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May 5, 2008

Beth O'Donnell, Executive Director  
Public Service Commission  
211 Sower Blvd  
P.O. Box 615  
Frankfort, KY 40602

Re: Shelby Energy Cooperative, Inc. -  
Alleged Failure to Comply with KRS 278.042  
Case No. 2008-00147

Dear Ms. O'Donnell:

Enclosed please find one original and six (6) copies, plus an extra copy, of Shelby Energy Cooperative, Inc.'s Motion for an Informal Conference.

Also enclosed are seven copies, plus one extra copy, of a letter from James D. Dobson for filing in the record of this action.

Please file the original and six copies of both the Motion and the letter with the Commission and return to me the file-stamped extra copies. For your convenience I have enclosed a self-addressed stamped envelope.

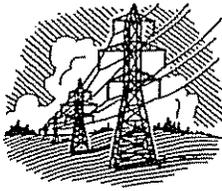
Yours truly,

MATHIS, RIGGS & PRATHER, P.S.C.

BY:   
Donald T. Prather

DTP/pm  
Enclosures  
Cc: Debbie Martin

By: 



DOBSON POWER LINE CONSTRUCTION CO., INC.

7696 Harrodsburg Road  
Nicholasville, Ky 40356

e-mail: [DobsonPow@OX.net](mailto:DobsonPow@OX.net)

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PUBLIC SERVICE  
COMMISSION

James D. Dobson Jr.  
President  
Merit Y. Peel  
Secretary

Accident November 2007  
Vigo Road

Phone: (859) 885-3227  
Fax: (859) 885-1394

All violations from the PSC were taken from section 42 of the NFSC which covers Employee Rules. No violations were cited from section 41 which covers Employer Rules. This was also the opinion of OSHA which saw no point in citing the employee.

Low Clearance - Vigo Road - It was determined by the PSC that since the line being pulled was not effectively grounded that it must be considered as energized, requiring a minimum of 15 1/2 feet above grade. The low clearance was the result of a mechanical failure of the braking machine at the wire reels. A visual inspection of the braking machine revealed no problems. However, since I had adjusted the brakes to maintain clearance - there was obviously a problem. I sent it to the shop to replace the brake shoes. When the brakes were disassembled, it was found that the lower bushings on the brake were not working freely. This resulted in the top edge of the shoe overheating causing a partial loss of control. This had probably not been detected because previous pulls were not as far. This was the longest pull we had made with the machine. The breaks were completely rebuilt and no subsequent problems have occurred. OSHA recognizes that mechanical failures may occur. Regulations to minimize the effect of such failures were in place.

We had also taken other precautions which may have not been observed in the event of a failure of either the brake machine or the puller. In areas where pedestrians or vehicle traffic were likely to occur - such as road crossings, driveways or sidewalks to mail boxes etc. - we used bucket trucks, diggers or guard structures to physically maintain clearance in case of a total failure or loss of control on the pull. The area of low clearance

was not accessible to vehicle traffic and was not a likely spot for pedestrian traffic. In addition, we had relocated the entire existing line 6 feet or more from the new line being pulled. This is well outside the minimum approach distance of 2 feet 2 inches.

*James D. Dolan*