COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOUISVILLE GAS AND ELECTRIC COMPANY)

CASE NO. 98-592

ALLEGED FAILURE PURSUANT TO) 807 KAR 5:041, SECTION 3, TO COMPLY) WITH NATIONAL ELECTRIC SAFETY CODE) ("NESC"), 1990 EDITION, SECTION 23,) CLEARANCES, RULE 234 B, 1&2)

Louisville Gas and Electric Company ("LG&E") is a Kentucky corporation which engages in the distribution of gas and electricity to the public for compensation for lights, heat, power, and other uses, and is a utility subject to the Commission's jurisdiction. KRS 278.010(3)(a).

KRS 278.280(2) directs that the Commission is to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated Administrative Regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plant and facilities in accordance with the standards of the National Electric Safety Code ("NESC").

Commission Staff submitted to the Commission a Utility Accident Investigation Report dated August 20, 1998, attached hereto, which alleges that:

1. On May 31, 1998, between 1:00 p.m. and 2:00 p.m., Mitchell Metzinger and Thomas Mattingly, electrical maintenance employees of the city of Louisville, were using a bucket truck to install a counting device to a steel pole serving as a traffic light pole located at the northeast corner of Preston Highway and Gilmore Lane in Louisville, Kentucky. There were various lines, wires and cables passing at and near the top of the steel traffic pole.

2. Metzinger had maneuvered the bucket to the top of the steel pole structure and was attempting to drop a nylon string down into the hollow steel structure when he contacted an energized conductor. He was wearing no safety equipment other than a hard hat and he sustained second and third degree burns to his left hand and lesser burns to his right arm. Mattingly was near the bucket truck, did not see the accident, and was unable to maneuver the bucket down from various wires. The fire department was summoned to extricate Metzinger.

3. Commission Staff examined the accident scene and, specifically, measured the line clearances at the point of the accident. It was determined by measurement that the C-Phase conductor carrying 7.2 KV was 2 feet – 2 inches from the steel pole structure. NESC, Section 23, Rule 234B, 1&2, set a minimum clearance from phase conductor to structure of 4 feet – 6 inches. NESC standards are applicable to LG&E pursuant to 807 KAR 5:041, Section 3.

The Commission, based upon the facts contained in the Utility Accident Investigation Report, finds sufficient evidence to believe that LG&E has failed to comply with 807 KAR 5:041, Section 3, and NESC, Section 23, Rule 234B, 1&2.

The Commission, on its own motion, HEREBY ORDERS that:

1. LG&E 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.

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2. LG&E shall appear on the 7th day of January, 1999 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 purposes of presenting evidence regarding the alleged violation of Commission Regulation 807 KAR 5:041, Section 3 and NESC, Section 23, Rule 234B, 1&2, and of showing cause, if any, why it should not be subject to the penalties prescribed in KRS 278.990(1) for the alleged violation.

3. The Utility Accident Investigation Report dated August 20, 1998 is hereby made a part of the record herein.

4. Any request for an informal conference with Commission Staff to consider any matter which would expedite 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 20th day of November, 1998.

PUBLIC SERVICE COMMISSION

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Commissioner

ATTEST

Executive Director

APPENDIX

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 98-592 DATED NOVEMBER 20, 1998.

August 20, 1998

UTILITY ACCIDENT INVESTIGATION REPORT

Utility:	Louisville Gas and Electric Company				
Reported By:	Larry Miller				
Dates & Times Accident Occurred:	05/31/98 – Between 1:00 p.m. & 2:00 p.m.				
Utility Notified:	05/31/98 – 2:15 p.m.				
PSC Notified:	05/31/98 – 3:08 p.m.				
Investigated:	06/01/98				
Written Report Rcvd:	06/05/98				
Location of Accident:	North east corner of Preston Highway and Gilmore Lane				
Description of Accident: Victims:	Mr. Mitchell Metzinger and Mr. Thomas Mattingly, two City of Louisville Electrical Maintenance employees, were in the process of trying to install a low voltage feeder circuit to place a traffic counter. Mr. Mattingly said that Mr. Metzinger was up in the bucket at the top of the traffic light steel pole structure trying to feed a nylon string with a weight on the end of it to pull the new circuit. Mr. Mattingly was over by the bucket truck when he heard Mr. Metzinger call out to him, "Get me down from here." Mr. Mattingly tried to get the bucket down, but was not able to because of all the wires. He had to wait for the Fire Department and LG&E to get there to get him down. It is believed that in the process of trying to feed the string down through the inside of the traffic light pole structure that Mr. Metzinger received a shock from an overhead energized circuit. Mr. Mattingly said they knew the wires were energized. Mr. Metzinger was not wearing any protective equipment; nor was Mr. Mattingly, except a hard hat, at the time of the accident. Mr. Mattingly said they were only required to wear a hard hat. The bucket truck they were using was well marked with warning signs as to the hazards of working near energized lines.				
Name:	Mitchell Metzinger	Fatal:	No	Age:	Unknown
Addr./Empl.:	City of Louisville, Kentucky – employee				

August 20, 1998

Injuries:	Burn on left hand and arm						
Witnesses:	Name		Address/Employment				
	Thomas Mattingly		City of Louisville employee				
	Name		Address/Employment				
	Thomas Mattingly		City of Louisville employee				
	Larry Miller		Louisville Gas & Electric employee				
	R.W. Hasch			Louisville Gas & Electric employee			
	James Holderman		Louisville Gas & Electric employee				
	David Geoghegar)		Louisville Gas & Electric employee			
Sources of	Gary Dezarn			Louisville Gas & Electric employee			
Information:	John Land on site		PSC Engineering				
Probable Violations:	National Electric Safety Code (NESC) 1990 Edition, Section 23, Clearances. Rule 234B. 1&2						
Line Clearances At Point of Accident:	Measured	Minimum Allowed by NESC	Applicable NESC Edition ¹ 1990	Volt.	Constr. Date		
Phase							
Conductor to Ground	AØ - 34' - 8"	18' – 6"	Table 000 4	70101	1.11		
Elevation:	BØ - 33' – 4" CØ - 32' – 8"	18' – 6" 18' – 6"	Table 232-1	7.2 KV	Unknown		
Neutral	-00-32-0	10 - 0					
Conductor to							
Ground	P/N – 24' – 6"	15' – 6"	Table 232-1	N/A	Unknown		
Elevation:							
Span Guy to							
Ground	S/G – 26' – 0"	15' – 6"	Table 232-1	N/A	Unknown		
Elevation:				 			
Phase	AØ - 7' – 9"	4' – 6"					
Conductor to	AØ - 7 - 9 BØ - 5' - 0"	4 - 6 4' - 6"	Section 23, Rule	7.2 KV	Unknown		
Structure:	CØ - 2' – 2"	4'-6"	234 B. 1&2	1.2 NV			
Date of Measurement:	06/01/98		204 0. 102	1	1		
Approximate Temp.:	90°F						
Measurements Made	Gary Dezarn, Jan	nes Holderman, D	avid Geoghegan, R.	W. Hasch,	Larry		

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 last constructed or modified would apply.

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August 20, 1998 By:	Miller, LG&E employees and John Land, PSC Engineering Staff
Бу:	
Investigated By:	John W. Land
Signed:	Kohne Land

Attachments A. Louisville Gas & Electric Company's Accident Report B. Photographs of Accident Site

Attachment A

Louisville Gas and Electric Company's Accident Report

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Louisville Gas and Electric Company 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40232

June 5, 1998

Ms. Martha Morton Kentucky Public Service Commission 730 Schenkel Lane P. O. Box 615 Frankfort, KY 40602

RE: Incident at Preston Highway and Gilmore Lane City of Louisville Employee, Mitchell Metzinger

RECEIVED JUN 08 1998

DIVISION OF UTILITY ENGINEERING & SERVICES

Dear Ms. Morton:

Attached is an "Investigation Report" on the above incident. This is filed in compliance with the seven-day reporting requirement.

Additional information including pictures and drawings will be provided as soon as they are available.

If you need additional information concerning this report, please let me know. I can be reached at (502) 627-4883.

Very truly yours,

They b- Leyen

Gregory B. Fergason Regulatory Affairs Coordinator

Attachment



Louisville Gas and Electric Company 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40232

INVESTIGATION REPORT

ELECTRICAL CONTACT

Type of Report

A L Miller

Investigator

<u>98-E-009</u> Report Number

May 31, 1998 Date of Incident

Reference: Mitchell Metzinger Received an Electrical Shock.

Location: Preston Highway and Gilmore Lane Louisville, KY 40213

Case Summary:

On May 31, 1998, at approximately 14:15 hours, I received a call from Electric Service Delivery Department about a City of Louisville Employee getting shocked at Preston Highway and Gilmore Lane.

At 14:46 hours, I arrived on the scene and met with LG&E's employees, Dale Bruce, Trouble Supervisor, Gary Dezarn, Line Technician, and Jeff Rausch, Manager of Risk Management Department arrived a little later. Mr. Thomas Mattingly, City of Louisville Employee was also met with at the scene.

Mr. Mattingly stated Mr. Mitchell Metzinger also a City of Louisville Employee received an electrical shock and had been transported to the University Hospital by the EMS.

Mr. Mattingly stated they were there to install equipment to count the traffic.

Mr. Mattingly stated Mr. Metzinger was up in the bucket of the bucket truck when he received the shock. Mr. Mattingly also stated, Mr. Metzinger had removed the cap off the top of the steel pole and had drop a nylon twine with a bolt tied to the end down inside the pole. He was attempting to get the twine down through a bird nest that was inside the pole at the time he received the shock.

A SUBSIDIARY OF

Investigation Report Page 2

Mr. Mattingly said he did not see Mr. Metzinger get shocked but hear him holler "get me down from here."

Mr. Mattingly said he could not get the bucket down through the lines and waited for the fire department and LG&E to get there to get Mr. Metzinger down. Mr. Metzinger had placed the bucket up between the various cables. The steel pole, with the service drop, traffic control wires and the telephone line on the west side of the bucket and the neutral conductor and span guy on the east side of the bucket.

Mr. Mattingly was asked by someone if they knew the lines were energized and he answered they did. Mr. Mattingly was asked if Mr. Metzinger was wearing protective equipment and he stated he was not wearing gloves and he only had a short sleeve shirt on.

Mr. Mattingly was asked if Mr. Metzinger was consious all the time and Mr. Mattingly stated he was. He also stated Mr. Metzinger said he did not know what happened.

Photographs were taken at the scene.

Mr. John Land with the Public Service Commission was notified by telephone at 15:08 hours. A message was left on his answering machine and he called back and set up appointment for Monday June 1, 1998, at 9:30 hours to meet at the scene.

It was reported Mr. Metzinger was left handed and he received second and third degree burns to the palm of the left hand. It was also reported the hair was burned off the right arm and it was red all over. Mr. Metzinger was released from the hospital on Monday June 1,1998.



June 26, 1998

Louisville Gas and Electric Company 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40232

Ms. Martha Morton Kentucky Public Service Commission 730 Schenkel Lane P. O. Box 615 Frankfort, KY 40602

RE: Electric Shock Incident, Preston Highway and Gilmore Lane, Louisville, KY 40207

Dear Ms. Morton:

Attached is additional information regarding the above incident that was requested by your office.

If you need additional information concerning this report, please let me know. I can be reached at (502) 627-4883.

Very truly yours,

Dieg Feigen

Gregory B. Fergason Regulatory Affairs Coordinator

Attachment

A SUBSIDIARY OF



Louisville Gas and Electric Company 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40232

INVESTIGATION REPORT

ELECTRICAL CONTACT Type of Report <u>98-E-009</u> Report Number

<u>A L Miller</u> Investigator

May 31, 1998 Date of Incident

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Location: Preston Highway and Gilmore Lane Louisville, KY 40213

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A SUBSIDIARY OF

Investigation Report Page 2

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EDGEWOOD FIRE DI



EDGEWOOD FIRE PROTECTION DIST.

1127 Orchard Ave. Louisville, Kentucky 40213 Station: (502)-964-6011 Fax: (502)-969-1382

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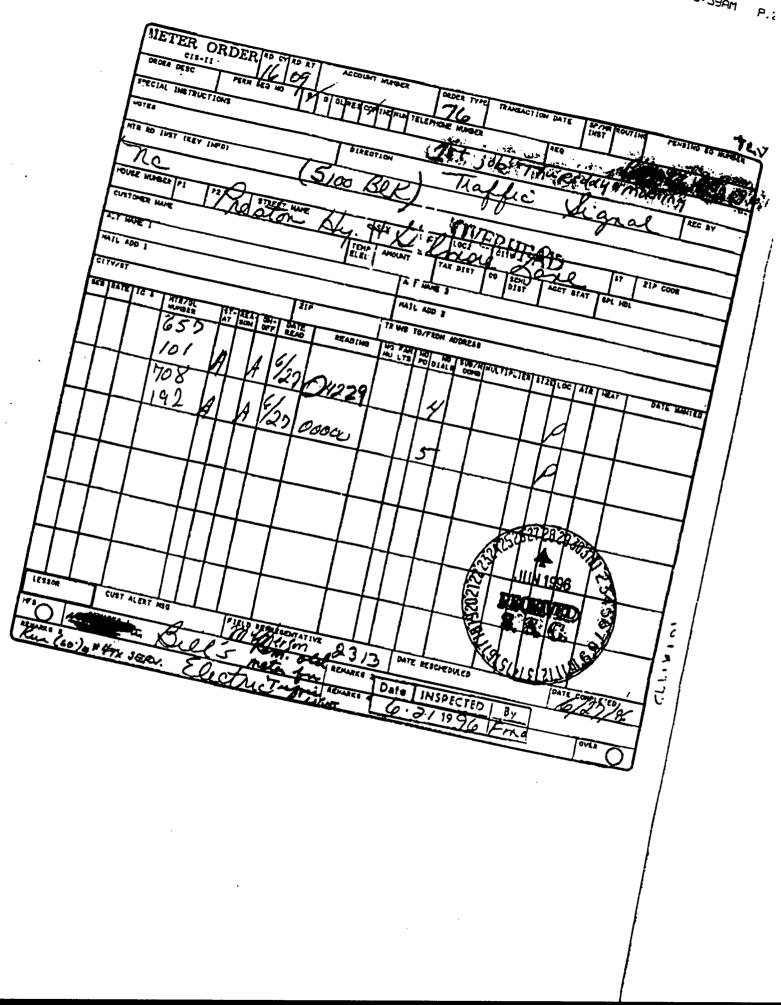
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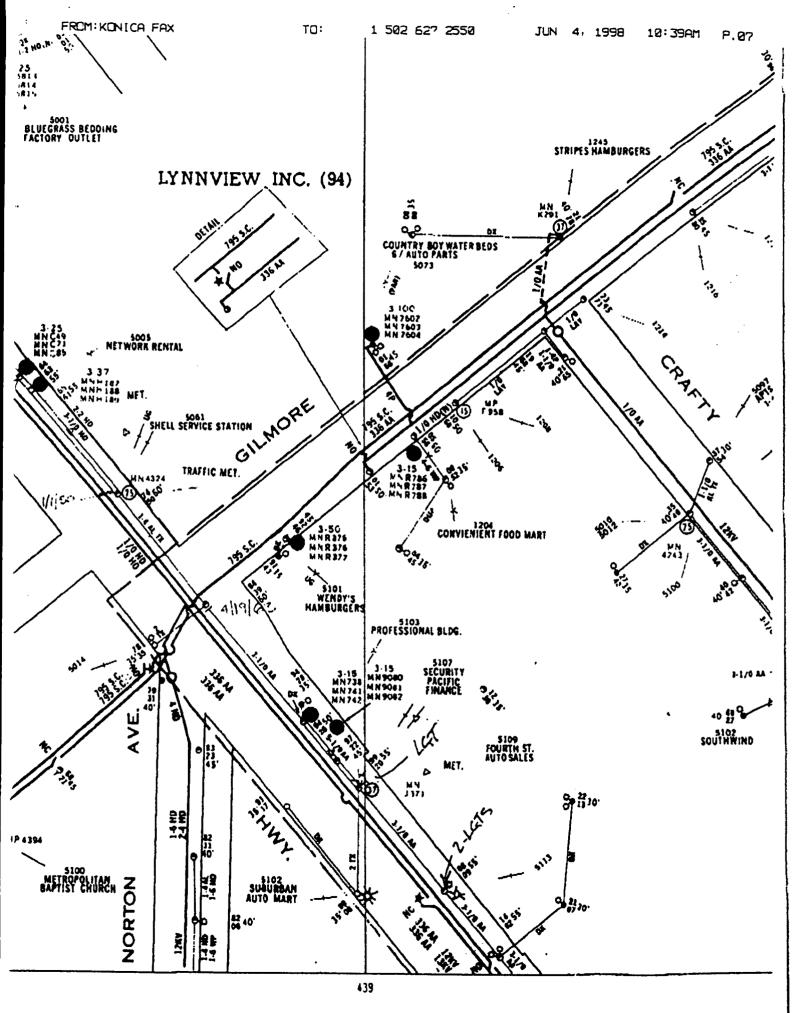
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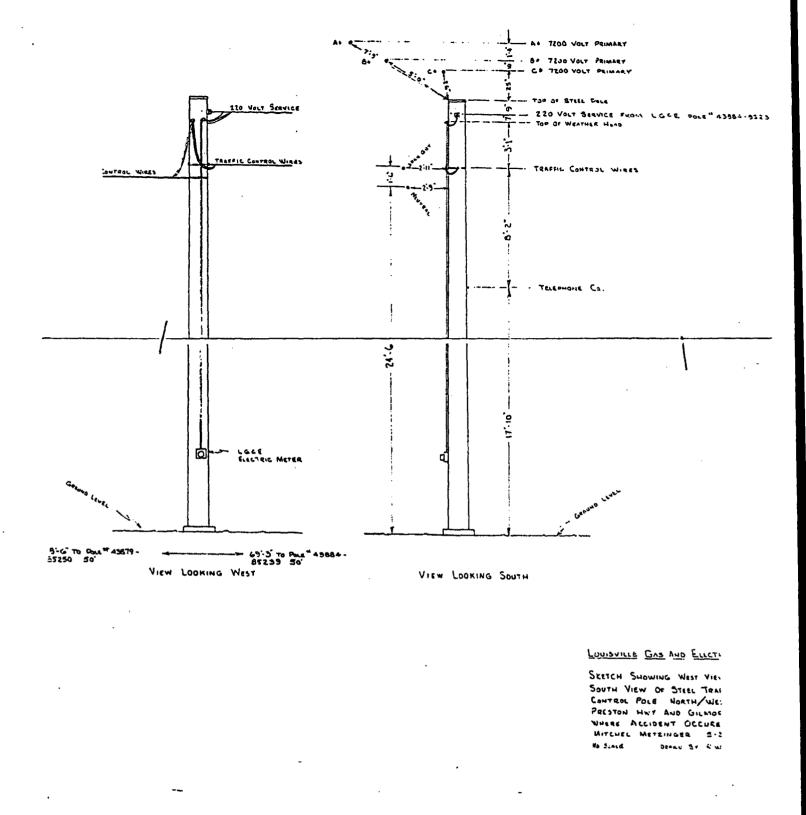
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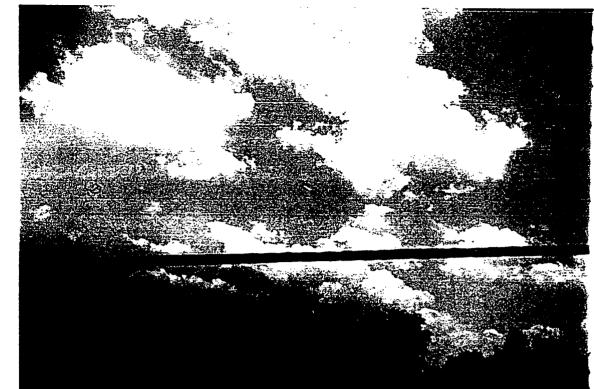


Attachment B

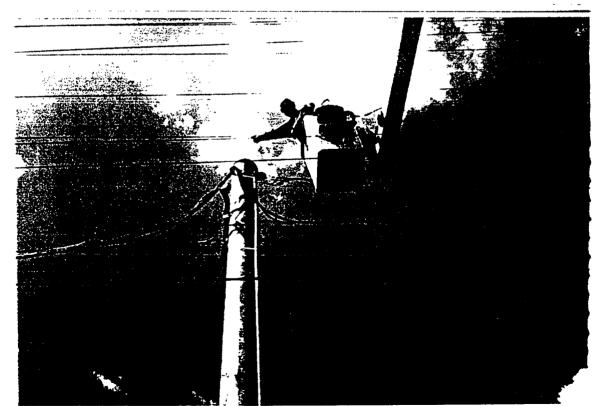
Photographs of Accident Site

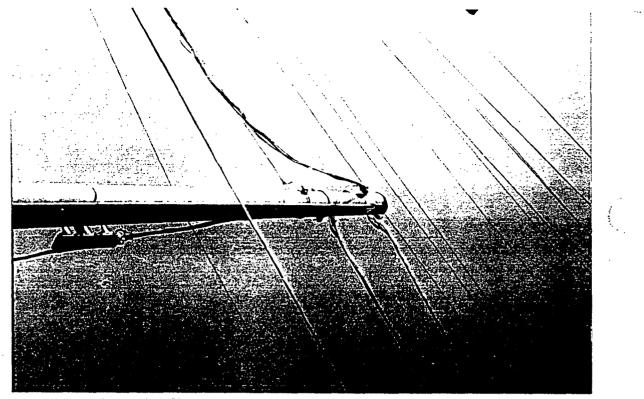


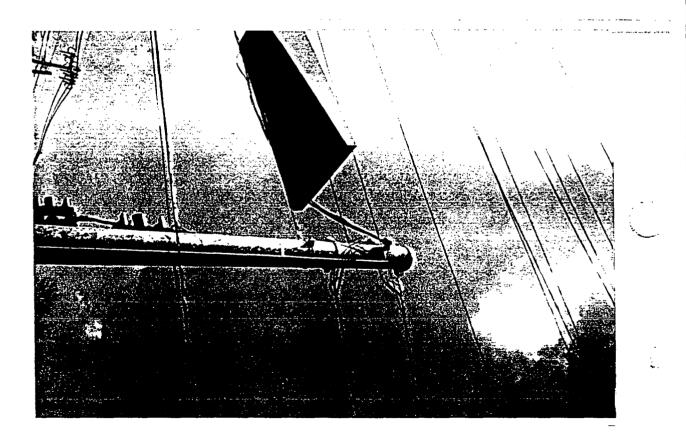
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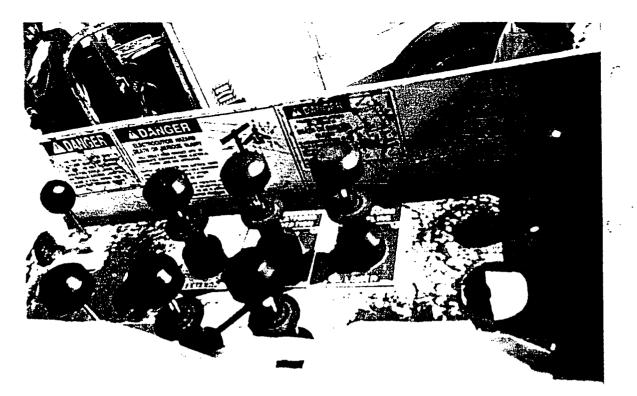
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