to find.

7 I am going to offer a couple things before I finish
8 the secretary's report, a little more update. As of
9 July 1 we created a new classification structure for
10 electrical inspectors, let's say, from electrical
11 inspector 1 in training all the way up to technical
12 specialists and supervisors in the field, which are 5s.
13 We did that to eliminate some of the wage compression we
14 run into. We also did it so we have an opportunity to
15 get people through an in-training program and see
16 exactly, you know, if they are going to be able to do
17 electrical inspections and then give people a pathway to
18 a little bit higher of responsibility and preparing them
19 for long-term leadership roles.

20 So when you hear the guys talk about, "I think I'm
21 a 5 now; I think I'm," -- that's because this is fairly
22 new, and it was part of our class and comp structure,
23 our class and comp process. That structure had not been
24 touched in 25 years, so it was interesting to go through
25 that process and give our inspectors a little more of a



1 career ladder.

2 One final thing, I think that April's board meeting
3 will probably be my last. I plan on retiring on or
4 before June, the last day of June, and I haven't made a
5 for sure date set but I will be here through the next
6 board meeting. I think coming up we have some very good
7 candidates that have really gained some great experience
8 over the last five years I have been here and will do a
9 great job for the Board and do a great job for the
10 program, and I see nothing but good, continued growth
11 for this program going forwards. I think I am leaving
12 with very capable hands.

13 So that being said, any questions about the
14 secretary's report?

15 CHAIR JENKINS: Thank you. I want to make a
16 comment to your last board meeting. We will see if we
17 can get you one more meeting out of us, but we will see.
18 I don't know if that's a joke or not; we will see.

19 Any other questions or comments from the Board
20 Members for our secretary, Wayne Molesworth?

21 Well, I see no hands up, so I think that's it for
22 our members.

23 SECRETARY MOLESWORTH: All right. Thank you,
24 sir.

25 CHAIR JENKINS: Thank you very much. We are back



1 to my other comment. We have two positions we would
2 like to get appointed to TAC as supervisory positions.
3 It sounds like Gregory Johnson, you had some interest in
4 doing that?

5 BOARD MEMBER JOHNSON: Yes, I do.

6 CHAIR JENKINS: Any other Board Members that are
7 interested in doing that? Doing the TAC?

8 BOARD MEMBER NORD: Board Member Nord is
9 interested.

10 CHAIR JENKINS: Okay. And just so I don't cut
11 anybody else off, anybody else that would be
12 considering?

13 Yes, Mr. Bobby Gray? Is that a request, or do you
14 want to make a comment? You're muted; I'm not sure if
15 you are trying to talk or not. Board Member Bobby Gray?

16 (No response.)

17 CHAIR JENKINS: Okay. Well, at this point here I
18 would go -- Board Member Bobby Gray, are you able to
19 unmute your mic?

20 BOARD MEMBER GRAY: How about now.

21 CHAIR JENKINS: There you go.

22 BOARD MEMBER GRAY: Yeah, I hit it several times.
23 I just wanted to ask if I am correct in the fact that
24 even though the Board presents two members to the TAC
25 that will be nonvoting, that does not prohibit any



1 individual board member from applying based on their own
2 classification. Do I remember that correctly?

3 CHAIR JENKINS: Chair Jenkins. I would refer
4 that question back to the secretary.

5 I believe that's correct, but did you want to pipe
6 in on that comment?

7 SECRETARY MOLESWORTH: I've not been faced with
8 that before, but I would assume we could take a look. I
9 would assume if they had their own credentials that they
10 were applying with, that they could absolutely be on the
11 TAC.

12 CHAIR JENKINS: Okay.

13 BOARD MEMBER GRAY: Thank you. I think I recall
14 doing that at one time where I represented the
15 contractors rather than the Board itself, and that made
16 me a full voting member. I just wanted to remind the
17 rest of the Board there that if they are interested in
18 getting on as a voting member, then I think they can do
19 that in lieu of being a representative from the Board.

20 CHAIR JENKINS: Chair Jenkins here. Gregory
21 Johnson, go ahead.

22 BOARD MEMBER JOHNSON: Thank you for bringing
23 that up, wondering if our AAG has any advice on, like,
24 is there a limit to number of Board Members to do that,
25 or is there -- kind of wondering your advice for the



1 Board Members.

2 MR. BLOHOWIAK: As appointees, through ethics
3 rules you are public officers in your role on the
4 Electrical Board. If you pursue a position on the TAC
5 Committee using your personal credentials, my advice to
6 Board Members would be to keep it purely to your
7 professional credentials and not, you know, include your
8 Electrical Board membership and any, you know, e-mail
9 signatures or letterheads or anything like that when you
10 are doing work related to the TAC.

11 I don't think there's anything stopping you from
12 doing that, but you should be aware that you are
13 required to, you know, in your role on the Board, you
14 know, in (indiscernible) cases there's a fairness
15 doctrine that applies to you, and there are ethics
16 considerations to take into account. But we could speak
17 to those, you know, if it comes up one-on-one, and I can
18 provide you some advice on how to manage that.

19 As it stands right now, I can't think of any reason
20 why your membership here would preclude you from
21 pursuing that in your -- in the private sector.

22 BOARD MEMBER JOHNSON: So I will express I would
23 still like to be a Board Member observer position just
24 to avoid any chance of any conflicts of interest or
25 anything. So, yeah, I'm not going to pursue the



1 secondary path, I would just prefer to be a Board Member
2 position.

3 CHAIR JENKINS: Chair Jenkins here. I'm not
4 seeing any other hands up right away, so I would like to
5 appoint both Gregory Johnson and Mike Nord to the TAC
6 Committee for the Electrical Board as supervisory
7 positions. Also during our next meeting after we
8 -- sorry. When they come and present the actual
9 amendments that have gone through, it'd be good to have
10 you guys pipe in to express what happened during that
11 meeting, if any controversy comes up, so.

12 Thank you very much for your volunteering. Much
13 appreciate that.

14

15 PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA

16

17 CHAIR JENKINS: Looks like we are on to Item 8,
18 which is our public comment regarding items not on the
19 agenda. And we do have something here on the proposal
20 to advocate Washington EL07 License as a national model.
21 Is there somebody that wants to speak to that?

22 If you have your agendas, there there's a link on
23 the item there that says Proposal to Advocate
24 Washington's EL07 License As a National Model. I don't
25 hear or see anyone that's want to add any information.



1 It is in our public comment, it's something you can look
2 at if you like.

3 Outside that, is there anybody else here for public
4 comment? I usually do this three times.

5 Once again, is there anyone here for public
6 comment?

7 And lastly, once again, is there anyone here for
8 had public comment?

9 Hearing and seeing none, the Chair would entertain
10 a motion to end the Washington Electrical Board meeting
11 January 29, 2026.

12 BOARD MEMBER NORD: Board Member Nord, motion.

13 CHAIR JENKINS: We have a motion. Do we have a
14 second?

15 BOARD MEMBER LEE: Board Member Lee. Second.

16 CHAIR JENKINS: A second. Any discussion?

17 Hearing none. All in favor, say "aye."

18 (Chorus of ayes.)

19 CHAIR JENKINS: Any opposed? Motion passes.

20 Once again, thank you all for being here. I appreciate
21 it. Thank you very much.

22

23 (Meeting adjourned at 11:38 a.m.)

24

25



C E R T I F I C A T E

I, RACHEL WOOD, a Certified Stenographic Court Reporter in and for the State of Washington, residing at Victoria, BC, do hereby certify;

That the foregoing proceedings were taken before me and thereafter reduced to a typed format under my direction; that the transcript is a full, true and complete transcript of said proceedings consisting of Pages 1 through 93;

That as a CCR in this state, I am bound by the Rules of Conduct as Codified in WAC 308-14-130; that court reporting arrangements and fees in this case are offered to all parties on equal terms;

That I am not a relative, employee, attorney or counsel of any party to this action, or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That upon completion of signature, if required, the original transcript will be securely sealed and the same served upon the appropriate party.

IN WITNESS WHEREOF, I have hereunto set my hand this 5 day of February, 2026.



Rachel Wood, CCR No. 24025777
Certified Stenographic Reporter



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