

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NOLIN RURAL ELECTRIC)
COOPERATIVE CORPORATION)
_____) CASE NO. 2011-00061
)
ALLEGED FAILURE TO COMPLY WITH)
KRS 278.042)

COMMISSION STAFF'S FIRST INFORMATION REQUEST
TO NOLIN RURAL ELECTRIC COOPERATIVE CORPORATION

Pursuant to 807 KAR 5:001, Nolin Rural Electric Cooperative Corporation ("Nolin") is to file with the Commission the original and seven copies of the following information, with a copy to all parties of record. The information requested herein is due no later than Friday, April 8, 2011. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Nolin shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when

made, is now incorrect in any material respect. For any request to which Nolin fails or refuses to furnish all or part of the requested information, Nolin shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Refer to page 1 of Nolin's Response to the Commission's March 1, 2011 Order, filed on March 21, 2011 ("Nolin's Response"), which states, in pertinent part:

Nolin contracted with Hamilton Construction Company to install new conductors and upgrade a line on Nolin's system. Pursuant to the terms of the contract that Nolin has with Hamilton Power Line Construction Company, ("Hamilton"), Hamilton is required to take all reasonable precautions for the safety of its employees and furthermore, Hamilton contracted to comply with all applicable provisions of construction codes, in addition to safety rules and procedures of Nolin.

a. Provide a true copy of the electric system construction contract between Nolin and its contractor Hamilton Construction Company ("Hamilton") in effect at the time of the July 9, 2009 incident that is the subject of the Commission's March 1, 2011 Order ("Nolin-Hamilton contract").

b. Is the Nolin-Hamilton contract a standard Rural Utility Service ("RUS") construction contract?

c. Does the Nolin-Hamilton contract contain a section regarding "supervision and inspection?"

d. Does the Nolin-Hamilton contract contain any provision that requires Hamilton to reimburse Nolin for civil penalties imposed by a state regulatory agency for violations of applicable state laws, regulations or rules attributable to the actions of Hamilton or its employees?

e. Does the Nolin-Hamilton contract prohibit Nolin from having employees of Nolin on site when Hamilton is performing construction work pursuant to the contract?

2. Refer to page 2 of Nolin's Response under the heading "Fifth Defense," which states, in pertinent part, "[s]ome of the violations stated in the Commission's Order are not related to the injuries sustained by Mr. Burman and therefore should be dismissed."

a. Explain in detail Nolin's theory that a violation of the NESC must be related to a worker's injury.

b. Explain in detail which violations Nolin believes should be dismissed, based on its statement at page 2 of its Response under "Fifth Defense."

3. Has Nolin ever conducted safety inspections of its own employee construction work crews? If yes, provide copies of any documents, recordings, or data related to all such safety inspections conducted between January 1, 2009 and December 31, 2010.

4. Has Nolin ever conducted safety inspections of its contractor construction work crews? If yes, provide copies of any documents, recordings, or data related to all such safety inspections conducted between January 1, 2009 and December 31, 2010.

5. Refer to the "Seven Day Summary Report," which is Attachment A to the electric utility Incident Investigation Report ("Report"), dated August 20, 2009, which is attached as an Appendix to the Commission's March 1, 2011 Order.

a. State whether the following persons, whose names appear on page 2 of the Seven-Day Summary Report, are Nolin employees: Donnie Propes, Bobby Ash, Vince Heuser, and Robert Thornton.

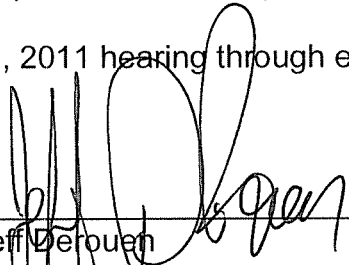
b. If known, why did Billy Hamilton call Donnie Propes immediately after the incident in which Pat Burman was injured instead of calling emergency 911 directly?

6. Provide a list of all witnesses Nolin anticipates calling to testify before the Commission at the May 5, 2011 hearing in this matter.

a. For each witness listed in response to Item 7, provide a summary of the testimony they are expected to provide, including a description of how their testimony supports Nolin's Response.

b. For each witness listed in response to Item 7, provide a current curriculum vitae or resume.

c. For each witness listed in response to Item 7, provide a list of any exhibits Nolin anticipates introducing at the May 5, 2011 hearing through each witness.



Jeff Derouen
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

DATED: MAR 25 2011

cc: Parties of Record

Case No. 2011-00061

Michael L Miller
President & CEO
Nolin R.E.C.C.
411 Ring Road
 Elizabethtown, KY 42701-6767