

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

OWEN ELECTRIC COOPERATIVE, INC.)	
_____)	
)	CASE NO. 2017-00121
ALLEGED FAILURE TO COMPLY)	
WITH KRS 278.042)	

ORDER

Owen Electric Cooperative, Inc. ("Owen Electric") is a corporation organized under KRS Chapter 279 and engaged in the distribution of electricity for compensation for lights, heat, power, and other uses. It is subject to the jurisdiction of the Commission under KRS 278.010(3)(a) and (10). Pursuant to KRS 278.042, the Commission shall prescribe the service adequacy and safety standards for electric utilities, as stated in the Commission's administrative regulations, orders, and in the most recent edition of the National Electrical Safety Code ("NESC"). Under 807 KAR 5:041, Section 3(1), the Commission requires utilities to construct and maintain plants and facilities in accordance with engineering practices set forth in the NESC.

Commission Staff submitted to the Commission an Accident Investigation Staff Report ("Staff Report") dated February 1, 2017, attached hereto as an Appendix. According to Owen Electric's Utility Summary Report,¹ Brian Noel, an Owen Electric service technician, sustained injuries as a result of being hit by a tree in the course of resolving an outage situation. On the evening of January 20, 2017, Mr. Noel along with

¹ The Utility Summary Report was Attachment A to the Staff Report.

another Owen Electric service technician, Joe Schmiade, were responding to an outage report at Lower River Road in Burlington, Kentucky. Upon their arrival at 11734 Lower River Road, the two Owen Electric employees discovered that four trees had fallen onto the two-phase, 1/0 ACSR primary line at that location. Although the lines were intact, they were sagging under the weight of the trees. The Owen Electric technicians began to clear the trees from the primary line and were able to remove two of the trees from the line. After cutting several short sections of the two trees that remained on the lines, the Owen Electric technicians connected a chain and hoist to a cherry tree that was on the line in an unsuccessful attempt to pull the cherry tree off the line. Messrs. Noel and Schmiade then attempted to remove a sycamore limb off the line while the hoist was still attached to the cherry tree. The technicians had blocked out short sections of the cherry tree in order to get the top section of the tree off the line. The technicians were unsuccessful in doing so even after the butt section was cut and the cherry tree was no longer touching the ground. The technicians then attempted to push the bottom of the sycamore tree under the line so that the top of the tree would come off of the conductors. That attempt was unsuccessful. Mr. Noel made a second attempt to push the limb of the sycamore tree away from the line and, upon doing so, the limb came free and struck Mr. Noel on the right shoulder. Mr. Noel sustained two broken ribs, a fractured right scapula, and a chipped vertebra. Mr. Noel was transported by ambulance to the University of Cincinnati Medical Center for medical treatment and was discharged on January 23, 2017.

Based on its review of the Staff Report and being otherwise sufficiently advised, the Commission finds that *prima facie* evidence exists that, based on the acts or

omissions of the Owen Electric technicians in failing to conduct and file a written job briefing, Owen Electric has failed to comply with KRS 278.042 and the 2012 edition of the NESC. The Commission further finds that *prima facie* evidence exists that, based on the acts or omissions of the two Owen Electric technicians in failing to conduct and file a written job briefing, Owen Electric was in violation of its own Safety Manual. Specifically, the Commission finds that Owen Electric appears to have violated the following provisions of the 2012 NESC and Owen Electric's Safety Manual:

NESC General Rules Regarding General Operating Routines

1. NESC Section 42, Rule 421.A – General Rules for Employees – General Operating Routines: 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.
3. Make all the necessary records and reports, as required.
- ...
6. Conduct a job briefing with the employees involved before beginning each job. A job briefing should include at least the following items: work procedures, personal protective equipment requirements, energy source controls, hazards associated with the job, and special precautions.

Owen Electric Safety Manual Regarding Job Briefings

2. Section 11, 1105 – Training – Job Briefings:
 - a. In order to ensure the safety of OEC employees, its contractors, and the general public, job briefings are required at the start of each job, when significant changes in the job occur, and each day the job is worked.
 - b. The Crew Leader shall have a brief tailgate session with the affected crew before leaving the

warehouse to ensure that the proper equipment and material is in possession for the job to be worked.

c. The Crew Leader/Person in Charge on the job shall have a job briefing with employees in the crew before the job has begun, and document the briefing on the Owen Electric job briefing compliance checklist.

d. The Crew Leader/Person in Charge shall outline the hazards of the job, the procedures the crew will use to complete the task, special precautions, energy source controls and all personal protective equipment required to perform the job in a safe manner. Additional job briefings may be required if significant changes in the job are encountered.

e. Any OEC employee that initially comes into a line construction or maintenance worksite shall notify the person in charge that they are on site. The person in charge shall ensure that the employee entering the worksite is familiar with the type work taking place and the potential hazards that are present. The employee entering the worksite shall print and sign the crew job briefing form.

f. Those employees working alone need not conduct a job briefing; however, those employees must be aware that the possible energy controls used may affect other personnel and are required to follow OEC's Lock Out/Tag Out Program.

g. The Crew Leader/Person in Charge and all affected employees shall sign and date the job briefing form, indicating that an adequate job briefing was conducted with the crew.

h. Job briefing compliance checklists shall be attached to the corresponding job order, work order, service order, or outage number, and sent in to your supervisor with all other documentation.

The Commission further finds that a formal investigation into the incident that is the subject matter of the Staff Report should be conducted and that this investigation should also examine the adequacy, safety, and reasonableness of Owen Electric's practices related to the construction, installation, and repair of electric facilities.

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

1. Owen Electric shall submit to the Commission a written response to the allegations contained in the Staff Report within 20 days of the date of this Order.

2. Owen Electric shall appear on July 6, 2017, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky, for the purposes of presenting evidence concerning the alleged violation of KRS 278.042, the 2012 edition of the NESC, and Owen Electric's Safety Manual and showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for the alleged violation.

3. The July 6, 2017 hearing shall be recorded by digital video recording only.

4. The Staff Report in the Appendix to this Order is made a part of the record in this case.

5. At the scheduled hearing in this matter, Owen Electric shall also present evidence on the adequacy, safety, and reasonableness of its practices related to the construction, installation, and repair of electric facilities as they relate to the facts of this case and whether such practices require revision as related to this incident.

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

ENTERED
MAR 21 2017
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2017-00121 DATED **MAR 21 2017**



Matthew G. Bevin
Governor

Charles G. Snively
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Daniel E. Logsdon Jr.
Vice Chairman

Robert Cicero
Commissioner

ACCIDENT INVESTIGATION STAFF REPORT

Report Date: February 1, 2017

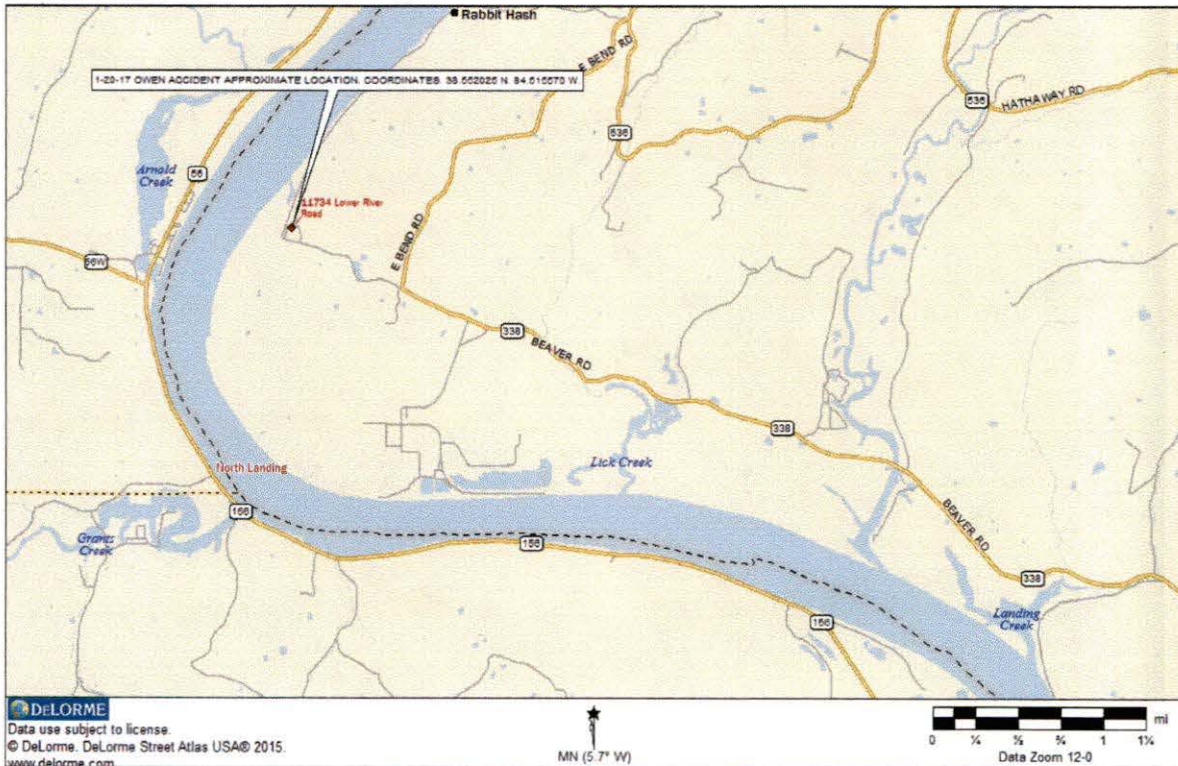
Accident Date: January 20, 2017

Serving Utility: Owen Electric Cooperative

Accident Location: 11734 Lower River Road, Burlington, Kentucky

Accident Victim: Brian Noel

PSC Investigator: Steve Kingsolver





Matthew G. Bevin
Governor

Charles G. Snively
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Robert Cicero
Vice Chairman

Daniel E. Logsdon Jr.
Commissioner

Electric Utility Employee Injury Accident Report

Utility: Owen Electric Cooperative (Owen)

Reported By: Tony Dempsey, Owen Safety Director

Incident Occurred: Approximately 10:00PM, January 20, 2017

Utility Discovered: Approximately 10:00PM, January 20, 2017

PSC Notified: Approximately 10:26AM, January 21, 2017
Owen was made aware that the victim was admitted to the hospital, making this a reportable accident, at approximately 9:06AM EST on January 21, 2017

Summary Report Received: January 27, 2017

Incident Description:

This accident is an employee injury accident involving an Owen Electric employee. The 2-man crew was working to remove trees from a 2-phase primary circuit. The circuit had been locked out (de-energized) because of the trees on the conductors. This crew had been dispatched to identify and correct the outage cause. The crew was in the process of removing trees at the time of this accident. Both crew members were working on the ground at the time of this accident. The victim, Brian Noel, was pushing on the butt of a tree that was suspended on the conductors. When the tree became free from the conductors, the butt of the tree struck the victim on the right shoulder knocking him to the ground. The victim sustained a fractured right scapula, two broken ribs and a chipped vertebra. The victim was transported by ambulance to the University of Cincinnati Medical Center where he was admitted.

Information from Owen Electric points out that a documented job briefing was not completed. The person in charge did not fulfill his obligation. The information from Owen indicates that Joe Schmiade was the person in charge of this job.

The information in this report is 100 percent from Owen Electric. An on-site investigation was not performed as part of this accident review.

Victim:	Name:	Position:	Employer:
	Brian Noel	Service Technician	Owen

Age: 52

Injuries: The victim sustained a fractured right scapula, two broken ribs and a chipped vertebra.

Medical Facility: University of Cincinnati Medical Center where he was admitted.

Witnesses:	Name:	Position:	Employer:
	Joe Schmiade	Service Technician	Owen

NOTE: For employee statements from the Owen employees on the site of the accident. (See Attachment B)

Information from:	Name:	Position:	Employer:
	Tony Dempsey	Safety Director	Owen

Temp & Weather: Approximately 45° and calm

Other Conditions: Dark

FINDINGS:

The investigator has concluded from information provided by the utility that the Owen employees involved in this accident did not meet the following requirements set forth in the National Electrical Safety Code (NESC) and the Owen Safety Manual.

RELEVANT CODES, STATUTES, REGULATIONS, OR SAFETY MANUAL ISSUES THAT ARE PERTINENT TO THE INVESTIGATION

278.042 Service adequacy and safety standards for electric utilities
National Electrical Safety Code

- (1) For the purposes of this section, "NESC" means the National Electrical Safety Code as published by the Institute of Electrical and Electronics Engineers, Inc.
- (2) Except as otherwise provided by law, the commission shall, in enforcing service adequacy and safety standards for electric utilities, 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 NESC.

Effective: June 24, 2003

History: Created 2003 Ky. Acts Ch. 84, sec. 1, Effective June 24, 2003.

2012 National Electric Safety Code:
See 2012 NESC Code to view each rule in its entirety.

#1: National Electrical Safety Code

Part 4. Work Rules for the Operation of Electric
Supply and Communications Lines and
Equipment

Section 42. General rules for employees

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.
3. Make all the necessary records and reports, as required.

6. Conduct a job briefing with the employees involved before beginning each job. A job briefing should include at least the following items: work procedures, personal protective equipment requirements, energy source controls, hazards associated with the job, and special precautions.

RELATES TO: KRS 65.810, 74, 96.934, 220.510, 278, 49 C.F.R. Part 192, 49 U.S.C. 60105

STATUTORY AUTHORITY: KRS 278.230, 278.280(2), 49 C.F.R. 192

NECESSITY, FUNCTION, AND CONFORMITY: KRS 278.230(3) requires every utility to file with the commission reports, schedules, and other information that the commission requires. KRS 278.280(2) requires the commission to promulgate an administrative regulation for the performance of a service or the furnishing of a commodity by a utility. This administrative regulation establishes requirements that apply to electric, gas, water, sewage, and telephone utilities.

807 KAR 5:006 General Rules
Section 25: Safety Program

Section 25: Safety Program: Each utility shall adopt and execute a safety program, appropriate to the size and type of its operations. At a minimum, the safety program shall:

- (1) Establish a safety manual with written guidelines for safe working practices and procedures to be followed by utility employees.
- (2) Instruct employees in safe methods of performing their work. For electric utilities, this is to include the standards established in 807 KAR 5:041, Section 3.
- (3) Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation or drowning, in accepted methods of artificial respiration.

Owen Safety Manual: (Last Revision: 2-2014)
(January 20, 2017 Accident) (Victim: Noel)
See Owen Safety Manual to view each rule in its entirety.

#1: Owen Safety Manual:

Owen Safety Manual (Last Revision: 2-2014)

Section 11: TRAINING

1105: Job Briefings

- a. In order to ensure the safety of OEC employees, its contractors, and the general public, job briefings are required at the start of each job, when significant changes in the job occur, and each day the job is worked.
 - b. The Crew Leader shall have a brief tailgate session with the affected crew before leaving the warehouse, to ensure that the proper equipment and material is in possession for the job to be worked.
 - c. The Crew Leader/Person in Charge on the job shall have a job briefing with employees in the crew before the job has begun, and document the briefing on the Owen Electric job briefing compliance checklist.
 - d. The Crew Leader/ Person in Charge shall outline the hazards of the job, the procedures the crew will use to complete the task, special precautions, energy source controls and all personal protective equipment required to perform the job in a safe manner. Additional job briefings may be required if significant changes in the job are encountered.
 - e. Any OEC employee that initially comes into a line construction or maintenance worksite shall notify the person in charge that they are on site. The person in charge shall ensure that the employee entering the worksite is familiar with the type work taking place and the potential hazards that are present. The employee entering the worksite shall print and sign the crew job briefing form
 - f. Those employees working alone need not conduct a job briefing; however, those employees must be aware that the possible energy controls used may affect other personnel and are required to follow OEC's Lock Out/Tag Out Program.
 - g. The Crew Leader/ Person in Charge and all affected employees shall sign and date the job briefing form, indicating that an adequate job briefing was conducted with the crew.
 - h. Job briefing compliance checklists shall be attached to the corresponding job order, work order, service order, or outage number, and sent in to your supervisor with all other documentation.
-

Investigated By: _____ **Name:** _____ **Company:** _____
Steve Kingsolver KPSC

Signed: *Steve Kingsolver*

Date: *2-9-17*

- Attachments:**
- A. Utility Summary Report
 - B. Utility Additional Information
 - C. Accident Notification Information

Attachment A

Utility Summary Report

RECEIVED

January 24, 2017

JAN 27 2017

Public Service
Commission

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Ky 40602

Re: 1/20/2017 Employee Injury Accident

Dear Ms. Talina Mathews,

In regard to the employee injury accident that occurred at 10:00pm on 1/20/2017, we are submitting the following report.

Report

Brian Noel and Joe Schmiade, Owen Electric Service Technicians, were called out at 7:24pm to respond to an outage reported by Roscoe Bailey at 8326 Lower River Rd, Burlington Ky 41005. After arriving on location Brian and Joe found trees across the 2 phase, 1/0 ACSR primary line at 11734 Lower River Rd, Burlington Ky 41005. The lines were still intact and were sagged down due to the weight of the trees. They proceeded to clear the trees from the lines in order to get the lines in the clear. Brian and Joe had cut several short sections of the trees in an attempt to get the lines to rise up and clear any sections of trees that still remained on the lines. They had connected a chain and hoist to a cherry tree (TREE #2) that was on the line and tried to pull it off with no success. They kept the hoist attached to the tree while in the process of trying to remove the sycamore (TREE #1) limb from the line. They had blocked out short sections of tree #1 in order to try to get the top section off of the line, but it was still suspended on the line after the butt section was cut and it was no longer resting on the ground. Brian then attempted to push the butt of tree #1 under the line so that the top would come off of the conductors, but the limb did not come off at that time. Brian gave a second attempt to push the butt of the limb away from the line and that is when the limb came free and struck Brian on the right shoulder, knocking him to the ground.

It appears that when Brian pushed the section of tree #1 it also dislodged tree #2 and some other smaller sections, which resulted in all of them coming to the ground at once. It is possible that the side pull on the line from where the hoist was attached to tree #2 could have acted as a sling shot and forced tree #1 toward Brian after it came free. Brian suffered fractures of the right scapula from the impact of the limb and two broken ribs and a chipped vertebra that appear to have been caused from landing on a separate limb when he was knocked to the ground.

Brian was transported by ambulance to University of Cincinnati Medical Center where he was treated and kept for observation while waiting to be seen by an orthopedic specialist until being discharged on 1/23/17.

See Attachments: Attachment #1 Photos
Attachment #2 Location Map

Regards,

A handwritten signature in blue ink that reads "Tony Dempsey". The signature is stylized with a large, looping initial "D" and a long, sweeping underline.

Tony Dempsey
Manager of Safety
Owen Electric Cooperative

Photo #1

TREE #1



Photo #2



↑
Employee landed here after impact

↑
TREE #2

↑
Employee was here when he started moving limb

Photo #3

13



Employee Was Here After Impact

TREE #1



Photo #4

TREE #1



Photo #5

TREE #1



Photo #6



Photo #7



Photo #8

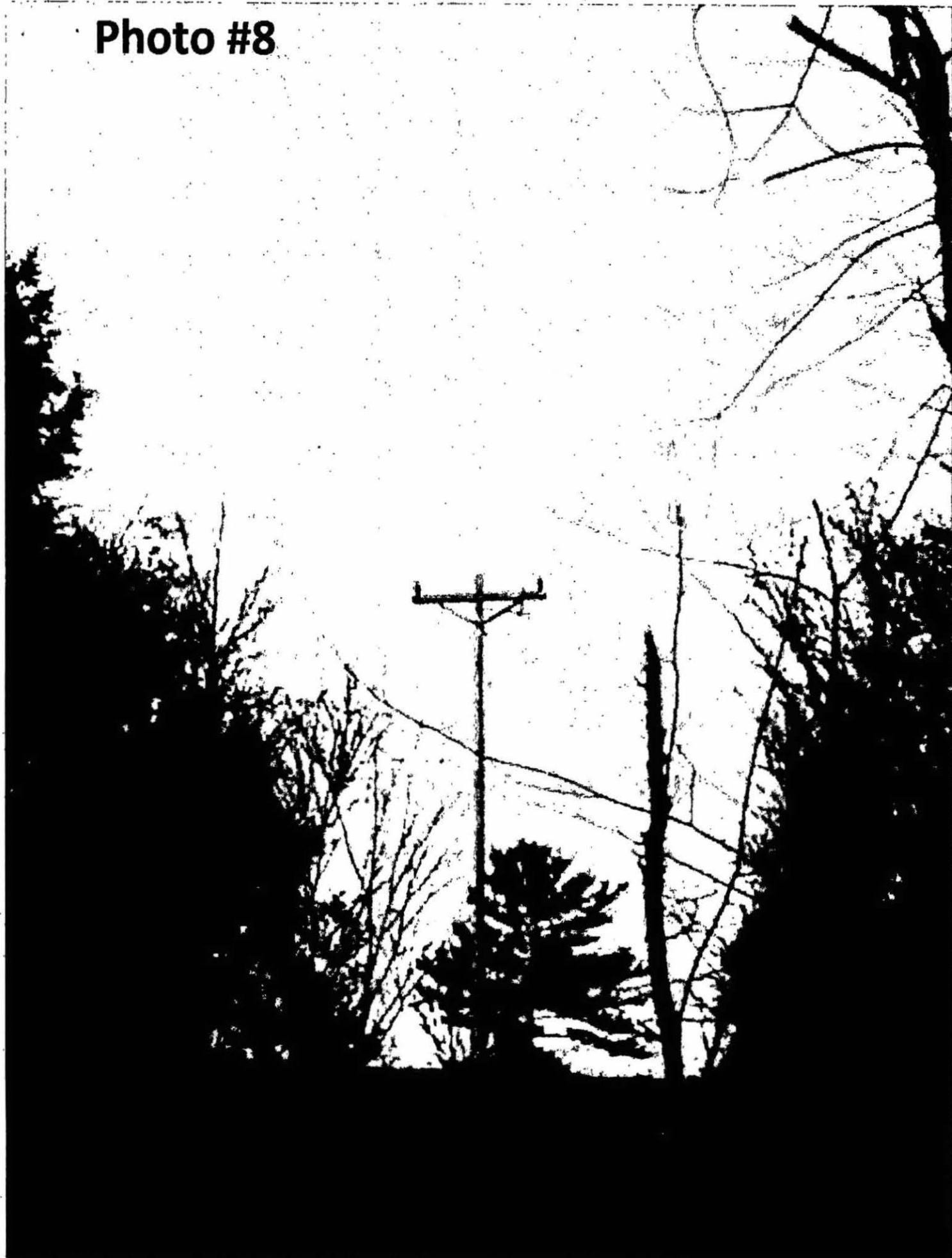
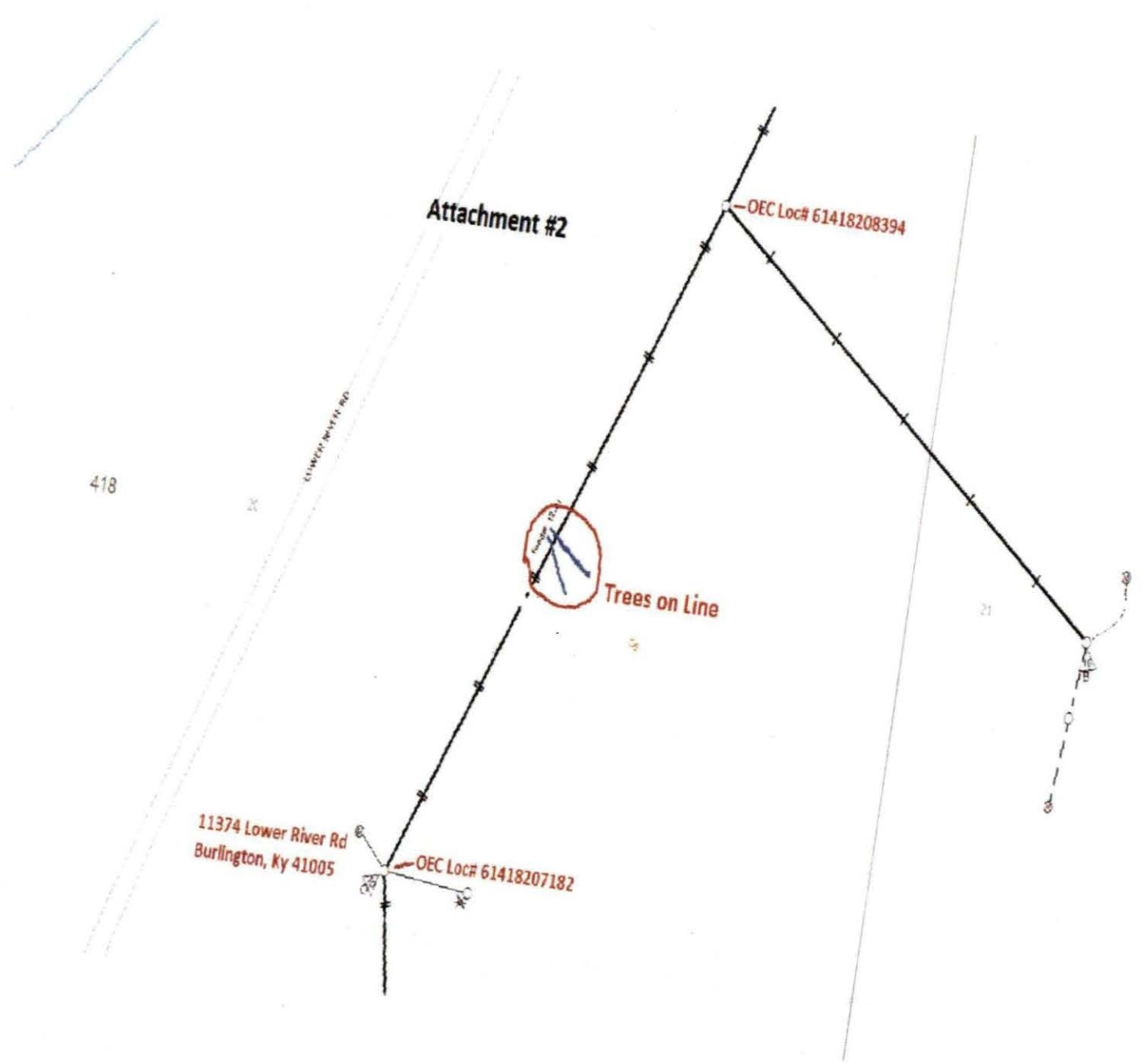


Photo #9





Attachment #2

OEC Loc# 61418208394

418

SUMMIT-WATER RD



Trees on Line

21

11374 Lower River Rd
Burlington, Ky 41005

OEC Loc# 61418207182

Attachment B

Utility Additional Information

Kingsolver, Steve R (PSC)

From: Tony Dempsey <tdempsey@owenelectric.com>
Sent: Monday, January 30, 2017 9:13 AM
To: Kingsolver, Steve R (PSC)
Subject: FW: Accident report - Brian Noel
Attachments: Schmiade report.pdf

Steve,

Here is the accident report in email format sent in from Brian Noel.
It was in my junk box and didn't know it.
Joe Schmiade's is also attached.

"Today I will do what others won't, so tomorrow I can accomplish what others can't.

Tony Dempsey
Manager of Safety
Owen Electric Cooperative
8205 Hwy 127N, P.O. Box 400
Owenton, KY 40359
Ofc. 502-563-3548
Cell 502-482-6249

-----Original Message-----

From: Cristal Noel [mailto:noel.cristal67@icloud.com]
Sent: Friday, January 27, 2017 8:42 AM
To: Tony Dempsey
Subject: [Junk released by User action] Accident report - Brian Noel

*** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email! ***

Arrived on site approximately 8:00 pm on January 20, 2017. Met Joe Schmiade at the site at which time he reported that there were several trees on the line. After some discussion and accessing the situation, we proceeded to start sawing on one of the cherry trees that had fallen on the line. After sawing for a few minutes, we could see that the tree was not going to come off of the line. We stopped and had another lengthy discussion on what to do next. So we got a chain and hoist and hooked the chain to the cherry tree which the top of the tree was hanging several feet over the other side of the line. We tried to hoist the tree back towards us to get it to move to get most of the weight to one side so that it would come off easily. We then proceeded to saw part of that tree and was successful at getting part of it off of the line. Then we released the hoist and unhooked the chains to make sure there was no tension left on the chain or any of the trees it was hooked to. Then we stopped and re-evaluated the situation again. This time we decided to go to work on the other tree which was a Sycamore tree. Joe was sawing the Sycamore tree off of the ground which caused the tree to move and pinch the saw. Once again we we had to re-evaluate and discuss what to do next. We went back to our trucks to call in for more help to bring more chainsaws. We then went back to the site and discussed what our next step would be. We worked on my saw and was able to take it apart, while still in the tree. After successfully removing everything but he chain from the tree, I remembered that I had a new chain on my truck. We were able to put the chain on my chainsaw and got it running again. Once again we discussed what was going to be our next move. Joe

was able to saw on the tree a little bit more to free my chain from the tree. After cutting and freeing my old chain, it left part of the Sycamore tree still hanging on the line. After more discussion and accessing once again the situation, we decided that we could maybe undercut the top of the Sycamore tree that was hanging on the line to see if we could take some of the weight off of it or free it from the lines. After cutting the tree, the tree started floating/teetering on the line back and forth. We then started to discuss what we should do next. I said to let me flip it off of the line since it was floating/teetering back and forth. Joe agreed and as I went to flip the tree it flung back staying on the line. So I grabbed it again and tried to flip it off this time it did fall off and when it did it must have shook the cherry trees behind me that we were working on previously. Shaking them off of the line releasing the tension from the wires caused the limb that I flipped off the line to hit me in the right shoulder.

Any questions just give Brian a call at 859-393-1219.

Sent from my iPhone

Brian Noel Statement:

Arrived on site approximately 8:00 pm on January 20, 2017. Met Joe Schmiade at the site at which time he reported that there were several trees on the line. After some discussion and accessing the situation, we proceeded to start sawing on one of the cherry trees that had fallen on the line. After sawing for a few minutes, we could see that the tree was not going to come off of the line. We stopped and had another lengthy discussion on what to do next. So we got a chain and hoist and hooked the chain to the cherry tree which the top of the tree was hanging several feet over the other side of the line. We tried to hoist the tree back towards us to get it to move to get most of the weight to one side so that it would come off easily. We then proceeded to saw part of that tree and was successful at getting part of it off of the line. Then we released the hoist and unhooked the chains to make sure there was no tension left on the chain or any of the trees it was hooked to. Then we stopped and re-evaluated the situation again. This time we decided to go to work on the other tree which was a Sycamore tree. Joe was sawing the Sycamore tree off of the ground which caused the tree to move and pinch the saw. Once again we had to re-evaluate and discuss what to do next. We went back to our trucks to call in for more help to bring more chainsaws. We then went back to the site and discussed what our next step would be. We worked on my saw and was able to take it apart, while still in the tree. After successfully removing everything but the chain from the tree, I remembered that I had a new chain on my truck. We were able to put the chain on my chainsaw and got it running again. Once again we discussed what was going to be our next move. Joe was able to saw on the tree a little bit more to free my chain from the tree. After cutting and freeing my old chain, it left part of the Sycamore tree still hanging on the line. After more discussion and accessing once again the situation, we decided that we could maybe undercut the top of the Sycamore tree that was hanging on the line to see if we could take some of the weight off of it or free it from the lines. After cutting the tree, the tree started floating/teetering on the line back and forth. We then started to discuss what we should do next. I said to let me flip it off of the line since it was floating/teetering back and forth. Joe agreed and as I went to flip the tree it flung back staying on the line. So I grabbed it again and tried to flip it off this time it did fall off and when it did it must have shaken the cherry trees behind me that we were working on previously. Shaking them off of the line releasing the tension from the wires caused the limb that I flipped off the line to hit me in the right shoulder.

Any questions just give Brian a call at 859-393-1219.

On Friday, January 20, 2017 at around 7:00 p.m., I received an outage call for Lower River Road. While in route, dispatch reported that trees were reported on the line. Upon arrival at 11734 Lower River road I found four trees were on the line.

When Brian arrived we assessed the situation. We decided to cut tree #1 first, we stopped several times in the whole process to reassess the situation. We then cut tree #2 and at this point tree #1 and tree #2 were now out of the way.

We discussed tree #3, we started blocking out. We stopped and discussed the tree was floating on the line and decided to try to take pole saw and cut some of the overhang off of tree # 3. At that point Brian's pole saw got hung in the limb and the saw ended up breaking. We then decided putting a chain and hoist and pulling back off the line. We pulled 4-6 feet back at which time we decided it was not doing what we wanted it to do.

After discussion we decided to cut the limb off of the sycamore tree that caused the whole problem. I blocked 3-4 blocks at which time the remaining part began to float. We stopped and discussed again, at this time we decided to pull limb off of the line. Brian went and flipped the limb, it moved a little so he pulled again.

Limb being pulled caused conductors to become unlodged under Tree #3 which caused the limb from tree #4 to hit Brian.

Joe Schmiede
1-25-17

Kingsolver, Steve R (PSC)

From: Tony Dempsey <tdempsey@owenelectric.com>
Sent: Friday, January 27, 2017 2:20 PM
To: Kingsolver, Steve R (PSC)
Subject: RE: Brian Noel Accident 1-20-17

Yes

"Today I will do what others won't, so tomorrow I can accomplish what others can't.

**TONY DEMPSEY
MANAGER OF SAFETY
OWEN ELECTRIC COOPERATIVE**

8205 Hwy 127N, P.O. Box 400
Owenton, KY 40359
Ofc. 502-563-3548
Cell 502-482-6249

From: Kingsolver, Steve R (PSC) [mailto:Steve.Kingsolver@ky.gov]
Sent: Friday, January 27, 2017 2:19 PM
To: Tony Dempsey
Subject: RE: Brian Noel Accident 1-20-17

***** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email! *****

Per our conversation earlier: Does Owen require a documented job briefing on all jobs? (regular time and overtime)

From: Tony Dempsey [mailto:tdempsey@owenelectric.com]
Sent: Friday, January 27, 2017 2:14 PM
To: Kingsolver, Steve R (PSC) <Steve.Kingsolver@ky.gov>
Subject: RE: Brian Noel Accident 1-20-17

Steve

There was not a documented job briefing on this job.
The two employees there conducted verbal briefings throughout the job as the conditions changed.

"Today I will do what others won't, so tomorrow I can accomplish what others can't.

TONY DEMPSEY

**MANAGER OF SAFETY
OWEN ELECTRIC COOPERATIVE**

8205 Hwy 127N, P.O. Box 400
Owenton, KY 40359
Ofc. 502-563-3548
Cell 502-482-6249

From: Kingsolver, Steve R (PSC) [<mailto:Steve.Kingsolver@ky.gov>]
Sent: Friday, January 27, 2017 2:04 PM
To: Tony Dempsey
Subject: Brian Noel Accident 1-20-17

***** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email! *****

Tony,

Was a documented (written) job briefing completed on the job where this accident took place?

Steve Kingsolver
Utility Regulatory & Safety Investigator
Public Service Commission
Cell: 502-229-0035

Attachment C

Accident Notification Information

Kingsolver, Steve R (PSC)

From: PSC - Utility Electric Notifications
Sent: Saturday, January 21, 2017 10:27 AM
To: Kingsolver, Steve R (PSC); Moore, Jeffrey C (PSC); Rhodes, Jim R (PSC); Morris, Scott A (PSC); Rice, James D (PSC); Melnykovich, Andrew (PSC); Raff, Richard G (PSC); Logsdon, Dan (PSC); Greenwell, Aaron D (PSC); Cicero, Robert (PSC); Schmitt, Michael J (PSC); Mathews, Talina R (PSC); Lyons, John (PSC); Whisman, Jason (PSC)
Subject: FW: Injury incident

From: Tony Dempsey
Sent: Saturday, January 21, 2017 10:26:51 AM (UTC-05:00) Eastern Time (US & Canada)
To: PSC - Utility Electric Notifications
Subject: Injury incident

To whom it may concern,

Owen Electric Cooperative experienced an employee injury accident on the night of 1/20/17 when a down tree he was trimming sprung around, striking him on the back of the shoulder, causing fractures. The employee was transported and received emergency medical treatment. I received word at 9:06am 1/21/17 that the employee was going to be admitted to the hospital. It is undetermined at this time as to the length of stay, but this has the potential of being a qualifying event.

Tony Dempsey
Manager of Safety
Owen Electric Cooperative
8205 Hwy 127N, P.O. Box 400
Ofc. 502-563-3548
Cell 502-482-6249

Kingsolver, Steve R (PSC)

From: PSC - Utility Electric Notifications
Sent: Saturday, January 21, 2017 2:37 PM
To: Kingsolver, Steve R (PSC); Moore, Jeffrey C (PSC); Rhodes, Jim R (PSC); Morris, Scott A (PSC); Rice, James D (PSC); Melnykovich, Andrew (PSC); Raff, Richard G (PSC); Logsdon, Dan (PSC); Greenwell, Aaron D (PSC); Cicero, Robert (PSC); Schmitt, Michael J (PSC); Mathews, Talina R (PSC); Lyons, John (PSC); Whisman, Jason (PSC)
Subject: FW: Injury incident

From: Tony Dempsey
Sent: Saturday, January 21, 2017 2:37:22 PM (UTC-05:00) Eastern Time (US & Canada)
To: PSC - Utility Electric Notifications
Subject: RE: Injury incident

In regards to my prior notification, our employee will be staying overnight in the hospital, therefore making this a qualifying event.

"Today I will do what others won't, so tomorrow I can accomplish what others can't.

Tony Dempsey
Manager of Safety
Owen Electric Cooperative
8205 Hwy 127N, P.O. Box 400
Owenton, KY 40359
Ofc. 502-563-3548
Cell 502-482-6249

-----Original Message-----

From: Tony Dempsey
Sent: Saturday, January 21, 2017 10:27 AM
To: PSC.Electric.Notice@ky.gov
Subject: Injury incident

To whom it may concern,

Owen Electric Cooperative experienced an employee injury accident on the night of 1/20/17 when a down tree he was trimming sprung around, striking him on the back of the shoulder, causing fractures. The employee was transported and received emergency medical treatment. I received word at 9:06am 1/21/17 that the employee was going to be admitted to the hospital. It is undetermined at this time as to the length of stay, but this has the potential of being a qualifying event.

Tony Dempsey
Manager of Safety

Kingsolver, Steve R (PSC)

From: Kingsolver, Steve R (PSC)
Sent: Saturday, January 21, 2017 5:10 PM
To: PSC - Utility Electric Notifications
Subject: Owen Accident Reported Today.

I called Tony Dempsey at approximately 5:00PM today. No other information available.

Summary report will follow.

A site visit is not needed at this time. After review of the summary report that could change.

Steve Kingsolver

Sent from my iPhone

*Owen Electric Cooperative, Inc.
8205 Highway 127 North
P. O. Box 400
Owenton, KY 40359

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Owenton, KY 40359