

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                                 |   |                     |
|---------------------------------|---|---------------------|
| SHELBY ENERGY COOPERATIVE, INC. | ) |                     |
| _____                           | ) | CASE NO. 2008-00069 |
|                                 | ) |                     |
| ALLEGED FAILURE TO COMPLY       | ) |                     |
| WITH KRS 278.042                | ) |                     |

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

Shelby Energy Cooperative, Inc. ("Shelby Energy"), pursuant to 807 KAR 5:001, is to file with the Commission the original and 4 copies of the following information, with a copy to all parties of record. The information requested herein is due on or before April 14, 2008. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Shelby Energy shall make timely amendment to any prior responses if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any requests to which Shelby Energy fails or refuses to furnish all or part of the requested information, it shall

provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention should be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations.

1. Provide copies of all documents, recordings, transcripts of recordings, information, or other records relating to all calls to Shelby Energy's office or to Shelby Energy personnel on November 12, 2007, regarding the injury and death of Cosby Carroll ("the Cosby Carroll accident"), a utility worker for Shelby Energy's contractor, Dobson Power Line Construction Company ("Dobson Construction").

2. Provide the name and address and telephone number of all persons who called Shelby Energy's office or any Shelby Energy personnel regarding the Cosby Carroll accident on November 12, 2007.

3. For each person who called Shelby Energy's office or any Shelby Energy personnel regarding the Cosby Carroll accident on November 12, 2007, provide the exact time of day of each telephone call, the duration of each call and the name of the Shelby Energy personnel who received each call.

4. Explain in detail why the investigation report filed by David Martin of Shelby Energy regarding the Cosby Carroll accident did not include any information about the person or persons identified in your response to data request No. 2 above.

5. Supplement your November 19, 2007 investigation report with any information received by Shelby Energy subsequent to the date it was filed, including, but not limited to, information regarding the person or persons who called the Shelby Energy office on November 12, 2007 regarding the Cosby Carroll accident.

6. It is unclear from Shelby Energy's investigation report who removed the safety harness from Cosby Carroll after he fell on November 12, 2007. Provide a statement verifying the name of the person or persons who removed the safety harness from Cosby Carroll, the time when the harness was removed, and the name of all persons at the accident scene who observed the harness being removed from Mr. Carroll.

7. Provide the current address and telephone number of Ron Simmons.

8. Provide copies of all notes and transcripts from Shelby Energy's interview of Ron Simmons on November 21, 2007.

9. Provide a copy of the Rural Utilities Service ("RUS") contract between Shelby Energy and Dobson Construction prior to November 21, 2006.

10. Provide a copy of the RUS contract between Shelby Energy and Dobson Construction dated November 21, 2006.

11. Provide a copy of all inspection reports and written audits of each Shelby Energy construction crew from November 7, 2006 to the present, as described on page 3 of Shelby Energy's March 26, 2008 Response to the Commission's March 7, 2008 Show Cause Order ("Shelby Energy's Response").

12. Explain in detail the qualifications of James D. Dobson to conduct safety training as indicated on Attachment 3-2 to Shelby Energy's Response.

13. Provide a copy of all certificates or other credentials demonstrating that James D. Dobson is properly trained and qualified to conduct safety training, as indicated on Attachment 3-2 to Shelby Energy's Response.

14. Explain in detail how and when Ron Simmons contacted Shelby Energy to report a safety violation on November 12, 2007 concerning the allegation that a Dobson Construction crew member was riding in the bucket of a Dobson Construction truck, with the boom partially extended while the truck was being moved from one place to another, as described on page 4 of Shelby Energy's Response.

a. Include the date and time of day Mr. Simmons contacted Shelby Energy and the names of the Shelby Energy employees with whom Mr. Simmons spoke regarding the alleged violations.

b. If the Shelby Energy employee(s) with whom Mr. Simmons spoke regarding the alleged violations had immediately gone to the Dobson Construction work site to investigate Mr. Simmons' claims, is it possible that they could have arrived at the work site prior to the time that the Cosby Carroll accident occurred?

15. Clarify whether Dobson Construction employee Gene Thomas Bohannon's November 14, 2007 statement, "[m]y first day on the job," means that November 12, 2007 was his first day as a utility construction worker, his first day as a member of Dobson Construction's crew, or his first day working at that particular job site.

16. Provide copies of all safety training records for Dobson Construction employee Gene Thomas Bohannon.

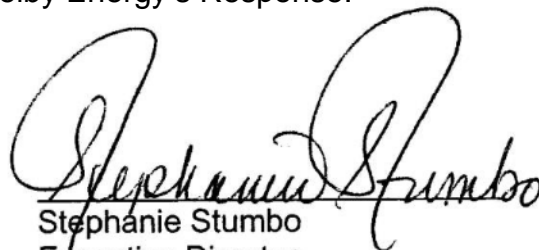
17. Explain in detail Shelby Energy's decision process regarding its continued employment of Dobson Construction after the February 8, 2006 Greg Lee Mays accident and death; the November 12, 2007 Cosby Carroll accident and death; the alleged violations on November 12, 2007 involving the movement of a Dobson Construction truck with the boom partially elevated and a crew member riding in the bucket; and the several National Electrical Safety Code violations cited against Dobson Construction on November 13, 2007, as discussed in Exhibit B to Shelby Energy's Response.

a. Explain how the termination provisions of the November 21, 2006 RUS contract would prevent Shelby Energy from terminating its contract with Dobson Construction based on the events described above.

b. Explain the possible consequences to Shelby Energy of immediately terminating the RUS contract with Dobson Construction.

c. Explain the meaning of the phrase "any further significant violations of any safety regulations," as stated in Exhibit B, page 6 of 8, and Exhibit D, page 2 of 2, to Shelby Energy's Response.

d. Explain the meaning of the term "observed" as stated in Exhibit B, page 6 of 8, and Exhibit D, page 2 of 2, to Shelby Energy's Response.



Stephanie Stumbo  
Executive Director  
Public Service Commission  
P.O. Box 615  
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DATED: April 8, 2008

cc: Parties of Record