

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SHELBY ENERGY COOPERATIVE, INC)
_____) CASE NO. 99-00198
)
FAILURE TO COMPLY WITH COMMISSION)
REGULATION 807 KAR 5:041, SECTION 3(1))

COMMISSION STAFF S FIRST DATA REQUEST
TO SHELBY ENERGY COOPERATIVE, INC.

Pursuant to Administrative Regulation 807 KAR 5:001, Commission Staff requests that Shelby Energy Cooperative, Inc. (Shelby Energy) submit the original and 10 copies of the following information and documents to the Commission no later than April 1, 2002. Include with each response the name of the witness responding to the questions.

1. Provide all information relating to the Kentucky Occupational Safety and Health Program s (KOSHP) investigation of Kevin Stewart s fatal injury. Include in your response a copy of KOSHP s opinion and final ruling on this matter.

2. 807 KAR 5:041, Section 3, provides that a utility shall construct and maintain its plant and facilities in accordance with good, accepted engineering practices. This provision incorporates the National Electrical Safety Code (NESC) by reference.

a. NESC Section 42, Rule 420H, requires workers to wear clothing suitable for their assigned tasks and work environment.

(1) What clothing was Kevin Stewart wearing at the time of his injury on September 29, 1998?

(2) Was Kevin Stewart's clothing suitable within the meaning of NESC Section 42, Rule 420H?

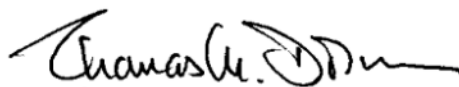
b. NESC Section 42, Rule 420H, requires workers to use personal protective equipment and devices.

(1) What protective equipment and devices did Shelby Energy issue to Kevin Stewart?

(2) Was Kevin Stewart wearing the protective equipment and devices at the time of his injury?

c. NESC Section 44, Rule 441A, requires that workers maintain a minimum distance of 2 feet from a 7200-volt energized line unless the worker or the line itself is insulated. Did Kevin Stewart maintain this minimum distance on September 29, 1998? If no, was he properly insulated? If no, was the energized line properly insulated?

d. NESC Section 42, Rule 421A, requires the first line supervisor to adopt such precautions within his authority to prevent accidents and to ensure that workers under his direction observe safety rules and operating procedures. To what extent did Jimmy Stewart act in compliance with this requirement at the time of Kevin Stewart's injury on September 29, 1998?



Thomas M. Dorman
Executive Director
Public Service Commission
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DATED: March 19, 2002

cc: Parties of Record