

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH KENTUCKY RURAL ELECTRIC	)	
COOPERATIVE CORPORATION	)	
_____	)	
ALLEGED FAILURE TO COMPLY WITH	)	CASE NO.
ADMINISTRATIVE REGULATION 807 KAR 5:041,	)	2002-00027
SECTION 3	)	

ORDER

South Kentucky Rural Electric Cooperative Corporation ( South Kentucky RECC ) is a Kentucky cooperative corporation formed pursuant to KRS 279.010 to 279.220. It engages in the distribution of electricity to the public for compensation for lights, heat, power, and other uses, and is a utility subject to Commission jurisdiction. KRS 278.010; KRS 279.210.

KRS 278.280(2) directs the Commission 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 Electrical Safety Code (1990 edition) ( NESC ).

Commission Staff has submitted to the Commission a Utility Accident Investigation Report dated January 10, 2002, appended hereto, in which Commission Staff alleges:

1. On January 1, 2002, Freddie Sayers and Ricky Baugh, acting in their capacity as employees and Service Technicians for South Kentucky RECC, responded to an outage in Somerset, Pulaski County, Kentucky.

2. Sayers and Baugh discovered that an Oil Circuit Recloser ( OCR ) was not working and that a single-phase 7200 volt line was down.

3. Sayers and Baugh decided to replace the OCR and were working out of 2 bucket trucks, one at the pole where the OCR was located and one at a pole approximately 25 feet away where a jumper had been cut, when an arc occurred causing injuries to Sayers.

4. Sayers received extensive burns to both hands.

5. Sayers and Baugh were both acting within the scope of their employment when the incident occurred.

6. NESC Rule 420H requires persons to use the personal protective equipment, protective devices and special tools provided for their work.

7. At the time of the incident, Sayers was not wearing protective gloves or any other protective equipment.

8. Sayers violated NESC 420H when he failed to wear his protective equipment.

Based on its review the Utility Accident Investigation Report and being otherwise sufficiently advised, the Commission finds that prima facie evidence exists that South Kentucky RECC has failed to comply with Administrative Regulation 807 KAR 5:041, Section 3.

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

1. South Kentucky RECC shall appear before the Commission on June 5, 2002 at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violations of Administrative Regulation 807 KAR 5:041, 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. South Kentucky RECC 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 January 10, 2002, a copy of which is appended hereto, 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 the 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 3<sup>rd</sup> day of May, 2002.

By the Commission

ATTEST:

  
Executive Director

## APPENDIX

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2002-00027 DATED May 3, 2002

Accident reports are not posted on the web. You may contact this office if you need a copy.