

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY UTILITIES COMPANY)	
_____)	CASE NO. 2006-00354
ALLEGED FAILURE TO COMPLY)	
WITH KRS 278.042)	

O R D E R

Kentucky Utilities Company (“KU”) is a Kentucky corporation engaged in the generation, transmission, and distribution of electricity to the public for compensation for lights, heat, power, and other uses and is a utility subject to Commission jurisdiction.¹

Commission Staff submitted to the Commission an Incident Investigation Report (“Incident Report”) dated June 22, 2006, attached hereto as Appendix A, which alleges that on June 15, 2006, Thomas James Gray, a temporary resident of Clear Creek Baptist Bible College in Pineville, Kentucky, was standing next to a three-phase bank pole when he grabbed the left side guy wire. He started shaking the guy wire, which was slack, and it came in contact with a 7200-volt riser. Mr. Gray sustained a shock and burns on his right hand and both feet and he was hospitalized.

KRS 278.042 requires that an electric utility construct and maintain its plant and facilities in accordance with the most recent edition of the National Electrical Safety Code, which is the 2002 Edition (“NESC”). The Staff’s Incident Report notes one

¹ KRS 278.010.

probable violation of KRS 278.042, which is NESC Section 27, Rule 279.A.2.a, which requires ungrounded guys to be insulated if attached to a supporting structure carrying any supply conductors of more than 300 volts or if vulnerable to accidental energizing by such conductors due to a slack conductor or guy.

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

1. KU shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Incident Report.

2. KU shall appear on November 16, 2006 at 9:30 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky to present evidence concerning the incident which is the subject of the Incident Report, specifically the one alleged violation of KRS 278.042 and NESC Rule 279.A.2.a, and to show cause, if any it can, why it should not be subject to the penalties of KRS 278.990 for the one probable violation of the aforementioned statute.

3. The official record of this proceeding shall be by video, unless otherwise requested by KU.

4. The Incident Report dated June 22, 2006 is hereby made a part of the record in this case.

5. Any request by KU for an informal conference with the Commission Staff shall be set forth in writing and filed with the Commission within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 29th day of September, 2006.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Executive Director

Case No. 2006-00354

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2006-00354 DATED September 29, 2006

A copy of this document can be obtained by contacting the Kentucky Public Service Commission.