

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

GRAYSON RURAL ELECTRIC COOPERATIVE CORPORATION)	
)	
)	CASE NO.
)	2010-00249
ALLEGED FAILURE TO COMPLY WITH)	
KRS 278.042)	

O R D E R

Grayson Rural Electric Cooperative Corporation ("Grayson"), a Kentucky cooperative corporation which engages in the distribution of electricity to the public for compensation for lights, heat, power, and other uses, and which was formed pursuant to KRS 279.010 to 279.220, is a utility subject to Commission jurisdiction.¹

KRS 278.042 requires the Commission to ensure that each electric utility constructs and maintains its plant and facilities in accordance with accepted engineering practices as set forth in the Commission's administrative regulations and Orders and in the most recent edition of the National Electrical Safety Code ("NESC").

KRS 278.030 requires every utility to furnish adequate, efficient and reasonable service. KRS 278.260 permits the Commission, upon its own motion, to investigate any act or practice of a utility that affects or is related to the service of a utility. KRS 278.280(1) further permits the Commission, after conducting such investigation and finding that a practice is unreasonable, unsafe, improper, or inadequate, to determine

¹ KRS 278.010(3)(a); KRS 279.210.

the reasonable, safe, proper, or adequate practice or methods to be observed and to correct unreasonable, unsafe, improper, or inadequate practices by Order.

Pursuant to KRS 278.280(2), which directs the Commission to prescribe rules and regulations for the performance of services by utilities, the Commission has promulgated Administrative Regulation 807 KAR 5:006, Section 24, which requires all utilities to adopt and *execute* a safety program.

Commission Staff submitted to the Commission an Electric Utility Personal Injury Accident Report ("Report"), dated June 7, 2010, which is provided in the Appendix to this Order. The report alleges that, on December 20, 2009 on Rattlesnake Fork, south of Grayson, Kentucky, within Carter County, Joseph Mark Hutchinson, an employee of Grayson, sustained burn injuries as a result of an incident at the site of a burnt-off jumper on a Grayson single-phase line.

According to the Report, the victim was working with Scott Speaks, another Grayson employee, on outages on Rattlesnake Fork on the day of the accident. Mr. Hutchinson and Mr. Speaks were driving the lines looking for damage. They found a primary jumper that had burnt off on a single-phase line. Mr. Hutchinson was the person in charge at the job site that day. Mr. Hutchinson decided to open a cut-out to de-energize the area where the jumper in need of repair was located. The Report states that no job briefing of any kind was conducted prior to commencement of work on the line.

The Report states that Mr. Hutchinson proceeded to open the cut-out and, upon completion of opening the cut-out, climbed the pole to begin work on the jumper.

Neither Mr. Hutchinson nor Mr. Speaks performed any tests on the line to confirm that it was de-energized. No grounds were put into place.

The Report states that the cut-out Mr. Hutchinson opened did not de-energize the line where repairs were needed. Mr. Hutchinson made contact with the energized line with a set of pliers. Mr. Hutchinson was not wearing rubber gloves at the time of the incident. Mr. Hutchinson sustained burns to his left little finger and right arm near the elbow.

The victim was transported to King's Daughters Hospital in Ashland, Kentucky and later transferred to Cabell Huntington Trauma Center for evaluation. He was released the following day.

Based on Commission Staff's investigation of the accident and the information provided by Grayson in its seven-day summary report (Attachment A to the Report), Commission Staff alleges that Grayson has violated the following provisions of the NESC:

1. NESC Section 42, 420-C-4: Employees who work on or in the vicinity of energized lines shall consider all of the effects of their actions, taking into account their own safety as well as the safety of other employees on the job site, or on some other part of the affected electric system, the property of others, and the public in general.
2. NESC Section 42, 420-D: Employees shall consider electric supply equipment and lines to be energized, unless they are positively known to be de-energized. Before starting work, employees shall perform preliminary inspections or tests to determine existing conditions. Operating voltages of equipment and lines should be known before working on or in the vicinity of energized parts.
3. NESC Section 41, 411-A-3: Employees shall be instructed as to the character of the equipment or lines and methods to be used before any work is undertaken thereon.

4. NESC Section 42, 420-H: Employees shall use the personal protective equipment, the protective devices, and the special tools provided for their work. Before starting work, these devices and tools shall be carefully inspected to make sure that they are in good condition.
5. NESC Section 42, 421-A: Duties of a First-Level Supervisor or Person in Charge. This individual shall: (1) Adopt such precautions as are within the individual's authority to prevent accidents. (2) See that the safety rules and operating procedures are observed by the employees under the direction of this individual.
6. NESC Section 44, 441-A: Employees shall not approach, or knowingly permit others to approach, any exposed ungrounded part normally energized except as permitted by this rule.
 - A. Minimum Approach Distance to Live Parts
 - (1) General
Employees shall not approach or bring any conductive object within the minimum approach distance listed in Table 441-1 or Table 441-4 to exposed parts unless one of the following is met:
 - (a) The line or part is de-energized and grounded per Rule 444D.
 - (b) The employee is insulated from the energized line or part. Electrical protective equipment insulated for the voltage involved, such as tools, gloves, rubber gloves, or rubber gloves with sleeves, shall be considered effective insulation for the employee from the energized part being worked on.
 - (c) The energized line or part is insulated from the employee and from any other line or part at a different voltage.
 - (d) The employee is performing barehand live-line work according to Rule 446.
7. NESC Section 44, 444-D: When all the switches and disconnectors designated have been operated, rendered inoperable where practical, and tagged in accordance with Rule 444C, and the employee has been given permission to work by the designated person, the employee in charge should immediately proceed to make the employees own protective grounds or verify that adequate grounds have been applied (see Rule 445) on the disconnected lines or equipment. During the testing for potential and/or application of grounds, distances not less than those shown in Table 441-1, Table 441-2, and Table 441-3, as applicable, shall be maintained.

Grounds shall be placed at each side of the work location and as close as practical to the work location, or a worksite ground shall be placed at the work location. If work is to be performed at more than one location on a line section, the line section shall be grounded and short-circuited at one location in the line section and the conductor to be worked on shall be grounded at each work location.

The distance in Table 441-1, Table 441-2, or Table 441-3, as applicable, shall be maintained from ungrounded conductors at the work location. Where the making of a ground is impractical, or the conditions resulting therefrom are more hazardous than working on the lines or equipment without grounding, the ground may be omitted by special permission of the designated person.

The Report also notes six probable violations of 807 KAR 5:006, Section 24(1), which requires each jurisdictional utility to adopt and execute a safety program, including the establishment of a safety manual with written guidelines for safe working practices and procedures to be followed by utility workers. The alleged violations arise under the American Public Power Association: (APPA Safety Manual 14th Edition), which was adopted by the Grayson Board of Directors. Commission Staff alleges that Grayson has violated the following provisions:

1. 115(5): The employee in charge shall conduct a job briefing with the employees involved before the start of each job. The job briefing will at least cover the following subjects: hazards associated with the job, work procedures involved, special precautions, energy source controls, and personal protective equipment requirements.
2. 507(1)(f): No employee may approach or take any conductive object without an insulated handle closer to exposed energized parts than the minimum approach distance set forth in Table 5.2 through 5.6 unless the employee is insulated from the energized part or the energized part is insulated from the employee and the conductive object at a different potential, or the employee is insulated from any other conductive object, as during live-line work. Table 5.2: 7.2 kV Phase to Ground: 2'2" Minimum Approach Distance.

3. 507(6): All conductors and equipment shall be treated as energized until tested and grounded.
4. Grayson's Amendments to the APPA Safety Manual: Board Policy 508(II)(A): All employees shall wear rubber gloves FROM THE GROUND UP and lock to lock. (1) Working on any energized structure, regardless of voltage.
5. 508(II)(B): Proper grounds shall be installed WITHIN SIGHT ON BOTH SIDES of working area or all workmen before beginning work on any de-energized line, including all primaries and bare secondaries.
6. 508(VII)(2): Tail gate conferences will be conducted prior to start of each job.

Based on its review of the Report and being otherwise sufficiently advised, the Commission finds that prima facie evidence exists that Grayson has failed to comply with KRS 278.042 and 807 KAR 5:006, Section 24(1). We further find that a formal investigation into the incident that is the subject matter of the Report should be conducted and that this investigation should also examine the adequacy, safety, and reasonableness of Grayson's practices related to the construction, installation and repair of electric facilities.

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

1. Grayson shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Report.
2. Grayson shall appear on September 23, 2010 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky for the purpose of presenting evidence concerning the alleged violations of KRS 278.042 and 807 KAR 5:006, Section 24, and of showing cause why it

should not be subject to the penalties prescribed in KRS 278.990(1) for these alleged violations.

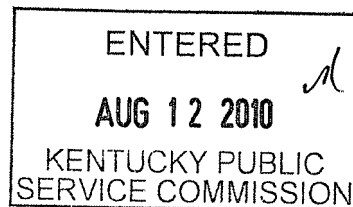
3. At the scheduled hearing in this matter, Grayson shall also present evidence on the adequacy, safety, and reasonableness of its practices related to the construction, installation and repair of electric facilities and whether such practices require revision.

4. The September 23, 2010 hearing shall be recorded by videotape only.

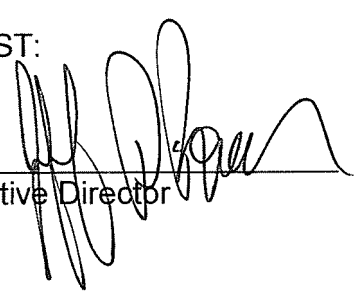
5. The Report in the Appendix is made a part of the record in this case.

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

By the Commission



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2010-00249 DATED ~~AUG 12 2010~~

ACCIDENT INVESTIGATION ~ Staff Report

Report Date ~ June 7, 2010

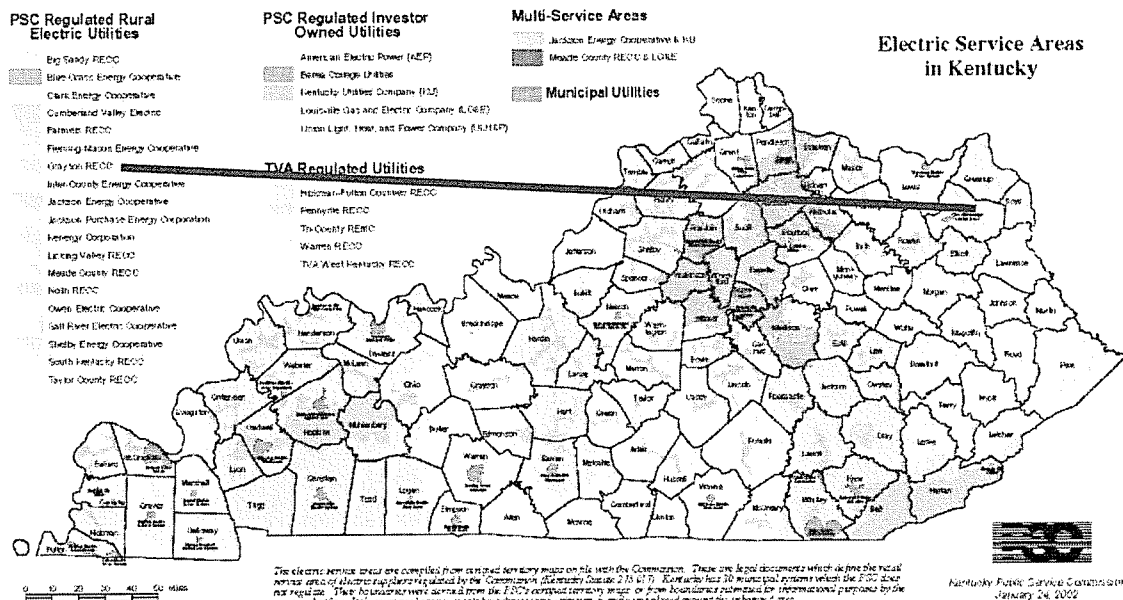
Accident Date ~ December 20, 2009

Serving Utility ~ Grayson Rural Electric Cooperation Corporation

Accident Location ~ Grayson, Kentucky

Victim ~ Mr. Joseph Mark Hutchinson

PSC Investigator ~ Steve Kingsolver





Kentucky Public Service Commission

Electric Utility Personal Injury Incident Report

Utility:

Grayson Rural Electric Cooperative Corporation

Reported By:

Bob Potter, Manager of Operations, Grayson RECC

Incident Occurred:

December 20, 2009
Approximately 11:00 AM

Utility Notified:

December 20, 2009
Approximately 11:00 AM

PSC Notified:

December 20, 2009
Approximately 12:20 PM

PSC Investigated:

December 22, 2009
Approximately 9:00 AM

Summary Report Received:

December 28, 2009

Incident Location:

Rattlesnake Fork Road,
Grayson, Kentucky
Carter County

Incident Description:

On December 20, 2009 Mark Hutchinson and Scott Speaks were working outages on Rattlesnake Fork south of Grayson, Kentucky in Carter County. Mr. Hutchinson and Mr. Speaks are employees of Grayson RECC. They found a primary jumper that had burnt off on a single phase line on which they were working. Mark Hutchinson, the person in charge, decided to open a cutout to de-energize the area where the jumper that needed to be repaired was located. The cutout that he opened did not de-energize the area to be worked. Mark Hutchinson proceeded to climb the pole where the jumper was burnt off.

At this point he made contact with the phase conductor that was still energized. He was not wearing the required personal protective equipment (rubber gloves) for this situation. The crew had not performed the required testing for voltage and grounding of the phase conductor before entering the minimum approach distance (M.A.D.) for the phase conductor energized at 7200 volts. It was also noted during this accident investigation that this crew did not perform a documented job briefing before beginning this work. Mark Hutchinson climbed down the pole and was taken to the hospital in Ashland, Kentucky by ambulance. He was then transferred to Cabell Huntington Trauma Center for evaluation and was released the next day. Mr. Hutchinson sustained burns on his left little finger and right arm near the elbow.

<u>Victim:</u>	<u>Name:</u>	<u>Address:</u>	<u>Employer:</u>
	Joseph Mark Hutchinson	607 Greenbo Road Argillite, Ky. 41121	Grayson RECC

<u>Witnesses:</u>	<u>Name:</u>	<u>Address:</u>	<u>Employer:</u>
	Scott Speaks	106 Harvey Court Raceland, Ky.	Grayson RECC

<u>Information From:</u>	<u>Name:</u>	<u>Position:</u>	<u>Employer:</u>
	Bob Potter	Operations Manager	Grayson RECC
	Scott Speaks	Lineman	Grayson RECC
	Joe Sargent	Engineer	Grayson RECC

Probable Violations:

KAR 278.042 Service adequacy and safety standards for electric utilities-
National Electric Safety Code

National Electric Safety Code:**Violation #1:**

Section 42-NESC

420. Personal General Precautions

C. Safeguarding Oneself and Others

3. Employees who work on or in the vicinity of energized lines shall consider all of the effects of their actions, taking into account their own safety as well as the safety of other employees on the job site, or on some other part of the affected electric system, the property of others, and the public in general.

Violation #2:

Section 42-NESC

420. Personal General Precautions

D. Energized or Unknown Conditions

Employees shall consider electric supply equipment and lines to be energized, unless they are positively known to be de-energized. Before starting work, employees shall perform preliminary inspections or tests to determine existing conditions. Operating voltages of equipment and lines should be known before working on or in the vicinity of energized parts.

Violation #3:

Section 41-NESC

411. Protective Methods and Devices

A. Methods

3. Employees shall be instructed as to the character of the equipment or lines and methods to be used before any work is undertaken thereon.

Violation #4:

Section 42-NESC

420. Personal General Precautions

H. Tools and Protective Equipment

Employees shall use the personal protective equipment, the protective devices, and the special tools provided for their work. Before starting work, these devices and tools shall be carefully inspected to make sure that they are in good condition.

Violation #5:

Section 42-NESC

421. General Operating Routines

A. Duties of a First-Level Supervisor or Person in Charge

This individual shall:

1. Adopt such precautions as are within the individual's authority to prevent accidents.
2. See that the safety rules and operating procedures are observed by the employees under the direction of this individual.

Violation #6:

Section 44-NESC

441. Energized Conductors or Parts

Employees shall not approach, or knowingly permit others to approach, any exposed ungrounded part normally energized except as permitted by this rule.

A. Minimum Approach Distance to Live Parts

1. General

Employees shall not approach or bring any conductive object within the minimum approach distance listed in Table 441-1 or Table 441-4 to exposed parts unless one of the following is met:

- a. The line or part is de-energized and grounded per Rule 444D.
- b. The employee is insulated from the energized line or part. Electrical protective equipment insulated for the voltage involved, such as tools, gloves, rubber gloves, or rubber gloves with sleeves, shall be considered effective insulation for the employee from the energized part being worked on.
- c. The energized line or part is insulated from the employee and from any other line or part at a different voltage.
- d. The employee is performing barehand live-line work according to Rule 446.

Table 441-1: AC Live Work Minimum Approach Distance⁴
(See Rule 441 in its entirety.)

Voltage in kilovolts phase to phase ^{1,2}	Distance to employee			
	Phase-to-ground		Phase-to-phase	
	(m)	(ft-in)	(m)	(ft-in)
0 to 0.050 ¹	not specified		not specified	
0.051 to 0.300 ¹	avoid contact		avoid contact	
0.301 to 0.750 ¹	0.31	1-0	0.31	1-0
0.751 to 15	0.65	2-2	0.67	2-3
15.1 to 36.0	0.77	2-7	0.86	2-10
36.1 to 46.0	0.84	2-9	0.96	3-2
46.1 to 72.5	1.00 ³	3-3 ³	1.20	3-11

- 1 For single-phase systems, use the highest voltage available.
 - 2 For single-phase lines off three phase systems, use the phase-to-phase voltage of the system.
 - 3 The 46.1 to 72.5 kV phase-to-ground 3-3 distance contains a 1-3 electrical component and a 2-0 inadvertent movement component .
 - 4 Distances listed are for standard atmospheric conditions. The data used to formulate this table was obtained from test data taken with standard atmospheric conditions. Standard atmospheric conditions are defined as temperatures above freezing, wind less than 15 mi per hr or 24 km per hr, unsaturated air, normal barometer, uncontaminated air, and clean and dry insulators. If standard atmospheric conditions do not exist, extra care must be taken.
-

Violation #7:

Section 44

444. De-energizing Equipment or Lines to Protect Employees

D. Employee's Protective Grounds

When all the switches and disconnectors designated have been operated, rendered inoperable where practical, and tagged in accordance with Rule 444C, and the employee has been given permission to work by the designated person, the employee in charge should immediately proceed to make the employees own protective grounds or verify that adequate grounds have been applied (see Rule 445) on the disconnected lines or equipment. During the testing for potential and/or application of grounds, distances not less than those shown in Table 441-1, Table 441-2, and Table 441-3, as applicable, shall be maintained.

Grounds shall be placed at each side of the work location and as close as practical to the work location, or a worksite ground shall be placed at the work location. If work is to be performed at more than one location on a line section, the line section shall be grounded and short-circuited at one location in the line section and the conductor to be worked on shall be grounded at each work location.

The distance in Table 441-1, Table 441-2, or Table 441-3, as applicable, shall be maintained from ungrounded conductors at the work location. Where the making of a ground is impractical, or the conditions resulting therefrom are more hazardous than working on the lines or equipment without grounding, the ground may be omitted by special permission of the designated person.

807 KAR 5:006. General Rules

Section 24. Safety Program

**American Public Power Association (APPA) Safety Manual (14th Edition)
Adopted by Grayson RECC**

Probable Violations:

Violation #1:

Section 1 General Rules

115: Training

115.5 Job Briefing

a. The employee in charge shall conduct a job briefing with the employees involved before the start of each job. The job briefing will at least cover the following subjects: hazards associated with the job, work procedures involved, special precautions, energy source controls, and personal protective equipment requirements.

Violation #2:

Section 5 Electric Utility Operations

507: Overhead Distribution and Transmission

507.1 Working On or Near Exposed Energized Lines and Equipment

f. No employee may approach or take any conductive object without an insulated handle closer to exposed energized parts than the minimum approach distance set forth in Table 5.2 through 5.6 unless the employee is insulated from the energized part or the energized part is insulated from the employee and the conductive object at a different potential, or the employee is insulated from any other conductive object, as during live-line work.

Table 5.2: 7.2 kV Phase to Ground: 2' 2" Minimum Approach Distance.

Violation #3:

Section 5 Electric Utility Operations

507: Overhead Distribution and Transmission

507.6 Working on De-Energized Lines and Equipment

a. General: All conductors and equipment shall be treated as energized until tested and grounded.

Grayson Rural Electric Cooperative Corporation

Board Policy 508 (Amendment to Safety Manual.)

Probable Violations:

Violation #1:

II. Policy Content

A. Rubber Gloves from the Ground Up

All employees shall wear rubber gloves FROM THE GROUND UP and lock to lock.

1. Working on any energized structure, regardless of voltage.
-

Violation #2:

II. Policy Content

B. Grounding Within Sight

Proper grounds shall be installed WITHIN SIGHT ON BOTH SIDES of working area of all workmen before beginning work on any de-energized line, including all primaries and bare secondaries.

Violation #3:

VII. Responsibility

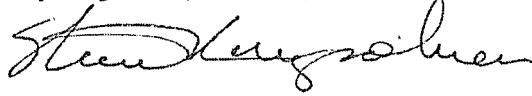
2. Tail gate conferences will be conducted prior to start of each job.
-

Temp & Weather: 35° Overcast and Snowing

Investigated By: _____ **Name:** _____ **Company:** _____

Steve Kingsolver
Utility Regulatory & Safety Investigator

Signed:



Date:

6-7-2010

Reviewed By: _____ **Name:** _____ **Company:** _____

John Shupp
Manager, Electric Branch

Signed:



Date:

6/7/10

Attachments:

- A. Utility Accident Summary Report
- B. KPSC Photographs of Accident Site
- C. KPSC Map of Accident Site

Attachment A

Utility Accident Summary Report

IA-1

WORKERS COMPENSATION – FIRST REPORT OF INJURY OR ILLNESS

Genl	Employer (Name & Address incl. zip) Grayson Rural Electric Cooperative Corporation 109 Bagby Park Grayson, KY 41143				Carrier/Administrator Claim Number		Report Purpose Code	
	Sic Code				Employer FEIN			
					Phone No.			
Carrier/Claims Admin	Carrier (Name, Address & Phone Number) Grayson Rural Electric Cooperative Corporation 109 Bagby Park Grayson, KY 41143				Jurisdiction		Jurisdiction Claim Number	
	Insured Report Number				Employer's Location Address (if different)			
	Location No. 1				Phone No.			
Employee/Wage	Carrier FEIN				Policy Period		Claims Admin (Name, Address & Phone Number)	
	Policy Number or Self-Insured Number				To		Check if self insured	
	Administrator FEIN				Agent Name & Code Number			
Occurrence	Legal Name (Last, First, Middle) Hutchinson, Joseph Mark				Date of Birth		Social Security Number	
	Address (Incl. Zip) 607 Greenbo Road Argillite, KY 41121				Sex		Marital Status	
	Phone 606-473-9551				No. of Dependents 3		Unknown	
Treatm	Wage Rate \$28.22				# Days Worked/WK 40		Full Pay for Date of Injury?	
	Day				Month		Yes	
	Week				Other		No	
Treatm	Time Employee Began Work 6:00 am				Date of Injury or Illness 12/20/09		Time Occurred 11:00	
	Employer Contact Name/Phone Number Bonita Gearhart 606-474-5136 ext. 2243				Type of Illness/Injury electrical burn		Part of Body Affected small finger on left hand-crossed over and exited below the elbow on the right arm	
	Did Injury/Illness Exposure Occur on Employer's Premises?				Yes		No	
Treatm	Department or location where accident or illness exposure occurred Maintenance				All Equipment, Materials, or Chemicals Employee was using when accident or illness exposure occurred. squeezeon tool, linemans pliers, hooks and belt		Part of Body Affected Code	
	Specific Activity the Employee was engaged in when the accident or illness exposure occurred. restoring electric				Work Process the Employee Was Engaged in when accident or illness exposure occurred. re-squeeze a jumper on an A4		Cause of Injury Code	
	How injury or illness/abnormal health condition occurred. Describe the sequence of events and include any objects or substances that directly injured the employee or made the employee ill. They drove the line out and found some cutouts that needed to be refused. They refused them and reached a point on the line where they had power on one side but not the other. They found a blown cutout at that point. They refused the cutout and closed it in, then drove back down the road to the 2nd house and found they still had no power. They realized that they probably had a jumper burned in two. Scott went to look at the A4 and he found a jumper that was burned in two. Scott stayed where he was and Mark went one span away and opened the cutout that they had previously closed. They heard loud music playing somewhere on the ridge and they were suspicious of a generator in the area. Mark returned to Scott, got his tools and climbed the pole. When he got to the jumper he realized that he did not have his rubber gloves on, but he did have on his leather gloves. He believed that the lines to the left of him could have had a generator or could be hot, but he believed the line to the right of him had a visible opening to that cutout. He was getting ready to have Scott give him his gloves when he backhanded the line with a pair of Kleins in his hand. He believed the line was dead and it was not.				Date Returned to Work unknown		If Fatal, Date of Death	
Treatm	Physician/Health Care Provider (Name & Address)				Hospital (Name & Address) Kings Daughters Medical Center 2201 Lexington Avenue Ashland, KY 41101		Initial Treatment	
	Were Safeguards or Safety Equipment Provided?				Were they used?		No Medical Treatment	
	Yes				No		Minor: By Employer	
Treatm	Date Returned to Work unknown				If Fatal, Date of Death		Minor Clinic/Hosp	
	Were Safeguards or Safety Equipment Provided?				Were they used?		No	
	Yes				No		Minor Clinic/Hosp	

			3	<input type="checkbox"/>	Emergency Care
			4	<input checked="" type="checkbox"/>	Hospitalized > 24 hr.
			5	<input type="checkbox"/>	Future Major Medical/Lost Time Anticipated
her	Witness to Accident (Name & Phone Number) Scott Speaks				
	Date Administrator Notified 12/20/09	Date Prepared 12/20/09	Preparer's Name & Title Bonita Gearhart, Executive Assistant		Preparer's Phone Number 606-474-5136
	IA-1 (2/95)	SEE NEXT PAGE FOR IMPORTANT STATE INFORMATION/SIGNATURE			

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Applicable in Alaska

A person who willfully makes a false or misleading statement or representation for the purpose of obtaining or denying a benefit or payment is guilty of theft by deception.

Applicable in Arkansas

Any person or entity who willfully and knowingly makes any material false statement or representation for the purpose of obtaining any benefit or payment, or for the purpose of defeating or wrongfully decreasing any claim for benefit or payment or obtaining or avoiding worker's compensation coverage or avoiding payment of the proper insurance premium (or who aids and abets for either said purpose), under this chapter shall be guilty of a Class D. felony.

Applicable in California

Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony.

Applicable in Connecticut

This form must be completed in its entirety. Any person who intentionally misrepresents or intentionally fails to disclose any material fact related to a claimed injury may be guilty of a felony.

Applicable in Delaware and Oklahoma

Any person who, knowingly and with intent to injure, defraud, or deceive any Insurer, files a statement of claim containing any false, incomplete or misleading information is guilty of a felony. The lack of such a statement shall not constitute a defense against prosecution under this section. *Delaware Statutes Regulation: Del #C Section 913(B)

Applicable in Florida

Any person who, knowingly and with intent to injure, defraud or deceive any employer or employee, insurance company or self-insured program, files any statement of claim containing any false or misleading information is guilty of a felony of the third degree.

Applicable in Idaho

Any person who Knowingly and with the intent to injure, Defraud, or Deceive any Insurance Company, Files a Statement of Claim Containing any False, Incomplete or Misleading information is Guilty of a Felony.

Applicable in Indiana

A person who knowingly and with intent to defraud an insurer files a statement of claim containing any false, incomplete, or misleading information commits a felony.

Applicable in Kentucky and New York

Any person who knowingly and with intent to defraud any insurance company or other person files a statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime. In New York, such person shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Applicable in Michigan

Any person who knowingly and with intent to injure or defraud any insurer submits a claim containing any false, incomplete, or misleading information shall, upon conviction, be subject to imprisonment for up to one year for a misdemeanor conviction or up to ten years for a felony conviction and payment of a fine of up to \$5,000.00.

Applicable in Minnesota

A person who files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime.

Applicable in Nevada

Pursuant to NRS 686A.291, any person who knowingly and willfully files a statement of claim that contains any false, incomplete or misleading information concerning a material fact is guilty of a felony.

Applicable in New Hampshire

Any person who, with purpose to injure, defraud or deceive any insurance company, files a statement of claim containing any false, incomplete or misleading information is subject to prosecution and punishment for insurance fraud, as provided in RSA 638:20.

Applicable in New Jersey

Any person who knowingly files a statement of claim containing any false or misleading information is subject to criminal and civil penalties.

Applicable in Ohio

Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.

Applicable in Pennsylvania

Any person who knowingly and with intent to injure or defraud any insurer files a claim containing any false, incomplete or misleading information shall, upon conviction, be subject to imprisonment for up to seven years or payment of a fine of up to \$50,000.

Applicable in Utah

Any person who knowingly presents false or fraudulent underwriting information, files or causes to be filed a false or fraudulent claim for disability compensation or medical benefits, or submits a false or fraudulent report or billing for health care fees or other professional services is guilty of a crime and may be subject to fines and confinement in state prison.

EMPLOYEE SIGNATURE:

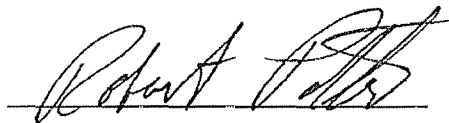
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Robert Potter Accident Summary

Mark Hutchinson called on the radio that he had made contact with a primary line with his hand at approximately 11:30 a.m. on Sunday, December 20. He said that Scott Speaks was bringing him in to the office. Someone at the office called an ambulance and I started toward him in my truck. I met them about 10 minutes from the office. Mark told me he had gotten in to the primary and it looked like it had entered at his left little finger and exited at his right arm below his elbow. The ambulance arrived and started checking him and said they would be taking him to King's Daughters Medical Center in Ashland, KY. Eddie Martin, director from Greenup County, and I followed the ambulance to the hospital. The office contacted Mark's family. Mark was then moved to the Cabell Huntington Trauma Center and released the next day with directions to see a skin graft surgeon.

I talked to Scott Speaks, who was with Mark during the accident. Scott told me they were on Rattlesnake Fork to restore power. They found a blown fuse in the cut out. They re-fused the cut out, rode the line out, and the power was still off. They found a jumper burned on an A-4 pole. Mark went back and opened the cut out. He thought he had a visible opening, but the cut out did not feed the tap he was working on. He climbed the pole to squeeze the jumper. He did not have his rubber gloves. He thought he asked Scott to get his gloves. Meanwhile, Mark took his pliers and touched the jumper that was hot. Scott said that he was conscious and that Mark told him that he would have to help him down. Scott started to get his tools and then heard Mark climbing down the pole. They then started in to the office.

I asked Scott if he had his rubber gloves on or was the line grounded. He said no, they thought it was ok because they had a visible opening. Tuesday, December 22, Steve Kingsolver, PSC, Bill Massie and Clarence Greene, KAEC, Joe Sargent and Scott Speaks, Grayson RECC, and I visited the accident site and all agreed that the cut out that Mark opened did not feed the line he was working on. We went to the pole where the jumper was still burned off. We all agreed that the line was still hot to the jumper. We then came back to the office and discussed the accident.

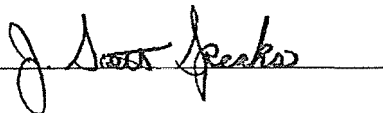
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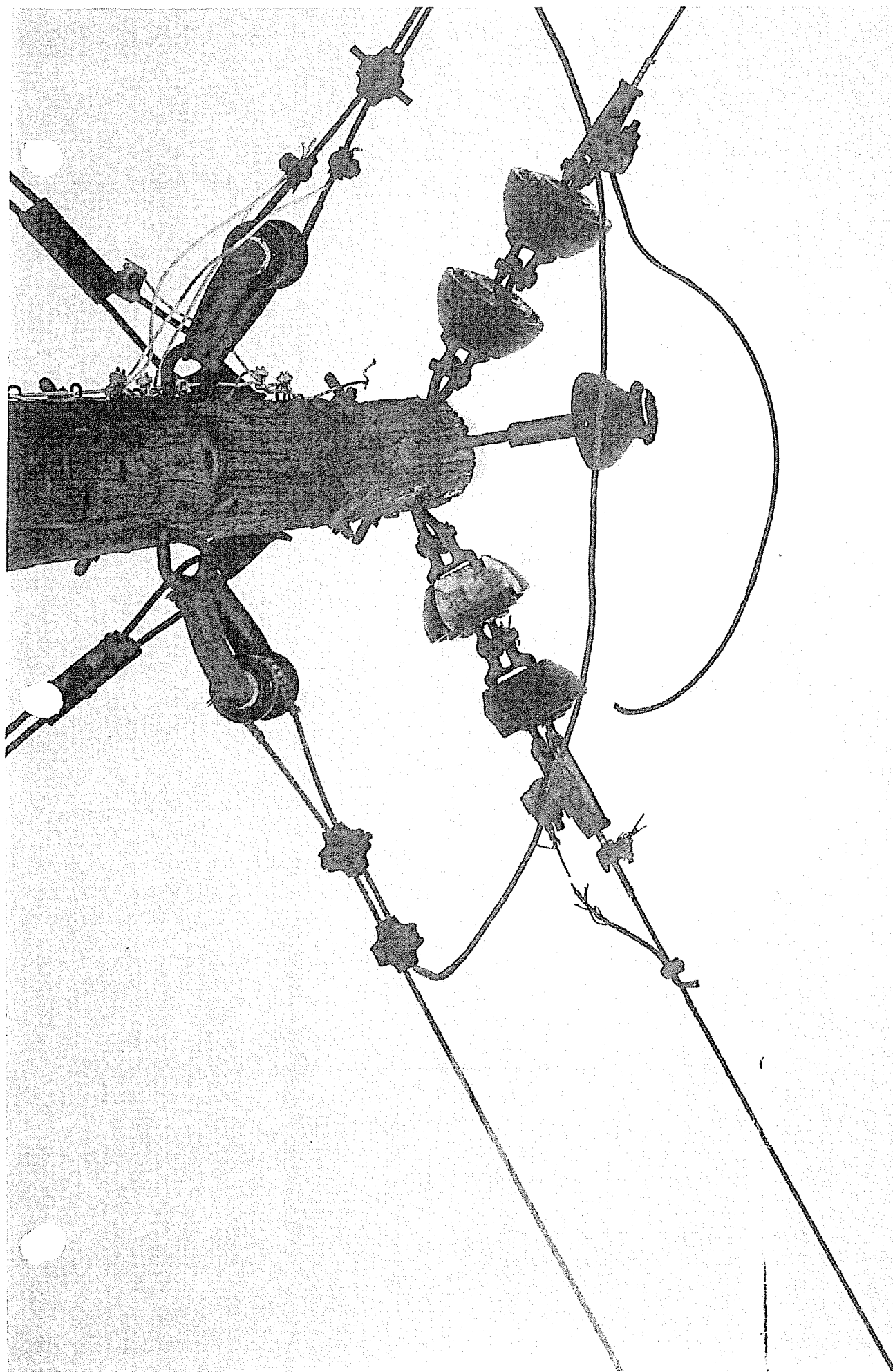
Robert Potter

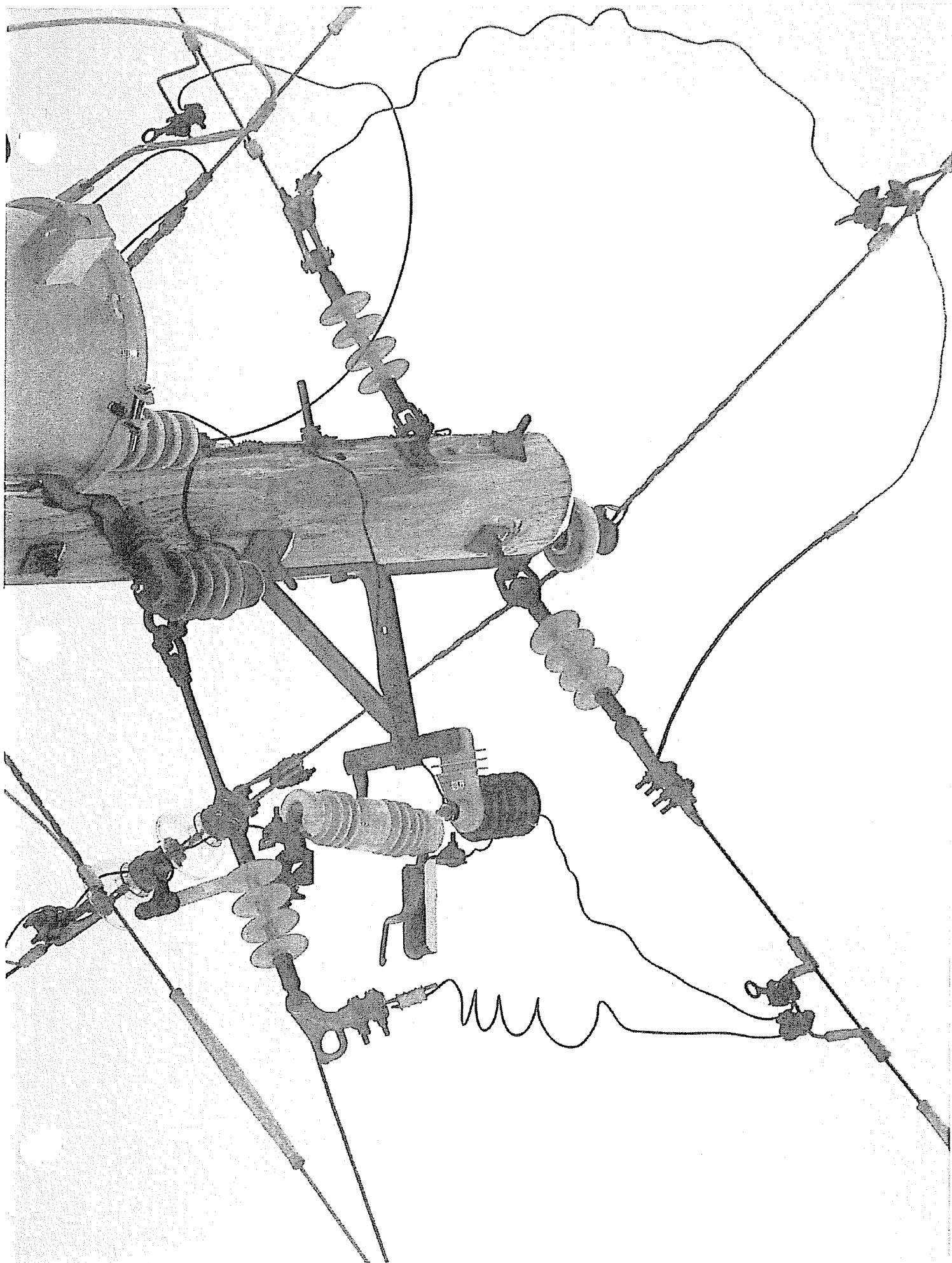
Scott Speaks

Drove to Rattlesnake Fork, noticed power was on to houses going at mouth of Rattlesnake Fork. Drove line out to pole with cut-out on it. Both looked at cut-out and noticed it was blown but not down. Proceeded to drive line out and noticed two cut-out blown and open. Drove both lines out and repaired blown fuses and closed them back in. Went back to first pole where cut-out was blown and repaired fuse and Mark closed cut-out. Drove back out line to first meter and still did not have power. Turned around and while driving out Mark asked me to check pole in right of way for a jumper burnt off. I walked down r-way and saw that it was a burnt off jumper on an A-4 structure. Told Mark it was burnt off he said he would open cut-out. He opened cut-out and drove around to pole one span away from cut-out. We met at truck and Mark put his tools on while I got wire. He said he would need a couple of squeeze-ons to repair jumper. We went to pole and I checked pole. Mark climbed up to neutral and belted above neutral. I had looked away for a second and as I looked back up heard Mark shout and I saw arc. His feet kicked out of pole and he was laying completely back in his belt. I ran to pole and hit it with my hands yelling "Hutch, Hutch, are you alright?" The second time he answered saying he was alright but that I needed to come and get him. I ran to truck to put my tools on and as I was putting my tools on I looked back at Mark. He had climbed down to telephone and un-safetied his safety and proceeded down pole. He came to truck and said we needed to leave. I helped get his tools off and he got in truck and proceeded to call in on radio.

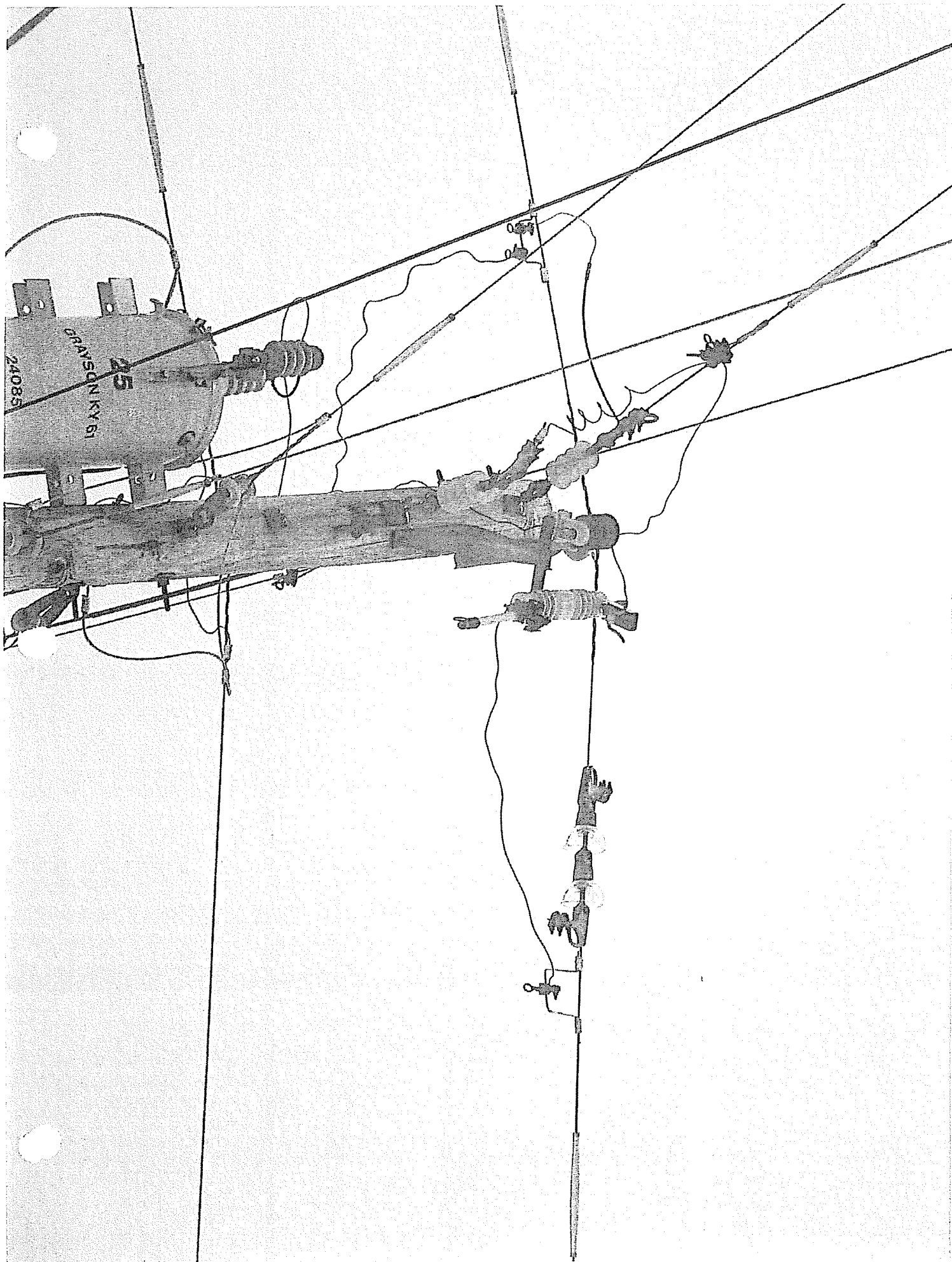
Scott Speaks

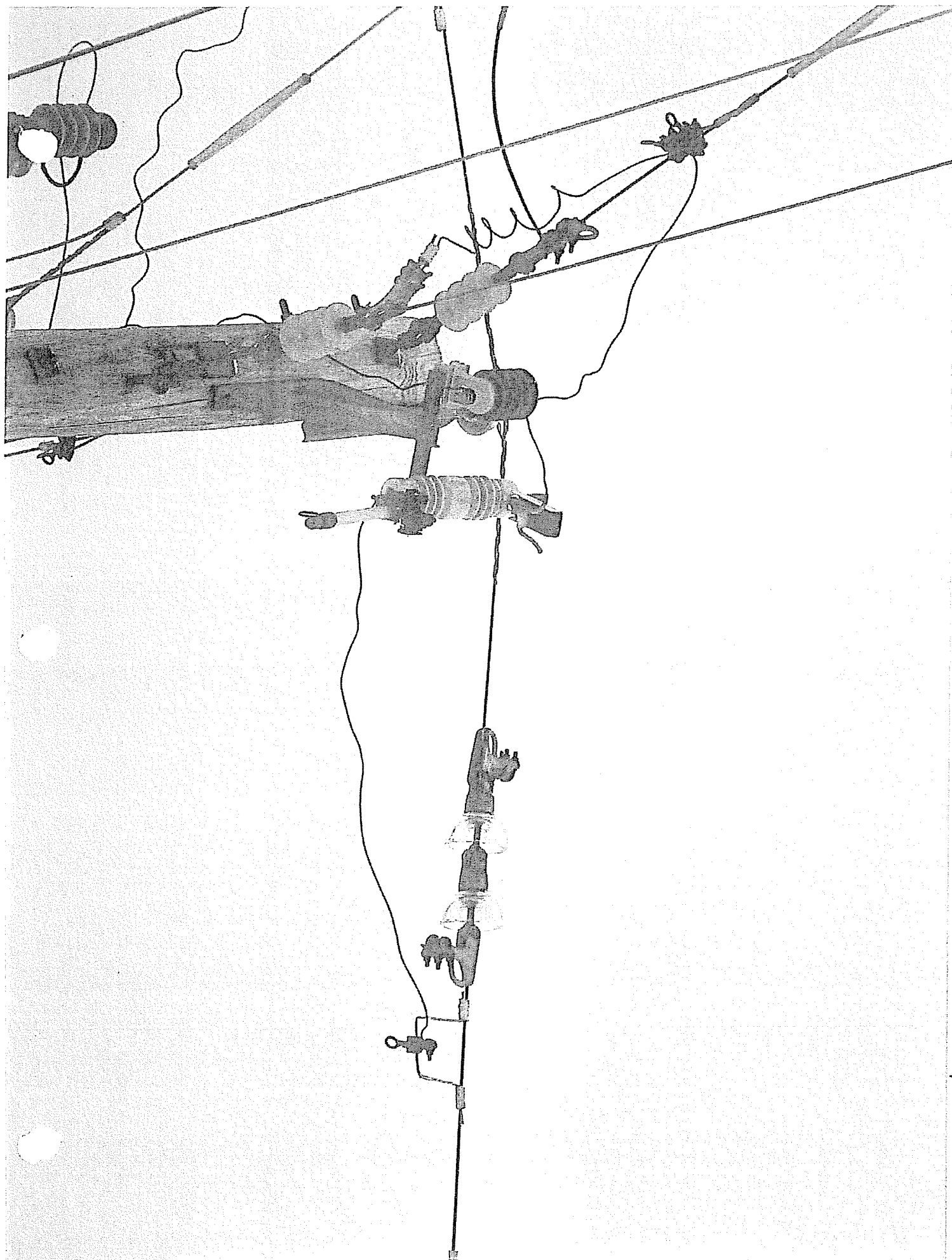
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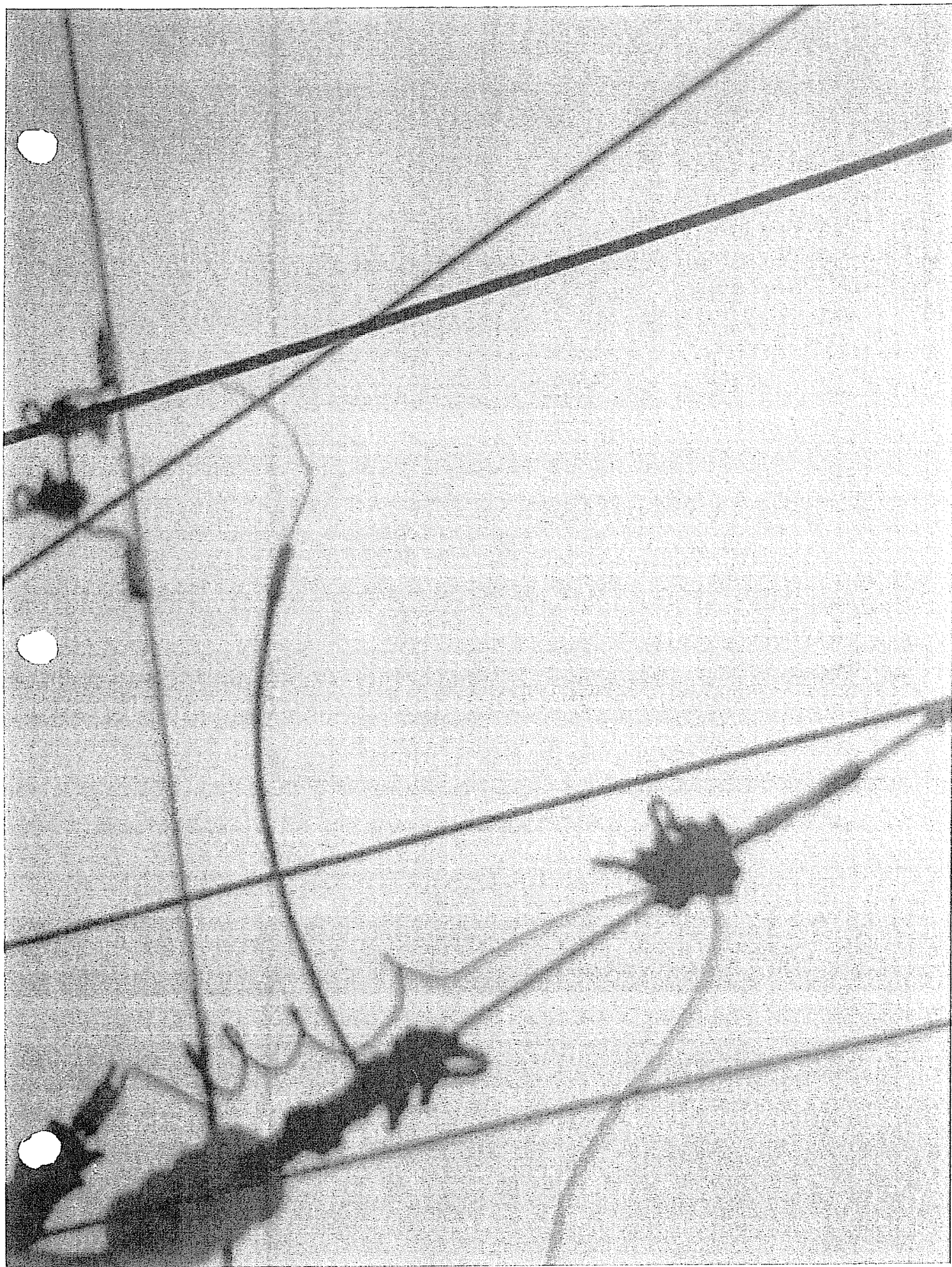




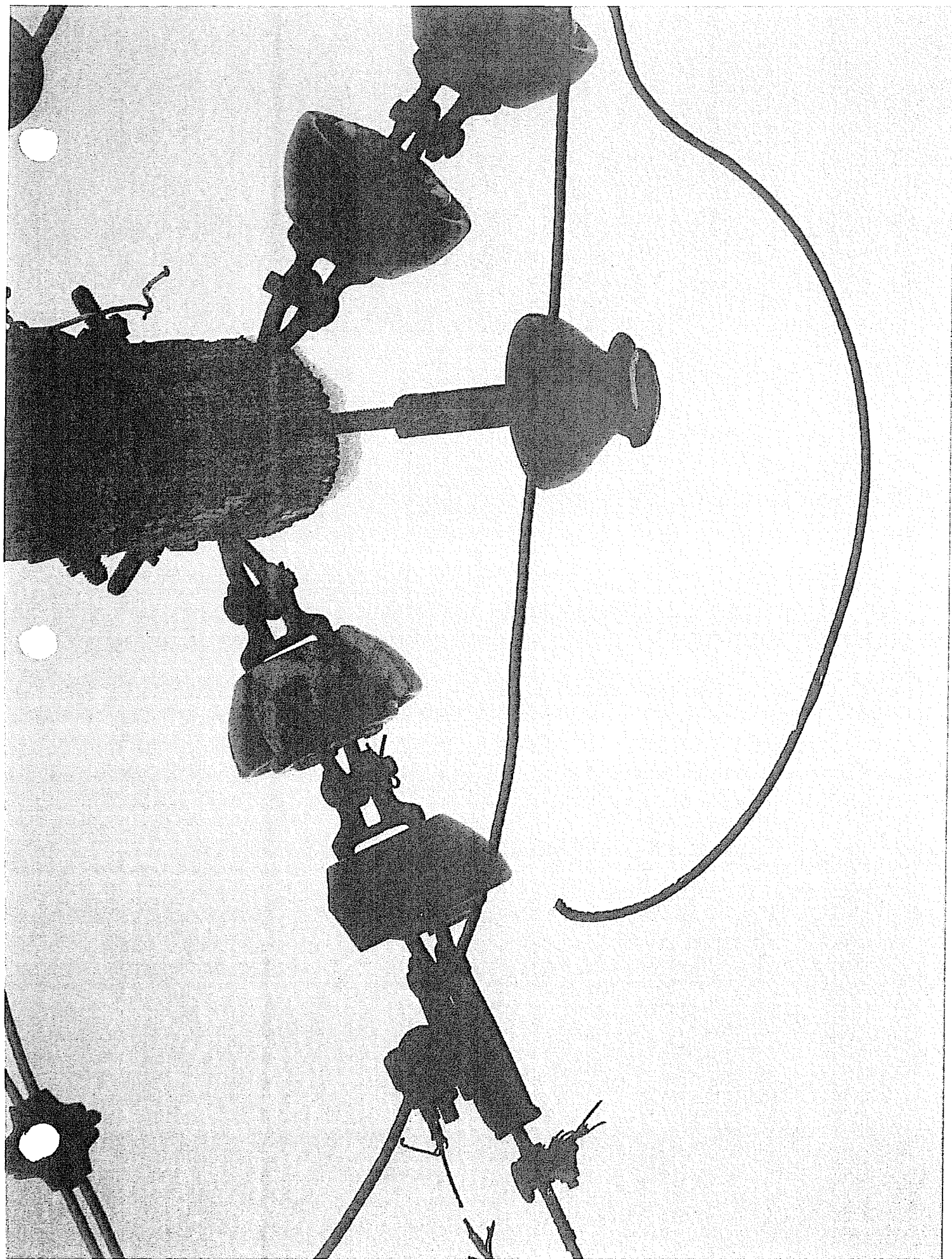
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CATTLE SNARE FRY



EMERGENCY OVERTIME REPORT

CUSTOMER: Jimmy Gilbert TELEPHONE #: [REDACTED]
Billy Gilbert TELEPHONE #: [REDACTED]
Geneva Gilbert TELEPHONE #: [REDACTED]

LOCATION: Rattlesnake Fork

DATE AND TIME OF CALL: 12/19/09 10:00am TIME RESTORED: 12/22/09 4:00pm
 EMERGENCY OUTAGE: X OTHER: _____ HOURS OF OUTAGE: Steen

EMPLOYEE CALLED	TIME CALLED	TIME BACK	DISPATCHED YES	DISPATCHED NO	IF NO REASON	O.T. HOURS	LOST TIME
Herbie S.				X			
Mark H.	7:00am 12/20		X				
Scott S.	7:00am 12/20		X				
Herbie S.	2:00pm 12/20		X				
Jonathon M.	2:00pm 12/20		X				

WHAT IS PROBLEM: Power off

CAUSE OF TROUBLE: Transformer burned, bad set of bells

WORKED PERFORMED: Changed bells and repaired transformer

NUMBER OF CUSTOMERS OUT OF ELECTRIC: 12

AUTHORIZED BY: Andrea McCleskey

DISPATCHER
 APPROVED BY: [Signature]
 DIVISION DIRECTOR/DEPARTMENT MANAGER

GENERAL MANAGER

System Protective Device

Rattlesnake Fork

25 Amp Type H OCR

Did Operate

AMENDMENT TO SAFETY MANUAL.

GRAYSON RURAL ELECTRIC COOPERATIVE CORPORATION GRAYSON, KENTUCKY

BOARD POLICY NO. 508

SUBJECT: SAFETY PRACTICES

I. OBJECTIVE

To provide the maximum in safety and protection for the employees of the Cooperative and to keep them adequately trained and informed on safe working practices, tools, and equipment.

II. POLICY CONTENT

The Board of Directors, recognizing the importance of safe working conditions for the employees of the Cooperative, has authorized and directed the President & CEO to establish such rules and procedures and to maintain such tools and equipment as necessary to fully implement and enforce the following safe working practices:

A. Rubber Gloves from the Ground Up

All employees shall wear rubber gloves FROM THE GROUND UP and lock to lock.

1. Working on any energized structure, regardless of voltage.
2. Stringing wire on, around, over or near any energized structure, regardless of voltage.
3. Setting or removing structures that are under or near an energized line.
4. At all times when in the aerial basket.
5. Rubber gloves must always be on the person whenever the body belt is being worn.
6. Rubber gloves and sleeves shall be "AIR" tested and visually checked daily prior to wearing.
7. Body belts, safety belts and climbers shall be inspected daily prior to wearing.
8. Gloves are stored in cabinet at warehouse. Sleeves are stored in a bin on their individual trucks. Each affected employee has been issued sleeves for their personal use.
9. It shall be the policy of the Cooperative to have all used rubber gloves and sleeves tested by an outside firm under the following time schedule:

A. 20,000 volt rated gloves every 60 days.

Each employee is charged with the responsibility to exchange their rubber gloves within the above time periods or sooner as required by daily personal tests. Maintenance and Construction Superintendent is responsible for disbursement of gloves and sleeves.

No employee shall operate or work from an aerial basket on energized lines unless wearing 20,000 volt-rated rubber gloves and a hard hat.

When working within five feet or reaching or falling distance, employees shall also wear 20,000-volt rubber sleeves. These sleeves shall be tested every six months.

B. Grounds Within Sight

Proper grounds shall be installed WITHIN SIGHT ON BOTH SIDES of working area of all workmen BEFORE beginning work on any de-energized line, including all primaries and bare secondaries.

C. Grounding of Work Equipment

All trucks or equipment shall be properly grounded before use in any manner that may result in contact with an energized line. This includes aerial basket trucks.

D. Hard Hats

Hard Hats shall be worn day or night by all employees when working in the open in relation to lines, substations and similar installations; right-of-way clearing; and when performing inside work of such nature as to expose them to the possibility of falling equipment. Hard hats shall be inspected daily by all employees before work begins. Quarterly inspections will be done by the Safety Supervisor and any defective equipment will be removed from service and replaced immediately. Any visitors present at the worksite are required to wear a hard hat.

E. Cover Up

Energized conductors, insulators, and structures will be covered with approved rubber goods when work is to be done near energized lines. When work is to be done near energized lines, all energized and grounded conductors or guy wires within reach of any part of the body shall be covered with approved rubber goods, in accordance with the Cooperative's Safety Manual Section 602, Flexible Protective Equipment.

In applying flexible protective equipment, an employee shall always protect the nearest and lowest wires first, protecting themselves as they progress. The protective equipment shall extend beyond the reach of the employee's anticipated work position or extended reach distance. In removing rubber protective equipment, the reverse order shall be maintained.

All cover up materials are electrically tested and cleaned on a 6-month rotation. Cover up materials should be put on when an employee is within falling and/or reaching distance of energized circuits or apparatus. It should not be removed until employee is entirely out of falling and/or reaching distance of such circuits or apparatus.

F. Poles

Before climbing any pole or structure, an employee shall take every possible precaution to insure that it is safe to climb and work upon. If the strength of any pole is questioned, it shall be thoroughly tested before climbing. If the pole is unsafe to climb, it shall be braced or guyed before being climbed.

G. Hold Cards

Hold cards shall be properly filled out and displayed at each switching device, for such time as work proceeds and the switch is unmanned. At the OCR on the line the hot jumper will be removed and grounded out. In the substation the OCR will be tripped out and the switch will not be opened. At a line OCR a red flag or hold card WILL BE USED if the hot jumper is NOT REMOVED AND GROUNDED OUT.

H. Seat Belts

Seat belts must be worn AT ALL TIMES by occupants operating or riding in Cooperative owned vehicles.

I. Good Housekeeping

- a. Truck beds and compartments shall be kept neat and in safe condition.
- b. Heavy material items should not be stacked so high that placing or removing such items would create a lifting or handling hazard.
- c. Inventory of materials on trucks will be kept to a minimum supply.

J. Vehicle Inspections

Visual inspections shall be made on all Cooperative vehicles by the Mechanic or Assistant Manager of Operations once a month and so noted on their inspection sheets as to their results. Any adjustments found necessary should be brought to the immediate attention of the individual assigned to the vehicle in question and to the foreman and Assistant Manager of Operations.

K. Care and Operation of Motor Vehicles

All Cooperative vehicles must be operated in accordance with state and local regulations; and posted speed limits must be observed at all times.

When trailers, poles, or loads project beyond the rear of the truck bed, red flags shall be placed at the extreme end of the load or object trailed. At night, service trucks with emergency flashing lights on will follow the line truck or trailer load. All cars and trucks must be equipped with first aid kits, fire extinguishers, flags and flares, in accordance with State and Local regulations.

L. Highway Markers with Flags

Highway markers with flags will be used at all times when a Cooperative owned vehicle is parked in a traffic lane or on a shoulder of any highway, road or street. The markers will be used while stringing wire, (service or primary) across any high-way, road or street. In addition to the markers, a guard with a flag will be on the highway, road or street during wire stringing operations, or at any time that traffic is halted or obstructed.

M. Reporting Accidents and Injuries

Any accident resulting in serious injury or death to an employee or the general public shall be immediately reported to the main office by radio, telephone or in person by the employee who has full knowledge of the incident.

All accidents or injuries, regardless of severity, involving employee/employees shall be reported to Management as promptly as possible. It is the responsibility of each employee to report to his/her foreman, or superintendent, who in turn must report to the Management.

Insurance forms will be completed and signed by Management and employee/employees' involved and a written report will be submitted to the President and CEO. A written report from the attending physician or medical facility will also be required.

N. Safety Meetings

Regularly scheduled safety meetings shall be held for outside employees with the President & CEO present and participating when possible.

Job Safety and Training Instructors will be utilized to present programs periodically that will be of interest to outside and inside employees concerning such subjects as First Aid, Attitude and Absenteeism.

O. Safety Manual

The Board of Directors has adopted as safety rules for the Cooperative the APPA Safety Manual for an Electric Utility, fourteenth edition, 2007 copyright 1977. Each employee shall receive a copy and must comply with these rules and any additions or changes thereof.

P. Personal Tools

The following personal tools are provided: Safety strap, climber straps, and gaffs.

Employees are required to use body belts, straps and climbers as required by the ANSI. All personal tools must be inspected daily before use.

- Q. Employees working from aerial lifts are required to wear a safety harness and lanyard that complies with OSHA and ANSI standards. Lanyards should be inspected prior to each use. Any defective lanyard should be removed from service immediately and replaced.

III. OPERATION OF AERIAL LIFTS

All personnel of Grayson Rural Electric Cooperative Corporation are cautioned that the aerial lift is only to be used as a means of elevating to a safe working position. It is not to be considered as a guaranteed insulation from high voltage conductors. Each employee must protect himself from electrical contact by other approved devices and observing all rules and regulations required for working safely on energized structures and conductors.

A. ONLY AUTHORIZED PERSONS SHALL OPERATE AN AERIAL LIFT

1. Body belt shall be worn and a lanyard attached to the boom when working from aerial lift.
2. No employee shall operate or work from an aerial basket on energized lines unless wearing 20,000 volt rated rubber gloves, rubber shoulder length sleeves and a hard hat, when working within five feet or reaching or falling distance, employees shall also wear rubber gloves, 20,000 volt rated rubber sleeves and a hard hat. Sleeves and gloves shall be tested in accordance with Cooperative policy.
3. Employees shall stand firmly on the floor of the basket and shall not sit or climb on the edge of the basket or use planks, ladders or other devices for a work position.
4. Belting off to an adjacent pole, structure or equipment while working from aerial lift shall not be permitted.
5. Climbers shall not be worn while in an aerial lift basket.
6. Only approved tools designed for the purpose shall be used while working from an aerial lift.
7. No rope, wire or any other non-insulated material shall be hanging from the basket to the ground while working from an aerial lift.
8. Boom and basket load limits specified by the manufacturer shall not be exceeded.
9. Lift controls shall be tested each day prior to use to determine that such controls are in safe working condition.

B. POSITIONING OR MOVING VEHICLE MOUNTED AERIAL LIFT

1. Aerial lift truck shall be grounded when working near any energized structure or conductor.
2. The brakes shall be set and the outriggers positioned on a solid surface. Wheel chocks shall be installed before using on an incline.
3. Aerial lift truck shall not be moved when the boom is elevated with or without men in the basket.
4. Before moving an aerial lift for travel, the boom shall be inspected to see that it is properly cradled and strapped, outriggers are in a stowed position and ground removed.

C. PERSONNEL REQUIRED FOR OPERATION

1. Only one employee shall be in the basket when the work requires only one. The other employee shall remain on the ground for supervision, flagman or as a safety operator.
2. When two employees are working from the aerial basket, each employee shall take every precaution that no parts of their bodies are in contact while working on energized structures or conductors.
3. Extreme caution shall be used to see that the employees are not standing on any coil of wire or non-insulated materials lying on the bottom of the basket.
4. It is recommended that all aerial lifts be electrically tested, by approved testing laboratory, every year, pursuant to any change that may be made in K.O.S.H.A. or by O.S.H.A.

IV. SAFETY RULES -- UNDERGROUND DISTRIBUTION

When operating the underground system, all applicable rules for overhead construction shall apply. In addition, the following special rules shall be in effect and considered part of the overall Safety Program.

Employees must follow ALL SAFETY RULES, while performing underground construction and maintenance.

A. Rubber Gloves

1. Rubber gloves shall be worn when opening or working on any energized transclosure installation.
2. Rubber gloves shall be worn and approved cover-up materials installed when working on, reaching in, or within falling distance of energized equipment.
3. Rubber gloves shall be worn and hot sticks used when removing and installing elbows, fuses, bypassing operations, and installing or removing grounds.

B. Before Working on De-Energized Equipment or Circuits

1. A visible open break shall be made.
2. A voltage check should be made.
3. Grounds shall be installed:
 - a. When dual feed is possible, grounds shall be installed on both sides of the work area.
 - b. When only one source of feed exists grounds shall be installed on source side or work area.

C. Special Conditions

1. Precautions shall be taken to prevent feedback of primary and secondary conductors. (Be alert for home generators or standby generators).
2. No work shall be done on one phase of a three phase underground circuit while the other two phases are energized.

3. Trucks shall be grounded while being operated near energized equipment.
4. No compartment containing energized equipment shall be left unattended any time unless approved locking devices are in place and fastened.

V. EYE AND FACE PROTECTION

1. Protective safety glasses are required when there is a reasonable probability of injury that can be prevented by the use of the equipment.
2. Safety glasses shall be issued to employees of the Construction, Maintenance, and Service Departments and to other employees as necessary. Visitors to the worksite shall also be required to wear safety glasses which will be provided.
3. Safety glasses shall be worn under the following conditions: drilling, grinding, driving staples or nails, connecting or removing hot line clamps and jumpers, changing fuses or cut outs.
4. Safety glasses shall be worn while working on energized conductors from aerial baskets.
5. Safety glasses shall be worn while operating the air compressor and drill hammer.
6. Safety glasses shall be worn while changing or installing meters on an energized conductors regardless of voltage.
7. Safety glasses shall be worn when making or tightening connections, using hand tools on energized conductors regardless of voltage.
8. Safety glasses shall be worn when changing fuses, connections or by passing pad mounted transformers.
9. Safety glasses shall be worn on an energized pole while performing any of the above duties while positioned on the pole.
10. Employee must inspect safety glasses daily before work begins.
11. A quarterly inspection of safety glasses will be completed by the Safety Supervisor.
12. Any defective safety glasses will be replaced immediately and removed from service.

VI. EAR PROTECTION

1. All efforts must be made to reduce the noise level in the work area whenever possible.
2. Ear protection must be worn by the operator while using air compressor and drill hammer.
3. Employees shall wear ear protection whenever blasting, using kinnepak explosives and following directions on the Blasting Operation Form.
4. All visitors to the worksite will be required to wear hearing protection when needed.
5. Employee shall inspect their hearing protection daily.
6. A quarterly inspection shall be completed by the Safety Supervisor.
7. Any defective ear protection will be replaced immediately and removed from service.

VII. RESPONSIBILITY

1. The Management and line superintendent, as well as all Foremen, shall be responsible for carrying out said policy to its fullest extent.
2. Tail gate conferences will be conducted prior to starting of each job.
3. Failure to comply with this policy shall be grounds for disciplinary action, upon previous warnings.
4. All employees will receive a copy of this Board Policy.

VIII. SAFETY RULE ENFORCEMENT

Enforcement is not entirely a matter of discipline but one of constant observation and concern on the part of Management and Supervisors. One of the first steps toward rule observance is that all management and supervisory personnel knows the rules and by adhering to them set a good example.

An employee will be disciplined according to the severity of the infraction and every incident will be handled individually. Chronic infractions will be considered willful misconduct.

In many cases education succeeds where discipline fails; however, when an employee has been adequately trained and he/she violates the rules the following rules will be adhered to:

1. Upon the first violation a reprimand by his foreman or supervisor.
2. Upon the second violation a reprimand by the President & CEO in the presence of the Foreman or Supervisor.
3. Upon the third violation a suspension without pay, the duration depending on the circumstances.
4. Upon the forth violation, the employee will be removed from the payroll.

The Cooperative reserves the right to drug and alcohol test all employees. The Cooperative has zero tolerance for the use of drugs and alcohol in the work place and will adhere to all state and federal laws and comply with CDL requirements. Failure of a drug test or if an employee is found to be under the influence of drugs or alcohol during work time will be subject to discipline up to and including dismissal.

- IX. It is quite lengthy to duplicate OSHA requirements and the effects on the Cooperative Safety Program. All provisions that pertain to the Cooperative's functions shall be explained to all personnel and become a matter of record by insertion in an OSHA file and considered a part of the Cooperative's Safety Policy.

Roger L. Trent, Chairman

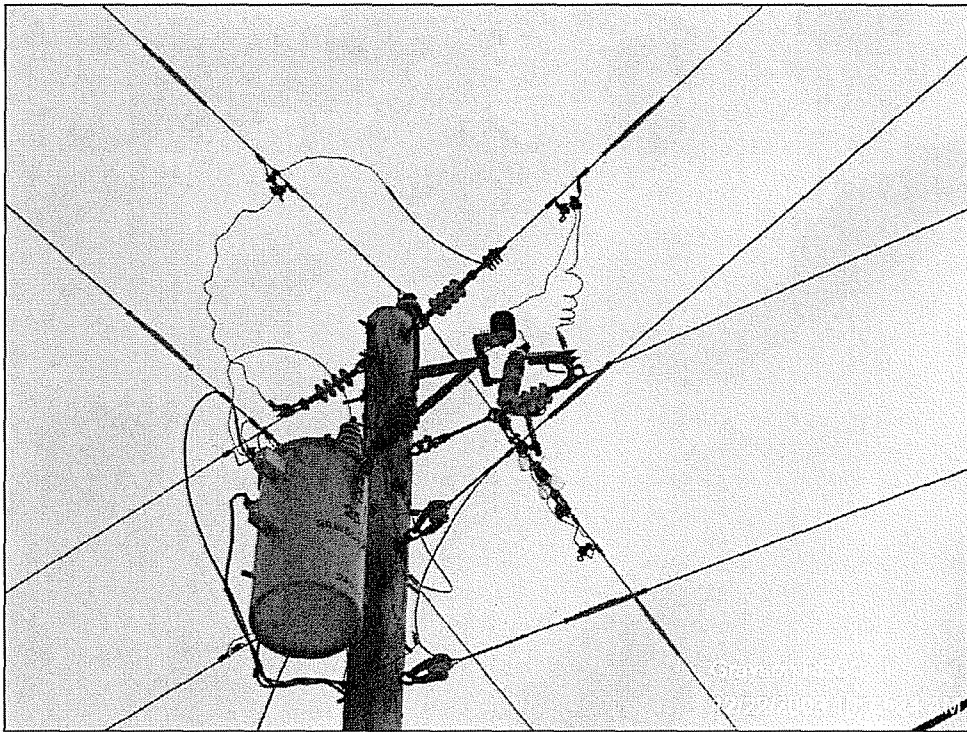
Billy E. (Eddie) Martin, Secretary/Treasurer

GRECC BOARD POLICY 508
PAGE 9

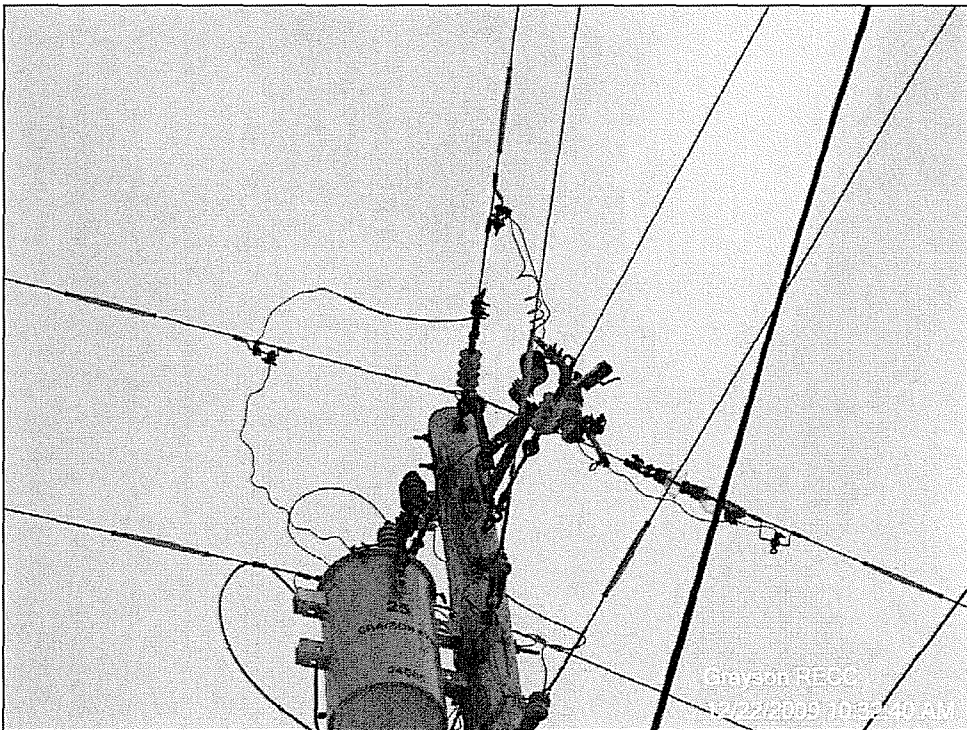
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Date Amended: 11/18/83
Date Revised: 2/21/86 (Formerly Policy No. 26) This policy replaces and supersedes Policy # 129 Adopted
07/20/73
Date Revised: 01/23/87
Minute Book Page: 1623
Date Revised: 04/30/96
Minute Book Page: 2698-2704
Date Revised: 01/24/97
Minute Book Page: 2850-2855
Date Revised: 12/19/02
Minute Book Page: 3440-3448
Date Reviewed: 12/22/05
Minute Book Page: 3802-3809
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Minute Book Page: 3829-3937
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Date Revised: 04/26/07
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Minute Book Page: 4183-4190

Attachment B

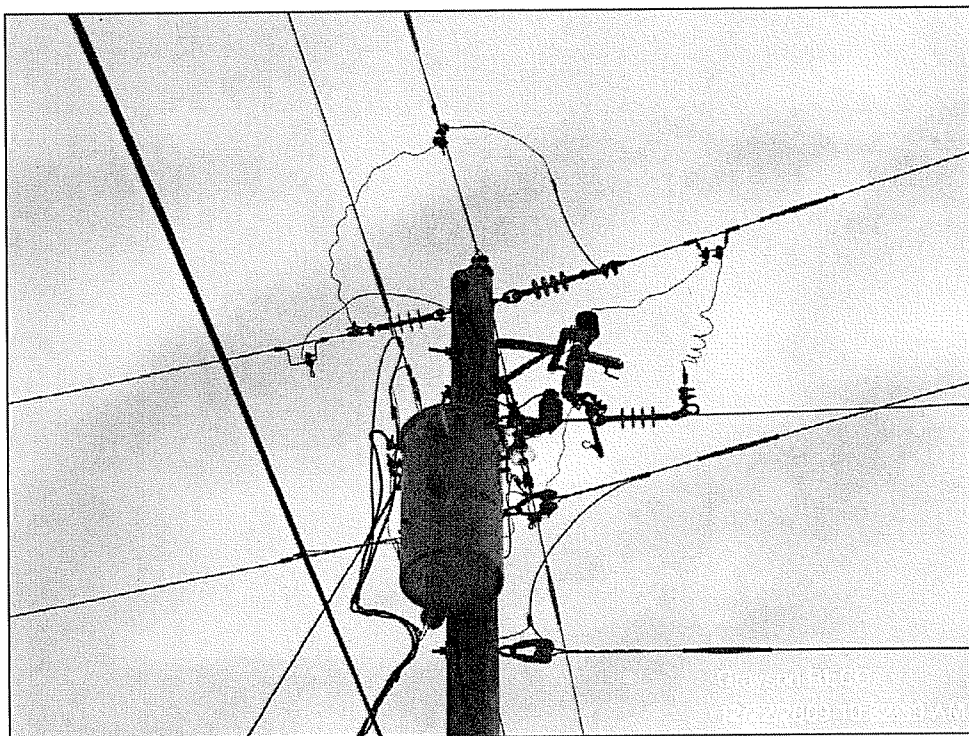
KPSC Photographs of Accident Site



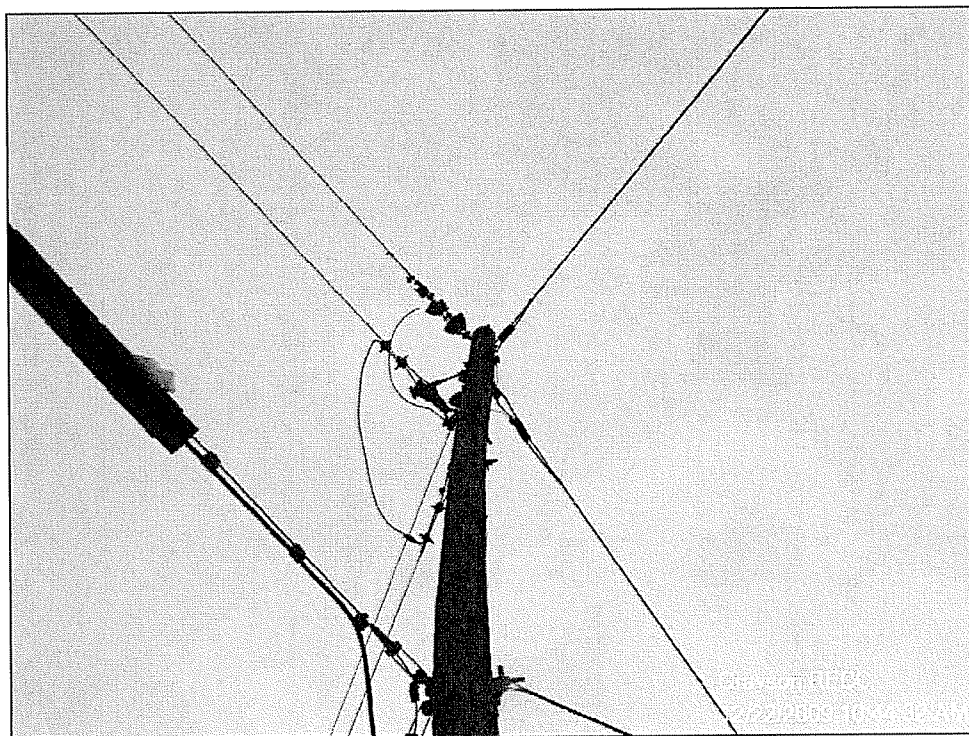
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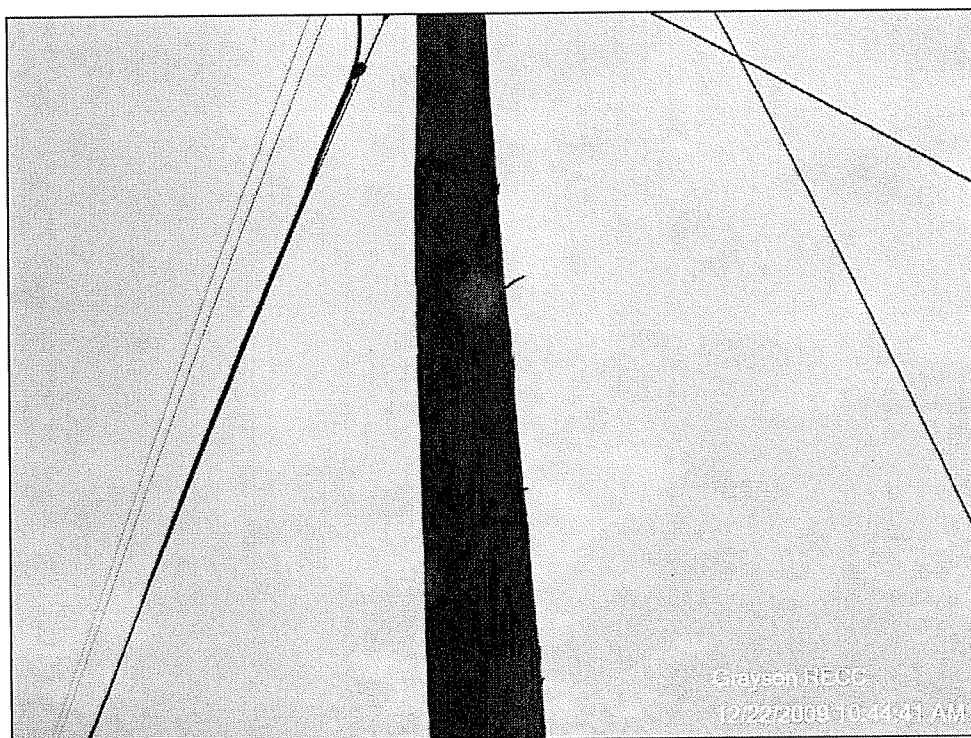
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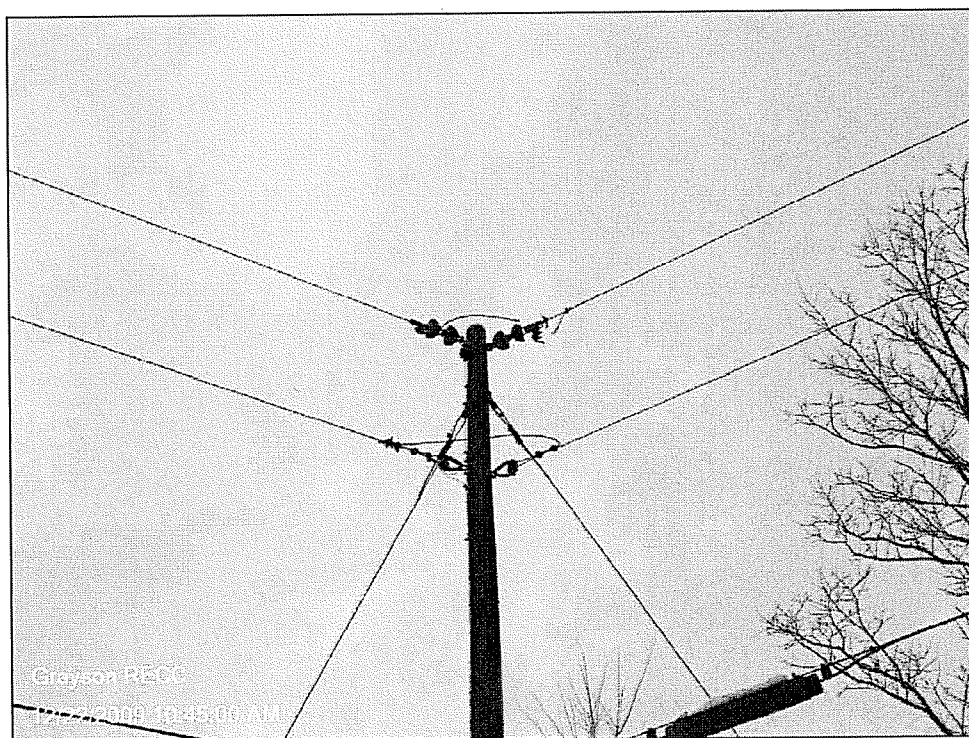
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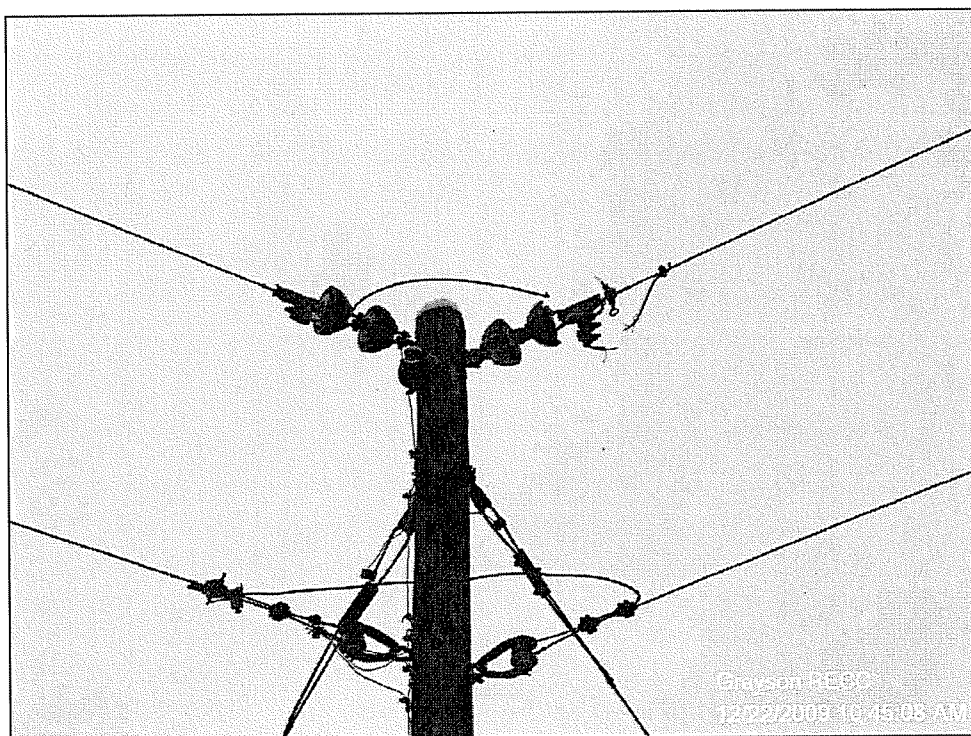
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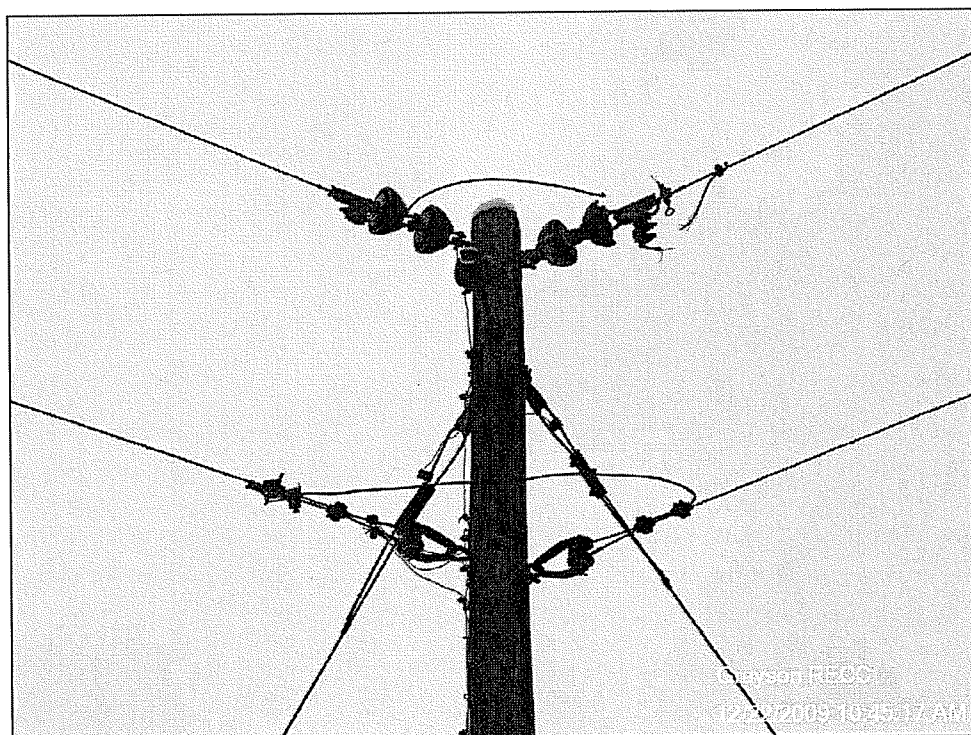
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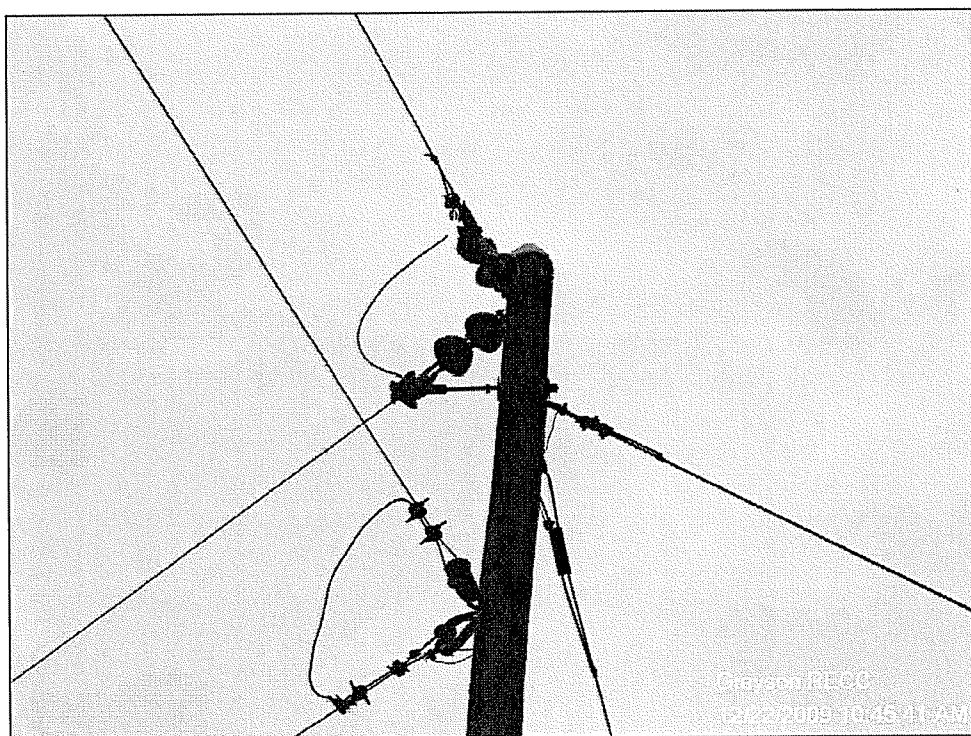
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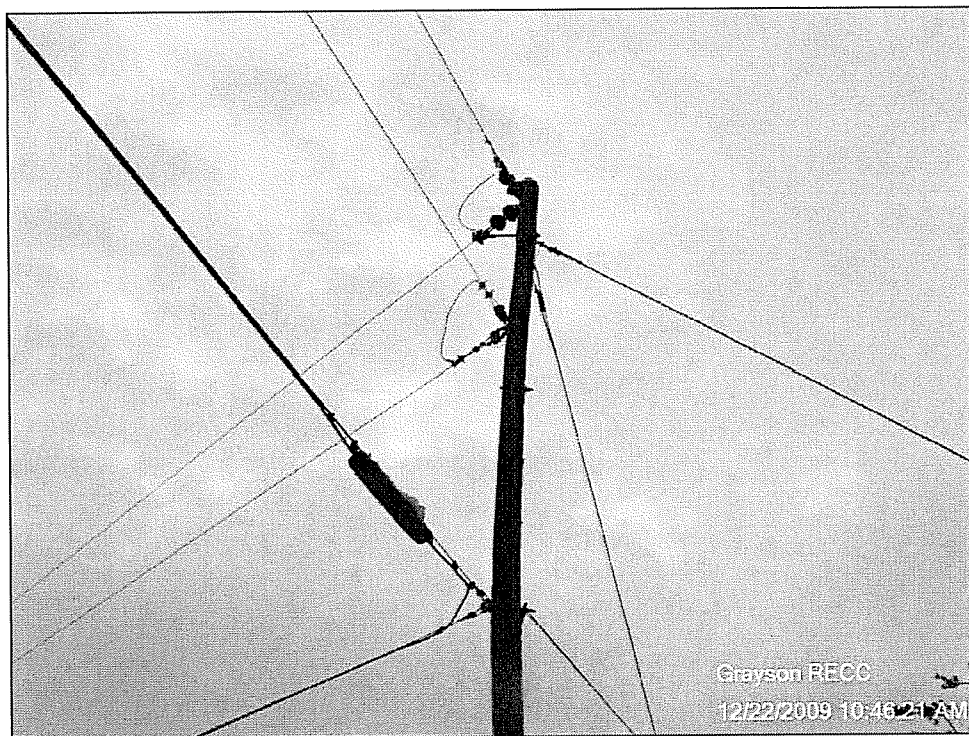
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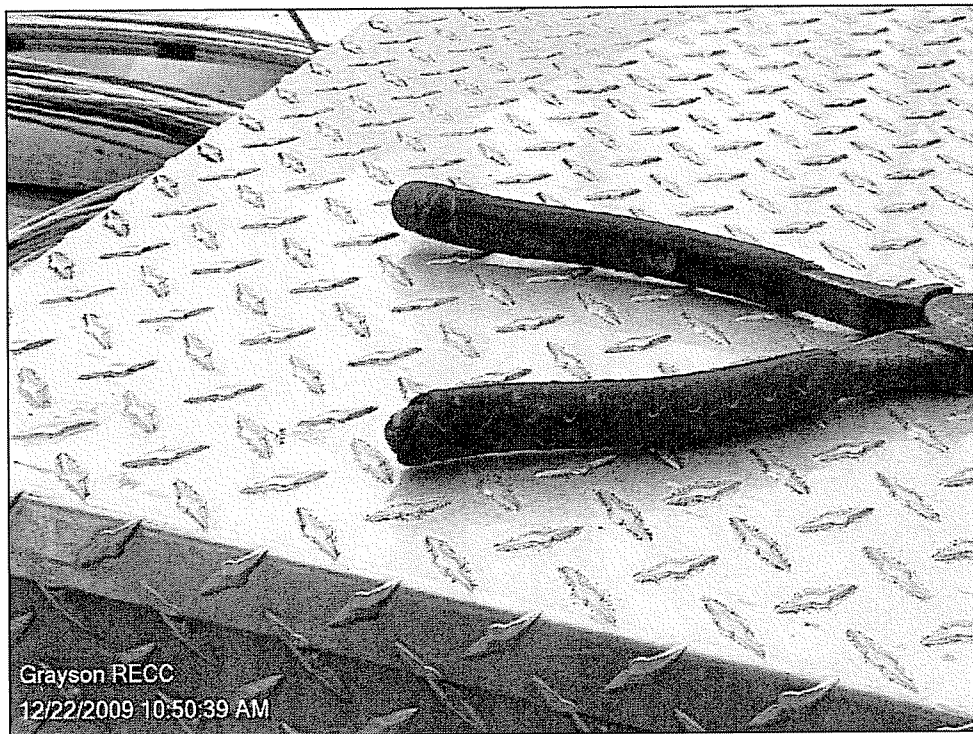
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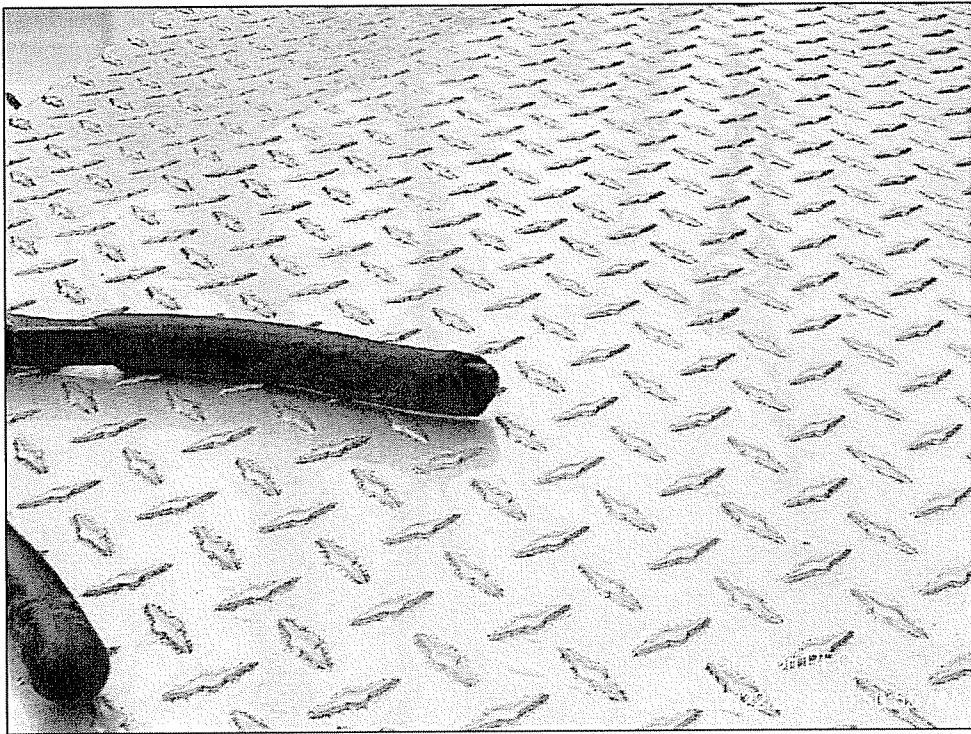
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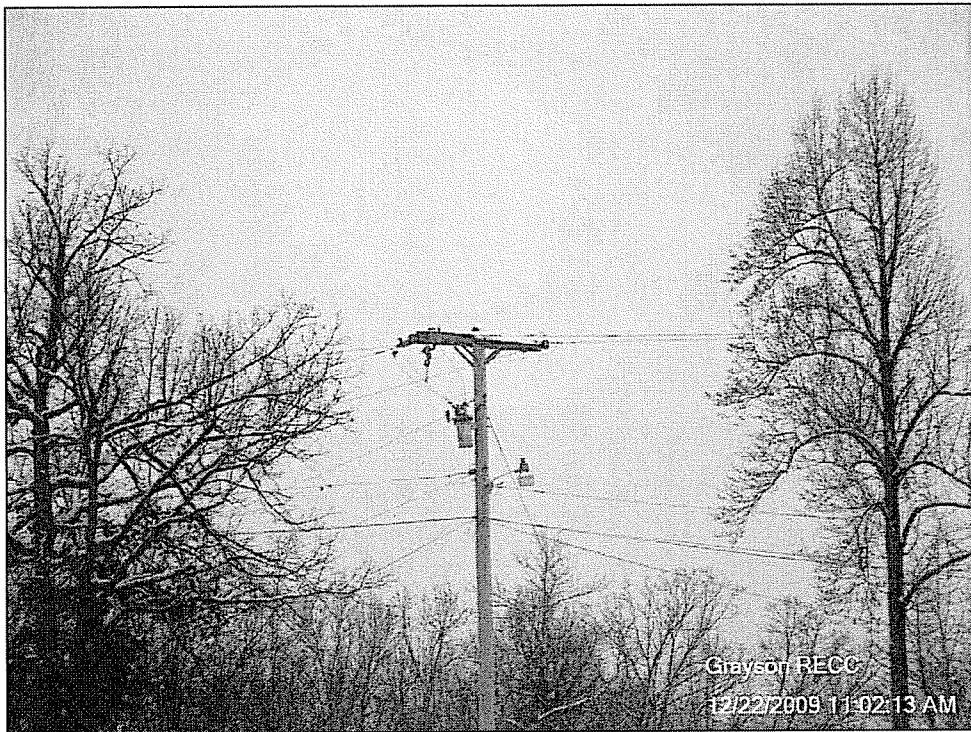
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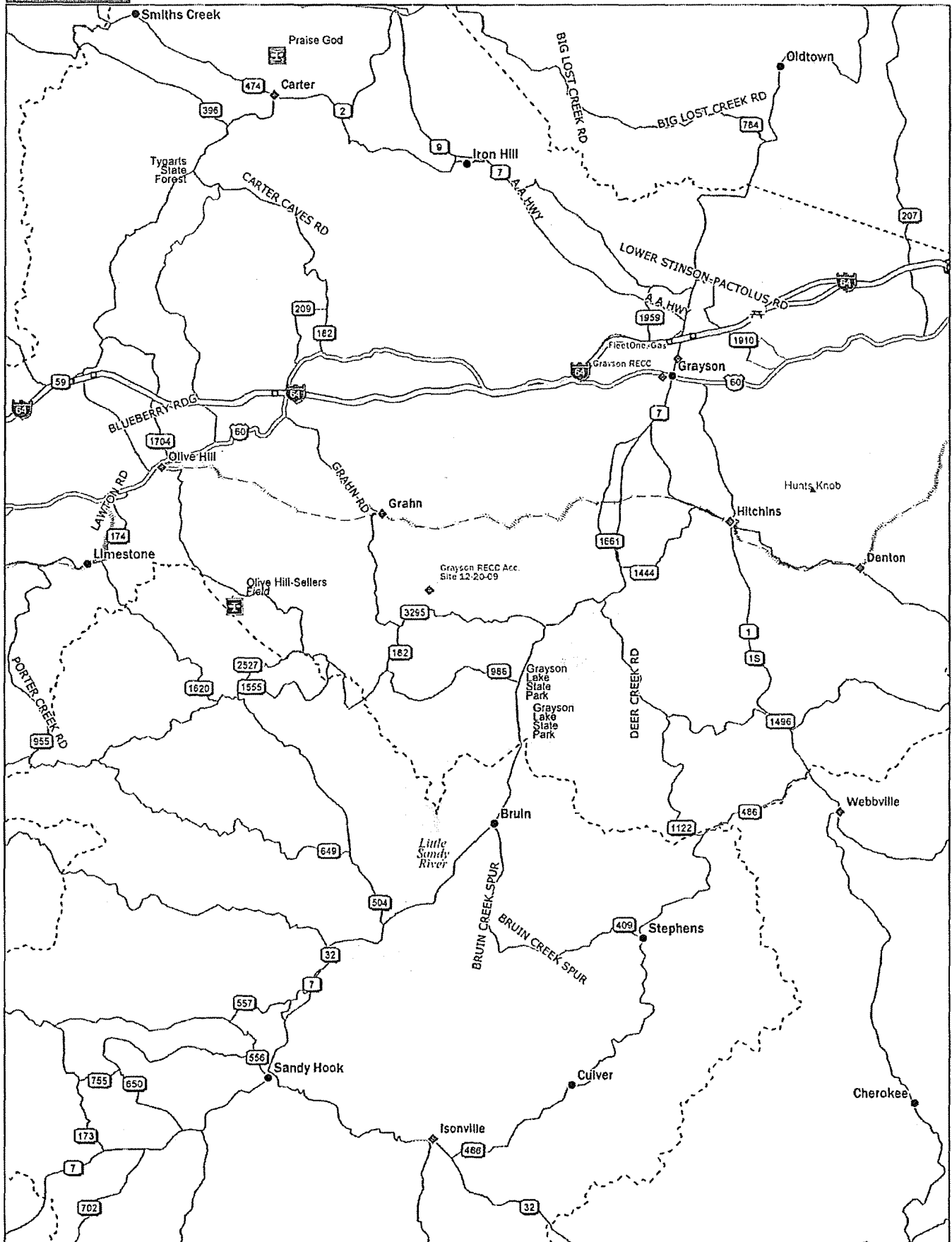
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Attachment C

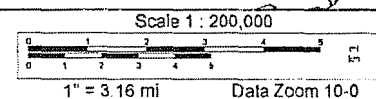
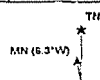
KPSC Map of Accident Site



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www.delorme.com



Data Zoom 10-0

Carol Ann Fraley
President & CEO
Grayson R.E.C.C.
109 Bagby Park
Grayson, KY 41143