

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY POWER COMPANY)
d/b/a AMERICAN ELECTRIC POWER)
AND)
BELLSOUTH TELECOMMUNICATIONS, INC.) CASE NO. 96-037
_____)
ALLEGED FAILURE TO COMPLY)
WITH COMMISSION REGULATIONS)

ORDER TO SHOW CAUSE

Kentucky Power Company, d/b/a American Electric Power ("American Electric"),¹ a Kentucky corporation which owns facilities in Kentucky which are used in the distribution of electricity to the public, for compensation, for lights, heat, power, and other uses, is a utility under Commission jurisdiction. KRS 278.010(3)(a).

BellSouth Telecommunications, Inc. ("BellSouth"),² a Georgia corporation which owns facilities in Kentucky which are used for the transmission over wire of messages by telephone for the public

¹ On January 29, 1996, Kentucky Power Company filed a certificate of assumed name, notifying the Commission that it had adopted the assumed name of American Electric Power. At the time of the incident it operated in Kentucky under its real corporate name, Kentucky Power Company.

² At the time of the incident, BellSouth operated in Kentucky as South Central Bell Telephone Company. On November 2, 1995, the Commission entered an order recognizing South Central Bell's name change to BellSouth Telecommunications, Inc.

for compensation, is a utility under Commission jurisdiction. KRS 278.010(3)(e).

KRS 278.280(2) authorizes the Commission to prescribe rules for the performance of any service furnished or supplied by a utility. Pursuant to this authority, the Commission has promulgated Commission Regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plants and facilities in accordance with the standards of the National Electrical Safety Code (1990 edition) and Commission Regulation 807 KAR 5:061, Section 3, which requires telephone utilities to do likewise.

The Commission also promulgated Commission Regulation 807 KAR 5:006, Section 26, which requires a utility, other than a natural gas utility, to submit a written summary report of any utility-related accident resulting in burns requiring medical treatment at a hospital or similar medical facility within seven days of the accident.

Commission Staff has submitted to the Commission a Utility Accident Investigation Report dated August 29, 1995. The report, which is appended hereto as Appendix A, alleges:

1. While installing a lashing wire on a BellSouth pole, in the Yellow Hill area of Pikeville, Kentucky, on May 22, 1995, Dick Clark suffered serious burns when the wire came into contact with a 7200 volt overhead line. As a result of his injuries, Mr. Clark was treated at Pikeville Methodist Hospital.

2. Commission Staff inspected the facilities in question on May 24, 1995. During this inspection, Commission Staff found that

the electric conductors, which American Electric owns and maintains, failed to comply with the minimum clearance standards for above-ground wires and conductors as established by National Electrical Safety Code Rule 233. The communications conductor in question, which BellSouth owns and maintains, also failed to comply with these standards.

3. BellSouth did not submit a written summary report of the incident.

Based on its review of the Utility Accident Investigation Report and being otherwise sufficiently advised, the Commission finds that prima facie evidence exists that American Electric has failed to comply with Commission Regulation 807 KAR 5:041, Section 3. The Commission also finds that prima facie evidence exists that BellSouth has failed to comply with Commission Regulations 807 KAR 5:006, Section 26 and 807 KAR 5:061, Section 3.

WHEREFORE, the Commission, on its own motion, HEREBY ORDERS that:

1. American Electric and BellSouth shall appear before the Commission on Friday, March 15, 1996 at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violations of Commission Regulations 807 KAR 5:006, Section 26, 807 KAR 5:041, Section 3, and 807 KAR 5:061, Section 3, and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for these alleged violations.

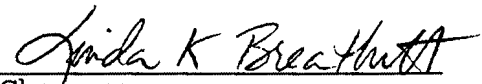
2. American Electric and BellSouth shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Utility Accident Investigation Report.

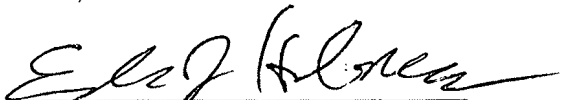
3. The Utility Accident Investigation Report of August 29, 1995 is made part of the record of this proceeding.

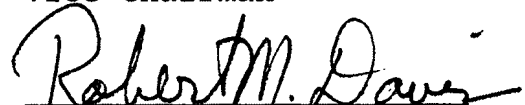
4. Any motion requesting an informal conference with Commission Staff to consider any matter which would aid in the handling or disposition of this proceeding shall be filed with the Commission no later than 20 days from the date of this Order.

Done at Frankfort, Kentucky, this 14th day of February, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

August 29, 1995

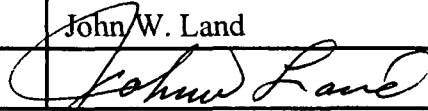
Page 1

**UTILITY ACCIDENT
INVESTIGATION REPORT**

Utility:	Kentucky Power Company	South Central Bell Telephone Company		
Reported By:	Chuck Ferguson	No Record of Report		
Dates & Times				
Accident Occurred:	05/22/95 - 1:00 p.m.			
Utility Notified:	05/22/95 - approx. 2:10 p.m.	Unknown		
PSC Notified:	05/22/95 - 2:27 p.m.	No Record of Report		
Investigated:	05/24/95			
Written Report Rcvd:	05/24/95	No Record of Report		
Location of Accident:	1.5 miles east from junction of Highways 460/80 and 195 on Highway 460 near Draffin, KY.			
Description of Accident:	Mr. Dick Clark was injured when the lasher wire he was installing came into contact with a 7200 volt overhead line.			
Victims:				
Name:	Dick Clark	Fatal:	No	Age: 29
Addr./Empl.:	Scott Breyer Cable			
Injuries:	First and second degree burns to hands, left side of face, chest, arms, and left ear.			
Witnesses:	Name	Address/Employment		
	Names Unknown	CATV Employees		
Sources of Information:	Name	Address/Employment		
	Perry Farmer	Kentucky Power - Pikeville Division		
	Tim McCoy	Kentucky Power - Pikeville Division		
	Earl Thacker	South Central Bell		
	Scott T. Breyer	Scott Breyer Cable		

Probable Violations:					
KAR 5:041, Section 3 and KAR 5:061, Section 3	Inadequate clearance between electric and communications conductors/structures.				
KAR 5:006, Section 26	South Central Bell failed to provide a written accident report.				
Line Clearances:	Measured	Minimum Allowed by NESC	Applicable NESC Edition¹	Volt.	Constr. Date
Field Phase to Ground Elev.:	25' - 4"	15' - 0"	1977, Table 232-1	7200 V	1976
Center Phase to Ground Elev.:	27' - 4"	15' - 0"	1977, Table 232-1	7200 V	1976
Road Phase to Ground Elev.:	29 - 4"	15' - 0"	1977, Table 232-1	7200 V	1976
Neutral to Ground Elev.:	25' - 8"	15' - 0"	1977, Table 232-1 footnote 5	NA	1976
Field Phase to SCB Pole:	1' - 6.5"	6' - 0"	1977, Table 233-1 footnote 5	7200 V	1976
Field Phase to CATV:	2' - 1"	6' - 0"	1977, Table 233-1 footnote 5	7200 V	1995
Field Phase to SCB Top Cable:	2' - 7"	6' - 0"	1977, Table 233-1 footnote 5	7200 V	1976
Field Phase to SCB Bottom Cable:	3' - 5"	6' - 0"	1977, Table 233-1 footnote 5	7200 V	1976
CATV to Ground Elev.:	25' - 4"	14' - 0"	1990, Table 232-1	NA	1995
SCB Cable to Ground Elev.:	23 - 7"	8' - 0"	1961, Table 232-1 footnote 7	NA	1956

¹ Current edition adopted by the Commission. If clearances are not in compliance with the current edition, then the edition in effect when the facilities were constructed or modified last would apply.

Date of Measurement:	05/24/95
Approximate Temp.:	87 degrees Fahrenheit
Measurements Made By:	John W. Land, Perry Farmer, Tim McCoy
Investigated By:	John W. Land
Signed:	



South Central Bell

September 7, 1995

RECEIVED

SEP 10 1995

DIVISION OF UTILITY
ENGINEERING & SERVICES

Ms. Martha M. Morton
Manager, Electric Branch
Public Service Commission
P. O. Box 615
730 Schenkel Lane
Frankfort, KY 40601

Dear Ms. Morton:

This is in response to our August 30 telephone conversation concerning the telephone cable at Pole Number 457. I regret the delay in responding to your initial inquiry, but I did not receive the May 25, 1995 letter.

On August 31, we contacted Kentucky Power and discussed the site at Highway 80. We have issued a construction project to place two poles at this location, and the construction requirements will be completed by September 20.

A copy of our aerial inspection report for the Pikeville area is attached. The report period is from January, 1995 to June 30, 1995.

The telephone drop attachment at the residence located on Highway 80 was repaired on September 6.

If you have additional questions, please call me at (502) 582-8168.

Very truly yours,

Mary Porter
Assistant Manager--Regulatory

Attachment

A-1994-1995

INSPECTIONS OF AERIAL AND UNDERGROUND PLANT
REQUIRED BY 807 KAR 5:006, SECTION 23(1)(C)

TYPE INSPECTION

X Aerial Plant: Shall be inspected every 2 years for electrical hazards, proper clearance and climbing safety.

Underground Plant: Shall be inspected annually for presence of gas, proper clearance from electric facilities and safe working conditions.

DISTRICT: Network Operations-East

DATE: 06-30-95

WIRE CENTER: Pikeville

Period covered by inspections from 01-01-95 to 06-30-95.

Aerial/Underground plant for the above Wire Center has been inspected according to the criteria shown above by Engineers, Construction personnel, Installation and Maintenance personnel and Supervisors in the course of their daily assignments throughout the previous 6 months.

To the best of our knowledge, all hazards and defects have been identified and logged and corrections have been completed or planned.

Records of defects and their status may be found on the Safety and Service Defect Log, a copy of which may be found in this file.

Maryann Coleman
CST Manager

Andy Johnson
Manager-I. & M.

NOTE: The original of this form should be filed in the District Office, Operations Manager, 222 W. Lexington Avenue, Winchester, KY.

A-1992-1993

INSPECTIONS OF AERIAL AND UNDERGROUND PLANT
REQUIRED BY 807 KAR 5:006, SECTION 23(1)(C)

TYPE INSPECTION

X Aerial Plant: Shall be inspected every 2 years for electrical hazards, proper clearance and climbing safety.

Underground Plant: Shall be inspected annually for presence of gas, proper clearance from electric facilities and safe working conditions.

DISTRICT: East Operations

DATE: 06-30-93

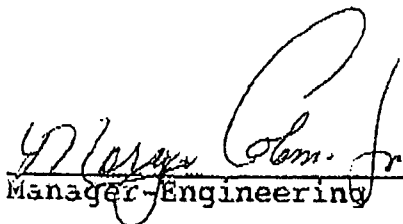
WIRE CENTER: Pikeville

Period covered by inspections from 06-30-93 to 01-01-93

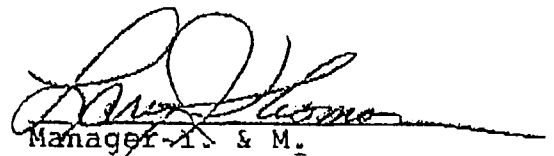
Aerial/Underground plant for the above Wire Center has been inspected according to the criteria shown above by Engineers, Construction personnel, Installation and Maintenance personnel and Supervisors in the course of their daily assignments throughout the previous 6 months.

To the best of our knowledge, all hazards and defects have been identified and logged and corrections have been completed or planned.

Records of defects and their status may be found on the Safety and Service Defect Log, a copy of which may be found in this file.


Manager-Engineering


Manager-Construction


Manager-I & M.

NOTE: The original of this form should be filed in the District Office, Operations Manager, 222 W. Lexington Avenue, Winchester, KY.

A-1990-1991

INSPECTIONS OF AERIAL AND UNDERGROUND PLANT
REQUIRED BY 807 KAR 5:006, SECTION 23(1)(C)

TYPE
INSPECTION

Aerial Plant: Shall be inspected every 2 years for electrical hazards, proper clearance and climbing safety.

Underground Plant: Shall be inspected annually for presence of gas, proper clearance from electric facilities and safe working conditions.

DISTRICT: Winchester

DATE:

WIRE CENTER: Pikeville

Period covered by inspections from 1-1 1990 to 06-30 1991.

Aerial/Underground plant for the above Wire Center has been inspected according to the criteria shown above by Engineers, Construction personnel, Installation and Maintenance personnel and Supervisors in the course of their daily assignments throughout the previous 18 months.

To the best of our knowledge, all hazards and defects have been identified and logged and corrections have been completed or planned.

Records of defects and their status may be found on the Safety and Service Defect Log, a copy of which may be found in this file.

Morgan Coleman
Manager-Eng. and Const.

A. E. Rose
Manager-I. & M.

Note: The original of this form should be filed in the District Office, Opr. Mgr.-I. & M., 222 W. Lexington Avenue, Winchester, Kentucky.

A-1988-1989

INSPECTIONS OF AERIAL AND UNDERGROUND PLANT
REQUIRED BY 807 KAR 5:006, SECTION 23(1)(C)

TYPE
INSPECTION

Aerial Plant: Shall be inspected every 2 years for electrical hazards, proper clearance and climbing safety.

Underground Plant: Shall be inspected annually for presence of gas, proper clearance from electric facilities and safe working conditions.

DISTRICT: WINCHESTER

DATE:

WIRE CENTER: PIKEVILLE

Period covered by inspections from 1 - 1 1988 to 12-31 1989.

Aerial/Underground plant for the above Wire Center has been inspected according to the criteria shown above by Engineers, Construction personnel, Installation and Maintenance personnel and Supervisors in the course of their daily assignments throughout the previous 24 months.

To the best of our knowledge, all hazards and defects have been identified and logged and corrections have been completed or planned.

Records of defects and their status may be found on the Safety and Service Defect Log, a copy of which may be found in this file.

Amy L. Boyd

Manager-Eng. and Const.

H. E. Row

Manager-I. & M.

Note: The original of this form should be filed in the District Office, Opr. Mgr.-I. & M., 222 W. Lexington Avenue, Winchester, Kentucky.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

May 25, 1995

Ms. Mary Porter
South Central Bell Telephone Company
601 West Chestnut Street, Room 408
P. O. Box 32410
Louisville, KY 40232

Dear Ms. Porter,

Your prompt assistance yesterday in coordinating a meeting with Mr. Earl Thacker at South Central Bell's Pikeville office was appreciated. At that meeting we requested that the telephone cable at pole number 457 be lowered sufficiently to allow adequate clearance for both the cable television and telephone cables from the power line above. These cables are close enough to the power line to present a serious hazard for anyone on this pole, so we advised Mr. Thacker to contact Kentucky Power Company so they could take necessary precautions to protect your workers. We suggest that the cable company, Telemedia, be contacted so they can lower their cable at the same time. We also advised Mr. Thacker of a telephone drop which had been attached to the electric service at a nearby residence, and gave him the address information, so this could also be corrected.

We requested information concerning the last routine facilities inspection, which is required every two years under 807 KAR 5:006, Section 25(7)(a). Mr. Thacker had recently reviewed this area in connection with the cable television company's make-ready request; however, he was unaware of the Commission's regulation and was unable to provide us with a copy of the check sheet for the last routine inspection. We would appreciate it if you could determine if another department is responsible for these inspections and provide us with the check sheet from the latest inspection which includes pole number 457. This is needed for our staff report on the accident investigation, so a response within two weeks is requested. We will also need to include the status of the clearance corrections and would appreciate receiving this information at the same time.

If you have any questions, please do not hesitate to contact me or Wayne Bates at (502) 564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Martha M. Morton".

Martha M. Morton
Manager, Electric Branch
Division of Engineering and Services

cc:

Wayne Bates, Manager, Communications Branch
Perry Farmer, Kentucky Power Company

5/24/95

KY-373
REV. 4/91

KENTUCKY POWER COMPANY
ACCIDENT SUMMARY REPORT

INJURED PERSON:	NAME Dick Clark		AGE 29
	ADDRESS Mt. Union, PA		PHONE NUMBERS: HOME: BUS:
	OCCUPATION Cable installer/lineman	EMPLOYED BY Scott Breyer Cable	
TIME & PLACE	DATE & TIME OF LOSS OR ACCIDENT 5-22-95 1:00 AM (PM)	LOCATION Yellow Hill Area	DIVISION PIKEVILLE
PERSONAL INJURY	NATURE & EXTENT OF INJURY Electrical burns on hands, left face, chest, arms, left ear; 1st-2nd degree burns		
	WHERE WAS INJURED TAKEN AFTER ACCIDENT Pikeville Methodist Hospital		NAME OF DOCTOR ER Staff
PROPERTY DAMAGE:	OWNER		PHONE NUMBERS: HOME: BUS:
	ADDRESS		BUS:
	LIST DAMAGE		ESTIMATED COST:
WITNESSES:	OBTAIN THE NAMES AND ADDRESSES OF DISINTERESTED WITNESSES WHO KNOW ANYTHING ABOUT THE OCCURRENCE INCLUDING DATE, BADGE NO. OR NAME OF POLICE AUTHORITY TO WHOM THE ACCIDENT WAS REPORTED		
	NAME		PHONE NUMBERS: HOME: BUS:
	ADDRESS		BUS:
	NAME		PHONE NUMBERS: HOME: BUS:
IT IS IMPORTANT TO GIVE FULL NAME & ADDRESS OF EVERY WITNESS	ADDRESS		BUS:
	NAME		PHONE NUMBERS: HOME: BUS:
	ADDRESS		BUS:
	NAME		PHONE NUMBERS: HOME: BUS:
DESCRIPTION OF ACCIDENT:	ADDRESS		
	INJURED WAS DOING CABLE RESTRANDING FOR TELEMEDIA TELEVISION CABLE. HE SAID HE WAS ON POLE, AND LASHING WIRE CAME INTO CONTACT WITH ELECTRIC LINE AS HE WAS TRYING TO MOVE HIS WIRE. HE SAID HE THOUGHT HIS WIRE WAS TOO LONG AND HE COULD NOT CONTROL IT.		
IT IS IMPORTANT THAT ANY ARTICLE, PART OR APPLIANCE CAUSING THE OCCURRENCE BE CAREFULLY PRESERVED. ATTACH SKETCH IF APPROPRIATE			
DATE 5-23-95		SIGNATURE CHerguson	

5-23-95

At about 8:20 a.m., I talked with Dick Clark, the man who was injured while working on television cable yesterday in the Yellow Hill area. He told me he was admitted to Pikeville Methodist Hospital for observation last evening but expected to be released this morning.

He said he was trying to move a lashing wire from fiber-optic cable he and others have been contracted to install for Telemedia in Pikeville. He said the lashing wire was longer than he thought and, as he tried to move it, it contacted the electric line.

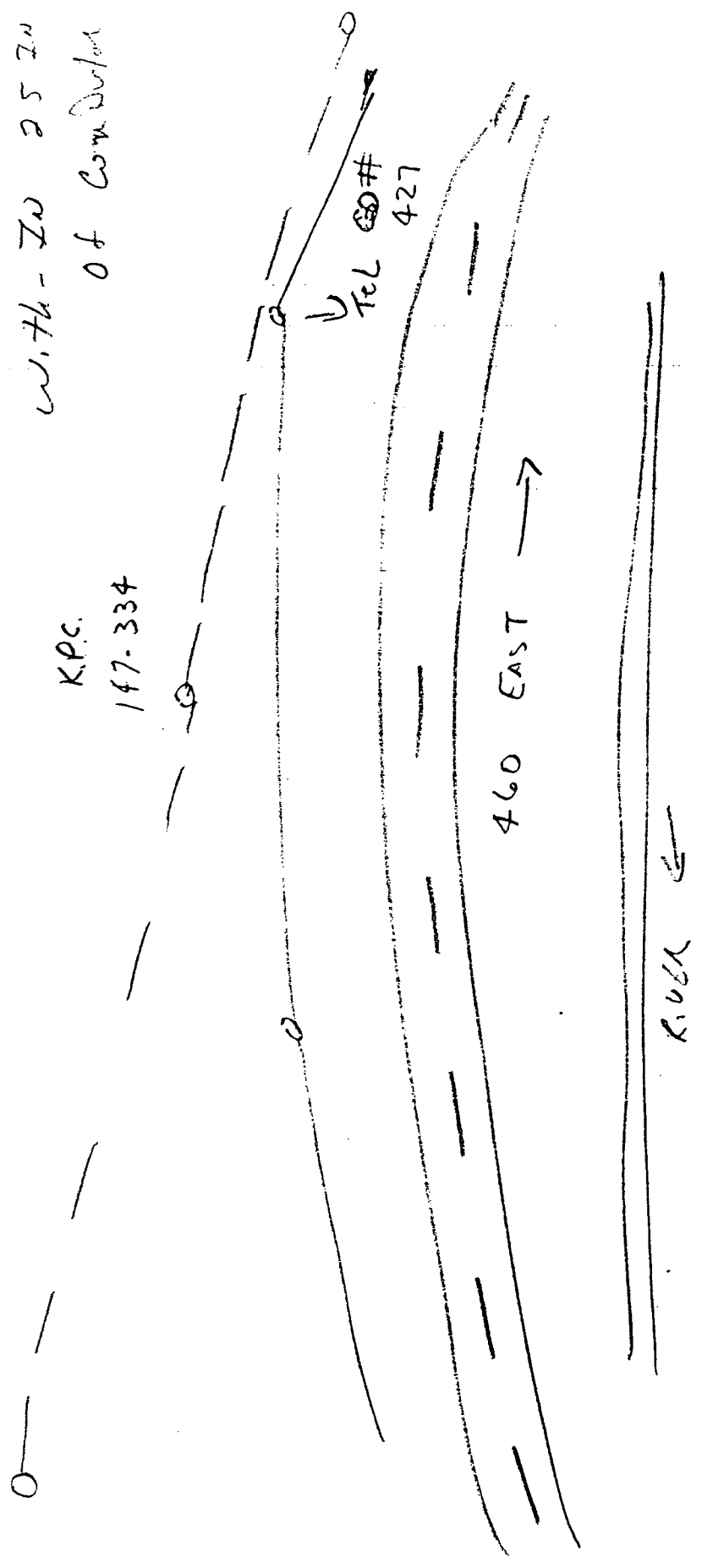
He said he had burns to his face, chest, left ear, forearms, and hands. None were considered very serious.

Other workers were in the area. The nearest were Ed Holliday of Elkton, Pa., and Mike Long of Caulbert, Pa. Two female flaggers were also on sight but he did not know them except for first names of Tammy and Cameron. He did not know if any of them actually saw the incident but they did help him immediately afterward and called for an ambulance.

CH Ferguson

CONTACTED LEFT HAND PHASE
OF S56 CONDUCTOR 7200 V.
LOOKING TOWARDS SILKHOUS CITY
CONTACT WAS MADE BETWEEN
PHASE CONDUCTOR AND CASTLE
T.V. MESSENGER.

K.P.C.
147-334
WITH-IN 25 IN APP
OF CONDUCTOR



Elkhorn

APPLICATION FOR POLE AND ANCHOR ATTACHMENTS
FOR ATTACHMENTS AT *Elkhorn* DATE *1-31-95*

SUBMITTED BY *Tele-Medic Company of KY, Inc.* (COMPANY NAME)

THIS SECTION TO BE COMPLETED SOUTH CENTRAL BELL
DISTRICT _____ ENGR _____ TELEPHONE NO. _____

THIS SECTION TO BE COMPLETED BY APPLICANT
MAILING ADDRESS: _____ CONTACT PERSON _____ TELEPHONE NO. _____

MAKE READY WORK REQUIRED	DATE WORK COMPLETE	TYPE OF ATTACHMENTS		
		2 PTY	3 PTY	ANCHORS
POLE CHANGE CUT				1 OK
NO				1 OK
LOWER 12" or CHANGE POLE				1's
NO				1's
NO				1's
LOWER 12"				1 OK
NO				1 OK
NO				1 OK
NO				1 OK

POLE NO.	LOCATION	ATTACHMENTS
451 ✓	RT 460 + 80	CATV
452 ✓	"	" "
453 ✓	"	" "
454 ✓	"	" "
455 ✓	"	" "
456 ✓	"	" "
457 ✓	"	" 4
459 ✓	"	" "
NT 461 ✓	"	" "

field ch
5-16-95 pm
5-31-95 2A.

IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF KENTUCKY PUBLIC SERVICE COMMISSION TARIFF 1F APPLICATION IS HEREBY MADE BY THE ABOVE NAMED CATV COMPANY TO MAKE ATTACHMENTS TO THE ABOVE DESCRIBED SOUTH CENTRAL BELL TELEPHONE COMPANY POLES AND ANCHORS.

SCB WORK COMPLETE ON	PER
APPROVED BY _____	DATE _____

Carol A. Elkhorn TITLE *Systems Manager*

NOTE: WHEN PROPERLY APPROVED, THIS FORM AUTHORIZES CATV CO. TO ATTACH THE ABOVE DESCRIBED FACILITIES.

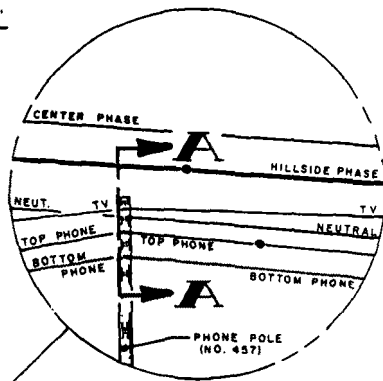
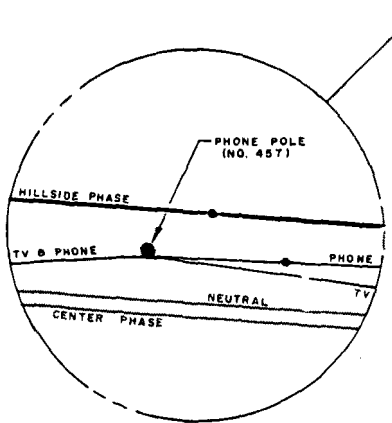
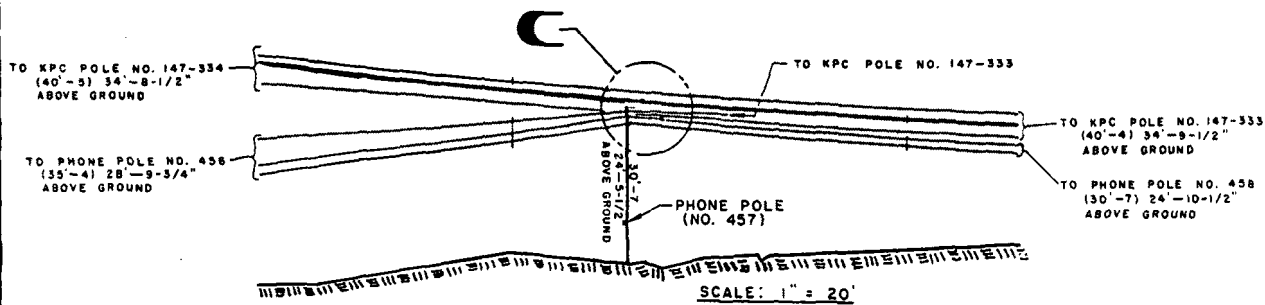
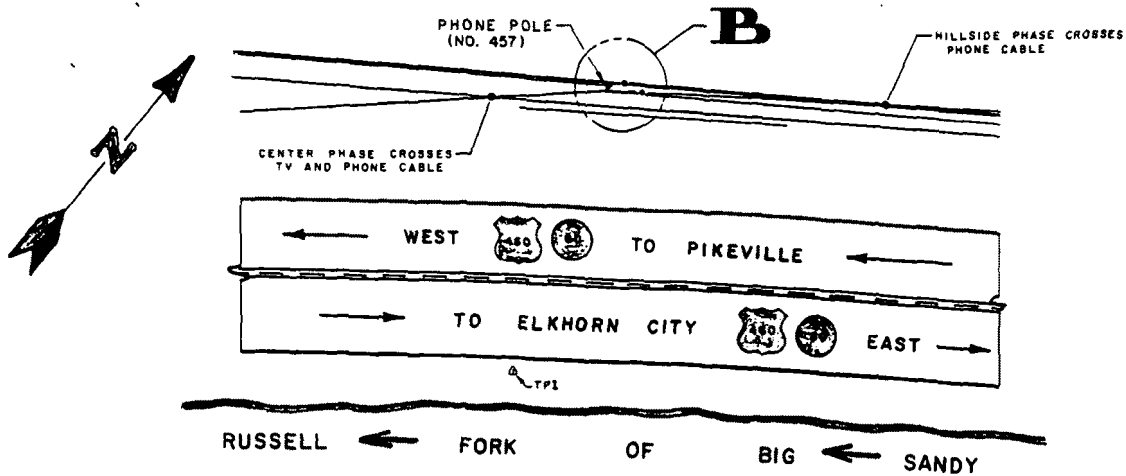
TOTAL

CAROL,

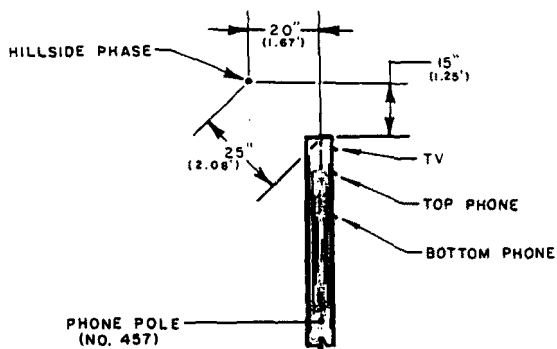
NEED TO APPLY FOR ATTACHMENT
WITH PHONE CO. ON FOLLOWING POLES.

Have
applied
for.

- 451 - MAKE READY. NEEDS 5' TALLER POLE
- 452 - OK
- 453 - MAKE READY. LOWER BOTH LINES 12" EA.
- 454 - OK
- 455 - OK
- 456 - OK
- 457 - MAKE READY. LOWER BOTH LINES 12" EA.
- 459 - OK
- 461 - OK



INSET C
SCALE: 1" = 5'



SECTION A-A
SCALE: 1" = 3'

LEGEND:
●.....POSSIBLE BURN POINT

LOCATION: 1.5 MILES EAST ON 460/80 FROM JCT. OF 460/80 AND 195.
MOT SUNNY — 88° 12:00 NOON

KENTUCKY POWER ENGINEERING DEPARTMENT Pikeville, Kentucky			
Description: FLASH / CONTACT ACCIDENT INVOLVING CATV CONTRACTOR FOR TELE-MEDIA OF KVV IN SPAN BETWEEN KENTUCKY POWER CO. POLES 147-333 AND 147-334.			
W.R. No.:	N/A	Office:	PIKEVILLE
W.O. No.:	N/A	Scale:	AS NOTED
Survey Index:	NR-143 thru NR-153	Date:	5-24-95
Surveyed By:	J. HUBBARD, C. RATLIFF, P. FARMER, & P. RISER	Dwg. No.:	956-33
Drawn By:	P. KIBER	Map No.:	721478

Kentucky Power Company
305 Main Street
P. O. Box 1227
Pikeville, KY 41501-1227
606-437-3777



Mr. John Land
Kentucky Public Service Commission
P.O. Box 615
730 Schenkel Lane
Frankfort, KY 40602

RECEIVED

JUN 16 1995

DIVISION OF UTILITY
ENGINEERING & SERVICES

June 13, 1995

John,

Enclosed are copies of photos taken during our investigation of the flash/contact accident involving the contractor for Tele-Media of KWV. Also enclosed is a copy of the drawing based on our survey.

Our office is retaining a set of photos along with the negatives if needed in the future.

Sincerely,

A handwritten signature in cursive script that reads 'Perry Farmer'.

Perry Farmer
Engineering Manager

PF:mn

c: File
C. Ferguson

