CASE NUMBER:

99-142

KY. PUBLIC SERVICE COMMISSION

Index for Case: 1999-00142 AS OF : 05/03/02

Clark Energy Cooperative, Inc.

Investigation - Service

Regular

STURGELL FATALITY

In the Matter of Clark Energy Cooperative, Inc. Failure to Comply with Commission Regulation 807 KAR 5:041, Section 3(1).

SEQ NBR		Date	Remarks
1		04/22/99	Show Cause Order; resp. to allegations due 5/12/99; hearing sched. on 5/20/99.
2	(M)	05/11/99	REQUEST FOR EXT. OF TIME & FOR AN INFORMAL CONFERENCE (CLARK ENERGY COOP ROBERT L. ROSE)
3		05/17/99	Order ent.; resp.to 4/22 Order now due 5/24;hearing cancelled;IC sch.on 6/3.
4	(M)	05/24/99	ANSWER TO PSC ORDER CONCERNING ALLIGATIONS CONTAINED IN INVESTIGATION (CLARK ENERGY ROBERT ROSE)
5		07/13/99	IC memo sent to parties; comments, if any, due 7/21/99.
6		08/06/99	Stipulation of Facts and Agreement/holds case in abeyance.
7		08/24/99	Order holding case in abeyance until further Order of the Commission.
8		04/26/02	Final Order adopting and approving the Settlement Agreement.
9	(M)	05/02/02	$3,500.00 penalty fine
10		05/03/02	Receipt for payment of penalty

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.	)	
	)	CASE NO. 1999-00142
	)	
FAILURE TO COMPLY WITH COMMISSION REGULATION 807 KAR 5:041, SECTION 3(1)	)	

RECEIPT OF PAYMENT

This is to acknowledge receipt of one check in the amount of $3,500.00 payable to Treasurer, Commonwealth of Kentucky, from Clark Energy Cooperative. This represents full payment of the penalty assessed against them in the above-styled action.

Stephanie Bell
Secretary of the Commission
Dated 5/3/02

hv

Overt L. Carroll
President/general Manager
Clark Energy Cooperative, Inc.
P. O. Box 748
2640 Ironworks Road
Winchester, KY 40392-0748

Honorable Robert L. Rose
Attorney at Law
Grant, Rose & Pumphrey
51 South Main Street
Winchester, KY 40391

This is the Service List for Case 1999-00142

Paul E. Patton, Governor

Janie A. Miller, Secretary
Public Protection and
Regulation Cabinet

Thomas M. Dorman
Executive Director
Public Service Commission

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
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Martin J. Huelsmann
Chairman

Gary W. Gillis
Vice Chairman

Robert E. Spurlin
Commissioner

Overt L. Carroll
President/general Manager
Clark Energy Cooperative, Inc.
P. O. Box 748
2640 Ironworks Road
Winchester, KY 40392-0748

CERTIFICATE OF SERVICE

RE: Case No. 1999-00142
Clark Energy Cooperative, Inc.

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on April 26, 2002.

Stephanie D. Bell

Secretary of the Commission

SB/hv
Enclosure

Paul E. Patton, Governor

Janie A. Miller, Secretary
Public Protection and
Regulation Cabinet

Thomas M. Dorman
Executive Director
Public Service Commission

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Vice Chairman

Robert E. Spurlin
Commissioner

Honorable Robert L. Rose
Attorney at Law
Grant, Rose & Pumphrey
51 South Main Street
Winchester, KY 40391

CERTIFICATE OF SERVICE

RE: Case No. 1999-00142
Clark Energy Cooperative, Inc.

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on April 26, 2002.

Stephanie D. Bell

Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.	)	
	)	CASE NO. 1999-00142
	)	
FAILURE TO COMPLY WITH COMMISSION REGULATION 807 KAR 5:041, SECTION 3(1)	)	

O R D E R

On April 22, 1999, the Commission directed Clark Energy Cooperative, Inc. ("Clark Energy") to show cause why it should not be penalized pursuant to KRS 278.990(1) for its alleged violations of Commission Regulation 807 KAR 5:041, Section 3. Upon Clark Energy's motion, the Commission ordered this proceeding to be held in abeyance pending the outcome of judicial proceedings regarding the Commission's authority to assess a penalty against a utility for the failure of its contractors to operate and maintain the utility's facilities in accordance with Commission regulations.

After the courts ascertained the scope and nature of utility liability, Clark Energy and Commission Staff entered into negotiations to resolve all outstanding issues in this proceeding. On March 7, 2002, they executed a Settlement Agreement, appended hereto, and jointly moved for Commission approval of that Agreement.

Upon review of the Settlement Agreement and consideration of the circumstances surrounding the January 11, 1999 incident, the Commission finds that

the Settlement Agreement is in accordance with the law, does not violate any regulatory principle, results in a reasonable resolution of this case, and is in the public interest.

IT IS THEREFORE ORDERED that:

1. The Settlement Agreement, appended hereto, is incorporated into this Order as if fully set forth herein.

2. The terms and conditions of the Settlement Agreement are adopted and approved.

3. Within 10 days of the date of this Order, Clark Energy shall pay to the Commonwealth of Kentucky the sum of $3,500. This payment shall be in the form of a cashier's check made payable to "Treasurer, Commonwealth of Kentucky" and shall be mailed or delivered to the Office of General Counsel, Public Service Commission of Kentucky, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40602.

4. Upon the payment of the assessed penalty as described above, this case shall be removed from the Commission's docket.

Done at Frankfort, Kentucky, this 26th day of April, 2002.

By the Commission

ATTEST:

Executive Director

APPENDIX TO AN ORDER OF THE

KENTUCKY PUBLIC SERVICE COMMISSION

IN CASE NO. 1999-00142

DATED April 26, 2002

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.)		
_____)	CASE NO. 99-142	
)		
ALLEGED VIOLATION OF)		
COMMISSION REGULATION)		
807 KAR 5:041, SECTION 3		

SETTLEMENT STIPULATIONS

This AGREEMENT is made and entered into this 27th day of March, 2002, by and between the Staff of the Public Service Commission of Kentucky ("Commission Staff") and Clark Energy Cooperative, Inc. (" Clark Energy").

WITNESSETH:

WHEREAS, Clark Energy is a Kentucky corporation, organized pursuant to KRS Chapter 279, engaged in the distribution of electricity to the public for compensation for lights, heat, power, and other uses, and is a utility subject to Commission jurisdiction pursuant to KRS 278.010; and

WHEREAS, on January 11, 1999, Albert Sturgell was injured as he installed Clark Energy's electric distribution facilities in Montgomery County, Kentucky; and

WHEREAS, at the time of the incident, James Maynard was the first line supervisor at the work site; and

WHEREAS, at the time of the incident, Albert Sturgell and James Maynard were employees of Davis H. Elliot Company, Inc. and were acting within the scope of their employment; and

WHEREAS, at the time of the incident, Davis H. Elliot Company, Inc. was performing construction and maintenance activities pursuant to its "Distribution Line Extension Construction Contract" with Clark Energy; and

WHEREAS, Commission Staff investigated the incident, and, on January 28, 1999, issued its Utility Accident Investigation Report; and

WHEREAS, in its Utility Accident Investigation Report, Commission Staff found that Albert Stergell and James Maynard had violated certain provisions of the National Electrical Safety Code (1990 Edition) ("NESC"); and

WHEREAS, on April 22, 1999, the Public Service Commission entered an Order establishing this case and directing Clark Energy to show cause why it should not be subject to the penalties under KRS 278.990(1) relating to this incident; and

WHEREAS, on May 24, 1999, Clark Energy, by counsel filed its response to the Commission's Order of April 22, 1999; and

WHEREAS, Clark Energy recognizes and acknowledges that National Electrical Safety Code, Section 42,420.4 requires tools, protective equipment, and safety straps to be used by employees in connection with their work, and Clark Energy further recognizes and acknowledges that National Electrical Safety Code, Section 42, 421A requires that the first level supervisor to adopt such precautions within his authority to prevent accidents and to see that the safety rules and operating procedures were observed by the employees under his direction, and

WHEREAS, Clark Energy and Commission Staff desire to settle the issues raised by this proceeding and have entered into this Settlement Agreement through compromise to settle this proceeding.

NOW, THEREFORE, Clark Energy and Commission Staff agree that:

1. Within 10 days after the entry of an Order approving this Settlement Agreement, Clark Energy shall pay to the Commonwealth of Kentucky the sum of Three Thousand Five Hundred Dollars ($3,500.00). This payment shall be in the form of a cashier's check made payable to "Treasurer, Commonwealth of Kentucky" and shall be mailed or delivered to the Office of General Counsel, Public Service Commission of Kentucky, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40602.

2. Nothing contained herein shall be construed as an admission of a willful violation of any federal or state statute or

any provision of an administrative regulation, nor shall the Public Service Commission's acceptance of this agreement be construed as a finding of a willful violation of any statute, administrative regulation, or any provision of NESC. This Settlement Agreement shall not be used for any purpose in any subsequent legal or administrative proceeding (other than a proceeding by the Commission to enforce the terms of this Settlement Agreement), and Clark Energy shall not be preluded or stopped from raising any issue, claim, or defense therein by reason of the execution of this Settlement Agreement.

3. This Agreement is subject to the acceptance of and approval by the Public Service Commission. If this settlement is accepted by an Order of the Public Service Commission, the parties agree not to request rehearing or to file an appeal of that Order in the Franklin Circuit Court.

4. Commission Staff shall recommend to the Public Service Commission that this Settlement Agreement be accepted and approved.

5. If the Public Service Commission fails to accept and approve this Settlement Agreement in its entirety, this proceeding shall go forward and neither the terms of this Settlement Agreement nor any matters raised during settlement negotiations shall be on either signatory or be construed against either Clark Energy or Commission Staff.

6. Upon approval of this Settlement Agreement by the Public Service Commission, Clark Energy waives a formal hearing for all

purposes and stipulates that an Order may be entered in this case incorporating this settlement.

IN WITNESS WHEREOF, Clark Energy and Commission Staff have executed this Settlement Agreement the day and year first above written by and through their duly authorized attorneys.

STAFF OF PUBLIC SERVICE COMMISSION OF KENTUCKY

BY: Angela H. Curry

TITLE: Staff Attorney

CLARK ENERGY COOPERATIVE, INC.

BY: [signature]

TITLE: Pres & CEO

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

August 24, 1999

Overt L. Carroll
President/General Manager
Clark Energy Cooperative, Inc.
P. O. Box 748
2640 Ironworks Road
Winchester, KY. 40392 0748

Honorable Robert L. Rose
Attorney for Clark Energy
Grant, Rose & Pumphrey
51 South Main Street
Winchester, KY. 40391

RE: Case No. 99-142

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.	)	
	)	CASE NO. 99-142
	)	
FAILURE TO COMPLY WITH COMMISSION REGULATION 807 KAR 5:041, SECTION 3(1)	)	

O R D E R

The Commission, having considered the Stipulation of Facts and Agreement entered into by Clark Energy Cooperative, Inc. and Staff and the recommendation therein that this case be held in abeyance until a final nonappealable judicial decision on the issue of a utility's liability for the acts or omissions of an independent contractor, HEREBY ORDERS that this case be held in abeyance until further Order of the Commission.

Done at Frankfort, Kentucky, this 24th day of August, 1999.

By the Commission

ATTEST:

Executive Director

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KENTUCKY 40602
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Fax (502) 564-3460

Paul E. Patton
Governor

Ronald B. McCloud, Secretary
Public Protection and
Regulation Cabinet

Helen Helton
Executive Director
Public Service Commission

August 6, 1999

AUG 16 1999

GENERAL COUNSEL

Ms. Helen C. Helton
Executive Director
Public Service Commission
730 Schenkel Lane
Frankfort, Kentucky 40601

Re: Case No. 99-142
Clark Energy Cooperative, Inc.

Dear Ms. Helton:

Attached please find a Stipulation of Facts and Agreement for filing in the above-referenced case. This Stipulation has been properly executed for the purpose of holding this case in abeyance until a final decision is reached in the Court of Appeals regarding contractor liability.

Thank you for your attention to this matter.

Sincerely,

Richard G. Raff
Staff Attorney

fb

Attachment

cc: Hon. Robert L. Rose

EDUCATION PAYS

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.	)	
	)	CASE NO. 99-142
	)	
FAILURE TO COMPLY WITH COMMISSION REGULATION 807 KAR 5:041, SECTION 3(1)	)	

STIPULATION OF FACTS AND AGREEMENT

By Order dated April 22, 1999, the Commission initiated this proceeding to allow Clark Energy Cooperative, Inc. ("Clark Energy") an opportunity to show cause why it should not be subject to the penalties provided under KRS 278.990 for an alleged violation of Commission Regulation 807 KAR 5:041, Section 3(1). The alleged violation arose from an accident on January 11, 1999 in Montgomery County, Kentucky resulting in fatal injuries to an employee of the Davis H. Elliott Company ("Davis Elliott"). Clark Energy had entered into a distribution line extension construction contract with Davis Elliott, who was classified under the contract as an independent contractor.

An informal conference was held at the Commission's offices on June 3, 1999. As a result of discussions held at the conference, Clark Energy and Staff agree as follows:

1. The facts and circumstances surrounding the January 11, 1999 accident are accurately described and set forth in the Staff's Accident Investigation Report, Appendix A to the Commission's April 22, 1999 Order.

2. Clark Energy maintains that it is not legally responsible for the acts or omissions of its independent contractors and, therefore, such acts or omissions cannot

be attributable to Clark Energy for purposes of proceeding under KRS 278.990 for probable violations of Commission regulations.

3. Staff maintains that KRS 278.990(1) mandates that a utility is responsible for the acts or omissions of any person who is acting for that utility and, therefore, a utility can be penalized when the utility's independent contractor violates a Commission regulation.

4. There is now pending before the Kentucky Court of Appeals the question of a utility's liability under KRS 278.990 for the acts or omissions of an independent contractor, Public Service Commission v. Jackson County Rural Electric Cooperative Corporation, No. 1998-CA-002609. In recognition that the contractor liability issue will be determined in that case, Clark Energy and Staff agree and recommend to the Commission that this show cause case should be held in abeyance until a final, nonappealable judicial decision is rendered in the above-referenced case.

AGREED TO BY:

Robert L. Rose — August 3, 1999
Robert L. Rose — Date

Richard G. Raff — August 6, 1999
Richard G. Raff — Date

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
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Paul E. Patton
Governor

Ronald B. McCloud, Secretary
Public Protection and
Regulation Cabinet

Helen Helton
Executive Director
Public Service Commission

July 13, 1999

Mr. Overt L. Carroll
President/General Manager
Clark Energy Cooperative, Inc.
P. O. Box 748
2640 Ironworks Road
Winchester, Kentucky 40392

Hon. Robert L. Rose
Grant, Rose & Pumphrey
51 South Main Street
Winchester, Kentucky 40391

Re: Case No. 99-142

Gentlemen:

Attached is a copy of the memorandum which is being filed into the record of the above-referenced case. If you have any comments that you would like to make regarding the contents of the informal conference memorandum, please do so within five days of receipt of this letter. Should you have any questions regarding same, please contact Richard Raff at (502) 564-3940, Extension 260.

Sincerely,

Helen C. Helton
Executive Director

Attachment

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Main Case File 99-142

FROM: Richard G. Raff

DATE: July 13, 1999

RE: Clark Energy

Upon the motion of Clark Energy, an informal conference was held at the Commission's offices on June 3, 1999. A list of the attendees is attached hereto.

Representatives of Clark Energy and the Commission Staff discussed the facts and circumstances leading up to the accident and probable violations cited in the Commission's April 22, 1999 Order. Since this case involves the issue of a utility's liability for acts or omissions of an independent contractor, and that issue is already pending judicial review at the Kentucky Court of Appeals, Clark Energy and Staff agreed to enter into a Stipulation of the operative facts and to recommend that the Commission hold this case in abeyance pending judicial resolution of the contractor liability issue.

Attachment

Clark Energy Case No. 99-142

6/3/99

RICHARD RAFF	PSC-LEGAL
Robert L Rose	Clark Engy - Attorney
PAUL G. Embs	Clark Energy
Scott Sidwell	Clark Energy
MARTHA M. MORTON	PSC - ENGINEERING
John W Lard	PSC-Engineering

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
CASE NO. 99-142

IN RE: THE MATTER OF
CLARK ENERGY COOPERATIVE, INC.

ANSWER TO PUBLIC SERVICE COMMISSION'S ORDER

* * * * * * * * *

Comes Clark Energy Cooperative, Inc. ("Clark Energy"), by and through counsel, and for their written response to the allegations contained in the Utility Accident Investigation Report and the probable violations found by the P.S.C. under the Commission's regulations, herein states as follows:

STATEMENT OF FACTS

On May 18, 1998, Clark Energy entered into, with Davis H. Elliott Company, Inc., a distribution line extension construction contract. The contract provided that Davis H. Elliott Company, Inc. shall be an independent contractor and shall not be considered an employee of Clark Energy.

At approximately 3:00 p.m. on January 11, 1999, Clark Energy was notified of an accident that occurred in Montgomery County and which result in the fatality of a Davis H. Elliott Company, Inc. employee. The details and facts concerning the circumstances surrounding the accident and a description of the accident itself are found in the Accident Investigation Report and has made been a part of the record of this case.

LEGAL ARGUMENT

The Public Service Commission, in the Order dated April 22, 1999, set forth two probable violations of the Public Service Commission regulations. Those regulations, as cited by the Commission, include 807 KAR 5:041 §3(1) and 807 KAR 5:041 §3(1).

The violation of Section 807 KAR 5:041 §3(1) states that Clark Energy failed to comply with Rule 420.H of the National Electric Safety Code as a result of Mr. Sturgell's failure to wear personal protective equipment and protective devices consisting of rubber gloves and sleeves. Furthermore, the Commission alleges that Clark Energy violated 807 KAR 5:041 §3(1) of the National Electric Safety Code Rule 421.A as a result of the failure of Mr. Maynard, the first line supervisor, to adopt such precautions within his authority to prevent accidents and to see that the safety rules and operating procedures were observed by the employee under his direction.

The National Electric Safety Code, which has been adopted and incorporated by reference into 807 KAR 5:041 requires utility **employees** to comply with the standards of the National Electric Safety Code (emphasis added). In this case, the Public Service Commission is attempting to fine or penalize Clark Energy not for the acts of its employees as required under the National Electric Safety Code, but instead, is attempting to make Clark Energy responsible for the actions of its independent contractor.

Kentucky Administrative Regulation 807 KAR 5:041 provides, in relevant part, that certain "acceptable standards"

must used for the construction and maintenance of a utilities plant and facilities in accordance with "good accepted engineering practices". The regulation provides further that "the utility shall use applicable provisions in the following publications as standards of accepted good engineering practice for construction and maintenance of plant and facilities, herein incorporated by reference: (1) National Electric Safety Code; ANSI C-2, 1990 Edition...."

These standards apply only to the utility and its employees. It appears from the Public Service Commission's Order that this administrative regulation is being construed to attempt to apply it to independent contractors. The Public Service Commission cannot impose duties on a utility company when, in fact, there is no statutory provision or applicable case law granting such authority.

It is well settled in this state, however, that an employer shall not be responsible for the acts of its independent contractor. The Supreme Court in King v. Shelby Rural Electric Cooperative Corp., Ky., 502 S.W.2d 659 (1973), cert. denied, 417 U.S. 932 (1974) set forth that issue of law.

King remains the standard in Kentucky and continues to be the prevailing law of the Commonwealth. In that case, an injured employee of an electrical contractor sued the utility company for injuries sustained while such employee was working on an energized line. It was alleged that the independent contractor failed to comply with certain safety standards and that the utility should be

responsible for those violations. The Court held that the utility's "responsibility for the negligence of his independent contractor engaged in the performance of work known to be inherently dangerous and the so called non-delegatable duties arising out of such work do not extent to the employees of the independent contractor." Id. at 662.

Recently, in Jackson County Rural Electric Cooperative Corp. Inc., v. Public Service Commission, the Franklin Circuit Court applied those same legal theories in exonerating Jackson County Rural Electric Cooperative Corp. Inc. from any responsibility as a result of safety violations of the utility's independent contractor. As such, the Commission's allegations against Clark Energy cannot be supported by any holding or legal precedent in this jurisdiction and thus the alleged violations must be dismissed.

WHEREFORE, Clark Energy Cooperative, Inc., hereby respectfully requests the allegations against it and the probable violations found by the Public Service Commission as a result of the January 11, 1999 incident involving employees of an independent contractor of Clark Energy be dismissed.

Respectfully submitted,

GRANT, ROSE & PUMPHREY
51 South Main Street
Winchester, Kentucky 40391
Telephone: (606) 744-6828

By: _____
Robert L. Rose

ATTORNEYS FOR CLARK ENERGY COOPERATIVE, INC.

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing Answer to Public Service Commission's Order has been served by delivering a true copy of same to Helen Helton, Executive Director, 730 Schenkel Lane, Frankfort, Kentucky 40601, this 24 day of May, 1999.

Robert Lee Ross
Of Counsel for Clark Energy Cooperative, Inc.

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

May 17, 1999

Overt L. Carroll
President/General Manager
Clark Energy Cooperative, Inc.
P. O. Box 748
2640 Ironworks Road
Winchester, KY. 40392 0748

Honorable Robert L. Rose
Attorney for Clark Energy
Grant, Rose & Pumphrey
51 South Main Street
Winchester, KY. 40391

RE: Case No. 99-142

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.	)	
	)	
_____	)	CASE NO. 99-142
	)	
FAILURE TO COMPLY WITH COMMISSION REGULATION 807 KAR 5:041, SECTION 3(1)	)	

O R D E R

The Commission, having considered the motion of Clark Energy Cooperative, Inc. ("Clark Energy") for an extension of time until May 24, 1999 to submit its answer and for an informal conference with Commission Staff, and finding good cause, HEREBY ORDERS that:

1. Clark Energy shall file no later than May 24, 1999 its response to the Commission's April 22, 1999 Order.

2. The hearing scheduled on May 20, 1999 is cancelled.

3. An informal conference with Commission Staff shall be held on June 3, 1999 at 2:00 p.m., Eastern Daylight Time, in Conference Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 17th day of May, 1999.

By the Commission

ATTEST:

Executive Director

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.	)	
	)	
	)	CASE NO. 99-142
	)	

REQUEST FOR EXTENSION OF TIME AND FOR AN INFORMAL CONFERENCE

Comes Clark Energy Cooperative, Inc. ("Clark Energy"), by and through counsel, and in response to Public Service Commission's Order dated April 22, 1999, hereby requests that Clark Energy be granted an extension of time to submit a written response to the allegations contained in the Utility Accident Investigation Report. Clark Energy requests an extension of twelve (12) days, May 24, 1999, to submit its response. Clark Energy further, pursuant to the Public Service Commission's Order dated April 22, 1999, files its request, in writing, for an informal conference before the Commission staff.

Clark Energy further requests that this case be set before the Commission staff at a time and date set at the convenience of the Commission and at such time after the passage of time requested by Clark Energy for the filing of its written

response to the allegations contained in the Utility Accident Investigation Report.

Respectfully submitted,

GRANT, ROSE & PUMPHREY
51 South Main Street
Winchester, Kentucky 40391
Telephone: (606) 744-6828

By: Robert L. Rose
Robert L. Rose

ATTORNEYS FOR CLARK ENERGY COOPERATIVE, INC.

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing Request for Extension of Time and For an Informal Conference has been served by hand-delivering a true copy of same to the Public Service Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky 40601, this 11 day of May, 1999.

Robert Lee Rose
Of Counsel for Clark Energy Cooperative, Inc.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):
1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Overt Carroll

4a. Article Number
Z 319 087 339

4b. Service Type
- ☐ Registered
- ☑ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ Return Receipt for Merchandise
- ☐ COD

7. Date of Delivery
APR 23 1999

5. Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*
X A Curtis (CRFC)

PS Form **3811**, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

ltd 99-192

Z 319 087 339 4/22

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail *(See reverse)*

Sent to Overt Carroll	
Street & Number PO Box 748	
Post Office, State, & ZIP Code Winchester, Ky 40392	
Postage	$ 3.20
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	$ 5.85
Postmark or Date	

PS Form **3800**, April 1995

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

April 22, 1999

Overt L. Carroll
President/General Manager
Clark Energy Cooperative, Inc.
P. O. Box 748
2640 Ironworks Road
Winchester, KY. 40392 0748

RE: Case No. 99-142

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure
Certified Mail

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLARK ENERGY COOPERATIVE, INC.	)	
	)	
_____	)	CASE NO. 99-142
	)	
FAILURE TO COMPLY WITH COMMISSION REGULATION 807 KAR 5:041, SECTION 3(1)	)	

O R D E R

Clark Energy Cooperative, Inc. ("Clark Energy") is a Kentucky corporation engaged in the distribution of electricity to the public for compensation for lights, heat, power, and other uses and is a utility subject to Commission jurisdiction. KRS 278.010, 279.210.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated 807 KAR 5:041, Section 3(1), which requires the maintenance of utility facilities to be in accordance with the National Electric Safety Code, 1990 Edition ("NESC"). The NESC, Section 42, Rule 420.H, requires utility employees to use the personal protective equipment and devices provided for their work; and Section 42, Rule 421.A, requires the first line supervisor or person in charge to adopt such precautions as are within the individual's authority to prevent accidents and to see that the safety rules and operating procedures are observed by the employees under the direction of this individual.

The Commission Staff submitted to the Commission a Utility Accident Investigation Report dated January 28, 1999, attached hereto as Appendix A, which alleges that on January 11, 1999, Albert Sturgell, an apprentice lineman, was in the process of installing a new guy on a three phase vertical C-4 structure. A fellow employee tightened the hot line hoist up on A/phase, resulting in the energized 7200 volt switch tail contacting the down guy that Mr. Sturgell was working on. Mr. Sturgell was not wearing his rubber gloves or sleeves at the time of the accident and he suffered fatal injuries. The foreman, James Maynard, was the supervisor in charge of the work site and was working at the site at the time of the accident.

The Utility Accident Investigation Report notes two probable violations of Commission regulations: 1) 807 KAR 5:041, Section 3(1), due to a violation of NESC Rule 420.H, by Mr. Sturgell's failure to wear personal protective equipment and protective devices consisting of rubber gloves and sleeves; and 2) 807 KAR 5:041, Section 3(1), due to a violation of NESC Rule 421.A by the failure of Mr. Maynard, the first line supervisor, to adopt such precautions within his authority to prevent accidents and to see that the safety rules and operating procedures were observed by the employee under his direction.

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

1. Clark Energy shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Utility Accident Investigation Report.

2. Clark Energy shall appear on May 20, 1999, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, to present evidence concerning the incident which is the subject of the Utility Accident Investigation Report, specifically the alleged violations of Commission Regulation 807 KAR 5:041, Section 3(1), and to show cause, if any it can, why it should not be subject to the penalties of KRS 278.990 for the two probable violations of the aforementioned Commission regulation.

3. The Utility Accident Investigation Report dated January 28, 1999 is hereby made a part of the record of this case.

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

Done at Frankfort, Kentucky, this 22nd day of April, 1999.

By the Commission

ATTEST:

Executive Director

APPENDIX A

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 99-142 DATED 4/22/99

January 28, 1999

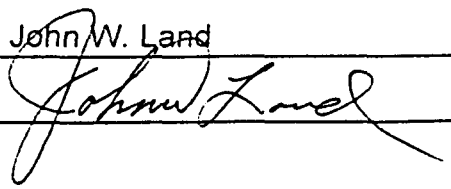
UTILITY ACCIDENT INVESTIGATION REPORT

Utility:	Clark Energy Cooperative, Inc.				
Reported By:	Scott Sidwell				
Dates & Times					
Accident Occurred:	01/11/99				
Utility Notified:	01/11/99 – 3:00 p.m.				
PSC Notified:	01/11/99				
Investigated:	01/12/99				
Written Report Rcvd:	01/19/99				
Location of Accident:	Corner of Hope Means Road and State Highway 965 in Eastern Montgomery County, Kentucky				
Description of Accident:	A three man Davis H. Elliot crew, James Maynard, Foreman, Jerad Smith, Groundman, and Albert Sturgell, Apprentice Lineman, were at a work site just outside East Kentucky Power's Hope Substation in Eastern Montgomery County when the accident occurred. Mr. Maynard was up in the bucket installing the second of three load break switches on A/phase. Mr. Smith and Mr. Sturgell were in the process of installing one of three guys that were to replace the old guys on the three phase vertical C-4 structure that Mr. Maynard was also working on. The guy attachment on the pole had been made and Mr. Smith and Mr. Maynard were making up the ground end of the guy to the anchor rod. Mr. Sturgell had installed a chain hoist and had taken up the slack on the guy to make the attachment to the ground rod. It was during this simultaneous process of all the work; that Mr. Maynard tightened the hot line hoist up on A/phase, which resulted in the energized 7200-volt switch tail contacting the down guy that Mr. Sturgell was working on. Mr. Maynard was the Foreman on site and in charge at the time of the accident. Mr. Sturgell was not wearing his rubber gloves at the time the guy inadvertently became energized.				
Victims:					
Name:	Albert Sturgell	**Fatal:**	Yes	**Age:**	20
Addr./Empl.:	Davis H. Elliot Co., Inc., 673 Blue Sky Parkway, Lexington, Kentucky				
Injuries:	Electrocution				

Witnesses:	**Name**	**Address/Employment**
	James Maynard, Foreman	Davis H. Elliot Co., Inc. employee
	Jerad Smith, Groundman	Davis H. Elliot Co., Inc. employee
Sources of Information:	**Name**	**Address/Employment**
	James Maynard, Forman	Davis H. Elliot Co., Inc.
	Jerad Smith, Groundman	Davis H. Elliot Co., Inc.
	David S. Haskins, Asst. V.Pres.	Davis H. Elliot Co., Inc.
	Scott Sidwell, Operation Supt.	Clark Energy Cooperative
	Shannon Messer, System Eng.	Clark Energy Cooperative
	Todd Peyton, Eng. Tech.	Clark Energy Cooperative
	John W. Land, On-site Investigator	PSC Engineering Staff
Probable Violations:	807 KAR 5:041, Section 3, National Electric Safety Code, 1990 Edition: Section 42, Rules for Employees; Rule 420.H., Tools and Protective Equipment; Rule 421.A., Duties of a First Level Supervisor or Person-in-Charge	

Line Clearances At Point of Accident:	**Measured**	**Minimum Allowed by NESC**	**Applicable NESC Edition[1] 1990**	**Volt.**	**Constr. Date**
B/Phase to Ground Elevation:	36' – 5 ½"	18' – 6"	1990	7200	1953
A/Phase to Ground Elevation:	32' – 7 ½"	18' – 6"	1990	7200	1953
C/Phase to Ground Elevation:	30' – 0"	18' – 6"	1990	7200	1953
Primary Neutral to Ground Elevation:	26' – 0"	15' – 6"	1990	7200	1953
Other Measurements:	The tail on the load break switch that was being installed on A/Phase measured 23 inches long. The distance between where the tail on the load break switch and the contact point on the guy measured 14 inches.				
Date of Measurement:	01/12/99				
Approximate Temp.:	39°				

[1] Current edition adopted by the Commission. If clearances are not in compliance with the current edition, then the edition in effect when the facilities were last constructed or modified would apply.

Measurements Made By:	Jim Curt, Service Forman, Clark Energy Cooperative and John W. Land, PSC Engineering Staff
Investigated By:	John W. Land
Signed:	

Attachments
A. Clark Energy Cooperative, Inc.'s Accident Report
B. Photographs of Accident Site
C. Personnel Information From Davis H. Elliot Company, Inc.

Attachment A

Clark Energy Cooperative, Inc.'s Accident Report

Accident Investigation Report

Electrical Contact
Albert Sturgill
January 11,1999

Prepared by:

Clark Energy Cooperative

CLARK ENERGY

COOPERATIVE

A Touchstone Energy® Partner

January 15, 1999

RECEIVED

JAN 19 1999

DIVISION OF UTILITY
ENGINEERING & SERVICES

John Land
Kentucky Public Service Commission
P.O. Box 615
730 Schenkel Lane
Frankfort, Kentucky 40602

Dear Mr. Land:

Enclosed is the accident investigation of an incident which involving Clark Energy Cooperative facilities and Albert Sturgill. The report consist of the following information:

- Investigation Report
- Description of the accident
- Area maps
- Accident location and site diagram
- Engineering staking sheets
- Photographs taken at the accident scene
- Certificate of liability insurance
- Contract between Clark Energy and Davis H. Elliott with hold harmless clause

I will forward any additional information to you, as it becomes available. If you have any question about any of the information contained in this report, please call Scott Sidwell or me at 1-800-992-3269.

Sincerely:

Paul G. Embs
Member Services and Loss Control Manager

FEDERATED RURAL ELECTRIC
INSURANCE CORPORATION
Overland Park, KS 66225
Toll-Free 800/356-8360

INVESTIGATION REPORT

PUBLIC ACCIDENT

ELECTRICAL CONTACT

INSTRUCTIONS:
1. Forward original to Federated
2. Attach diagram and photographs
3. Use additional sheets of paper if necessary

COOPERATIVE: Name CLARK ENERGY COOPERATIVE Phone # (606) 744-4251
Address 2640 IRONWORKS ROAD WINCHESTER KY 40391

DATE OF ACCIDENT: 1-11-99 2:00 AM PM **Cooperative Notified** 1-11-99 3:00 AM PM

LOCATION: CORNER OF HOPE MEANS ROAD AND STATE HWY 965

DESCRIPTION OF ACCIDENT: SEE ATTACHED DESCRIPTION

CLAIMANTS:

	Name	Address	Phone #	Occupation
1.	ALBERT STURGELL	LOUISA KY		APPRENTICE LINE
2.				
3.				
4.				

EXTENT OF INJURY:
1. FATAL
2.
3.
4.

TREATMENT: Ambulance, Doctor, Hospital, Etc.
TAKEN BY AMBULANCE TO MARY CHILES HOSPITAL WHERE HE WAS PRONOUNCED DEAD AT 3:18 pm ON 1-11-99.

COOPERATIVE EMPLOYEES AT SCENE:

Name	Job Title
SCOTT SIDWELL	OPERATIONS SUPERINTENDENT
SHANNON MESSER	SYSTEM ENGINEER
TODD PEYTON	ENGINEERING TECHNICIAN

WITNESSES:

Name	Address	Phone #
JAMES MAYNARD	15 MARYLAND AVE WINCHESTER KY 40391	(606) 737-381
JARED SMITH	1760 CAUDILL ROAD STANTONKY 40380	(606) 663-5374

(cont'd)

LAW OR OTHER OFFICIALS INVESTIGATING: OSHA, PUBLIC SERVICE COMMISSION

WEATHER AND TERRAIN CONDITIONS: SUNNY AND CLEAR; 39 DEGREES

SYSTEM PROFILE: Voltage--type and size conductor--type pole structures--etc.
7,200-12,470 1/0 ACSR C-4

PROTECTIVE DEVICES:	Type	Location	Rating	Operable?
	3-PHASE OCR	HOPE SUBSTATION	280 AMPS	YES

DID OUTAGE OCCUR?					
Yes		Date	Time	AM	Duration
No	XX	Date	Time	PM	Duration

WAS COOPERATIVE NOTIFIED OR AWARE OF WORK IN THE AREA? EXPLAIN: YES. CONTRACTOR WAS WORKING ON SECTIONALIZING WORK ORDERS IN THE HOPE-MEANS AREA.

CLEARANCES: Prepare and attach a diagram. It need not be to scale but the measurements must be accurate. If clearances are reduced because of the accident, measurement and photographs are needed before returning to original condition. Document what caused the reduced clearance, such as broken pole or guy wire, construction equipment, etc. Reference distances to point of impact.

CODE REQUIREMENTS FOR LINE IN QUESTION: 15.5 FEET TO THE NEUTRAL

AGENCY INVOLVED: Antenna, auger, crane, construction equipment, etc. Give measurements, make, model or serial number. Describe any warning signs.
DAVIS H ELLIOTT
673 BLUE SKY PARKWAY
LEXINGTON KY 40580

ADDITIONAL COMMENTS:

PREPARED BY:				
Signature	Job Title	Date	Phone #	
	OPERATIONS SUPERINTENDENT	1-14-99	(606) 744-42	

Description of Accident

At approximately 3:00 P.M. on Monday, January 11, 1999, Clark Energy Cooperative was notified of an accident that occurred outside of East Kentucky Power's Hope Substation located on the corner of Hope-Means and State Highway 965 in eastern Montgomery County.

David Haskins, Vice President of Davis H. Elliot Company, a contractor working for Clark Energy Cooperative, called to report an electrical contact by one of their employees at the above stated location.

Scott Sidwell, Operations Superintendent for Clark Energy arrived at the accident site at approximately 3:40 P.M. Eastern Standard Time.
The Foreman of the Elliot Crew, James Maynard, explained what happened. Mr. Maynard's crew consisted of three people including himself. Also on the crew was Jerad Smith, a groundman and Albert Sturgell, an apprentice lineman.
This crew had been assigned to a process called sectionalizing which included adding pieces of equipment to improve system reliability by providing more opening points as well as fusing taps coming off of the distribution main line. Replacement of materials such as guy wires to insure structure reliability were also included in this work.

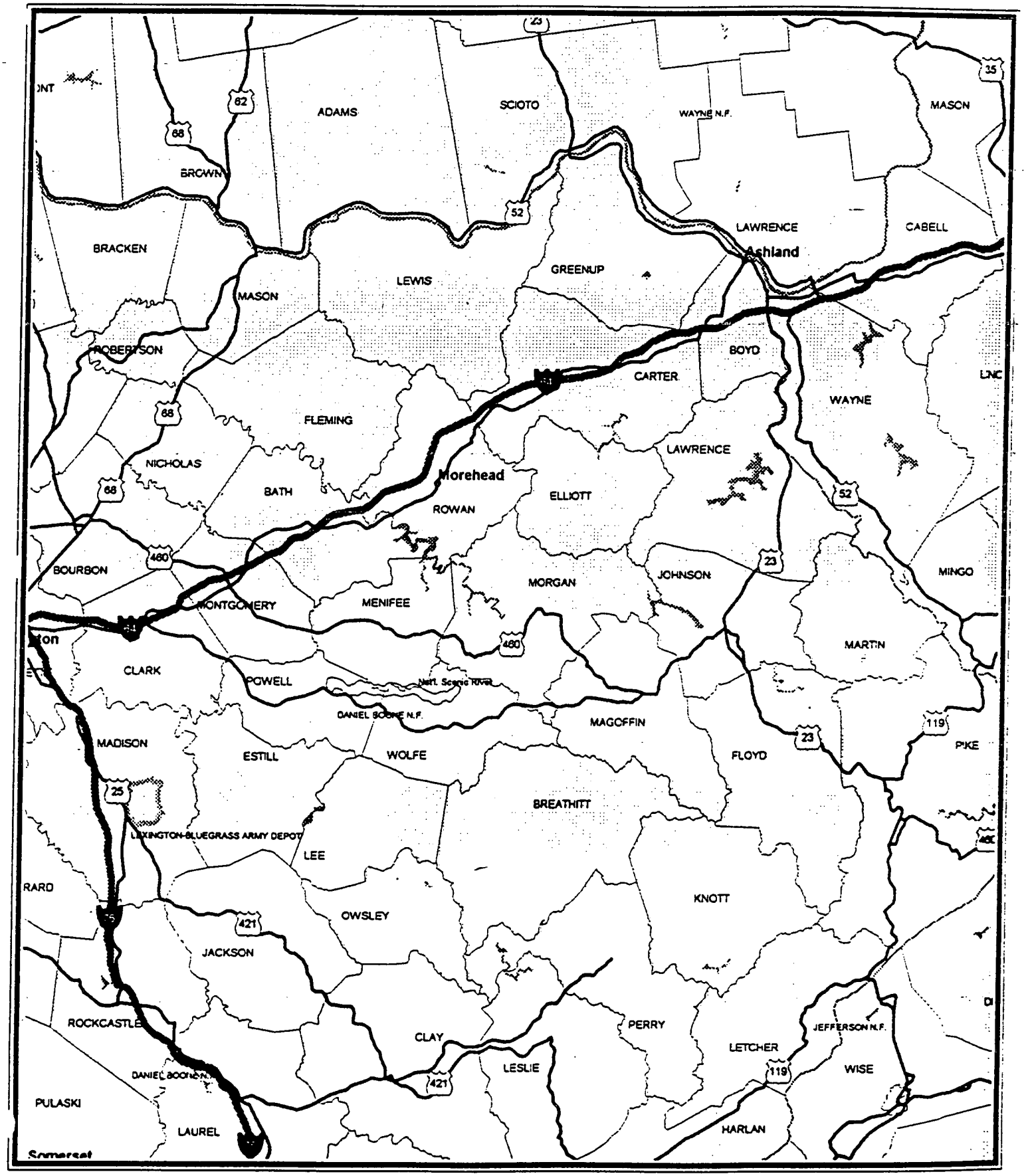
On this job, James Maynard's crew was working on a vertical structure termed a C-4, which was the first three-phase structure outside the Hope Substation. Their work order included replacement of three down guys as well as adding three 600 amp inline switches to be used to isolate the feeder line from the substation in the event a backfeed was needed from the next substation. Cover up material had been put on energized parts, the old guy wire had been removed and the new guy wire had been attached to the guy attachment and strain had been applied at the anchor with a chain hoist. The B-phase switch had been installed on the substation side of the pole and Mr. Maynard had moved down to install the A-phase switch.

Simultaneous to this was the work on the down guy by the apprentice lineman, Albert Sturgell, and groundman, Jared Smith. As Mr. Sturgell prepared to make the final attachment of the guy wire with a performed wrap, the guy wire became energized to line potential of 7,200 volts by a piece of wire attached to the line switch on which Mr. Maynard was working, electrocuting Mr. Sturgell.

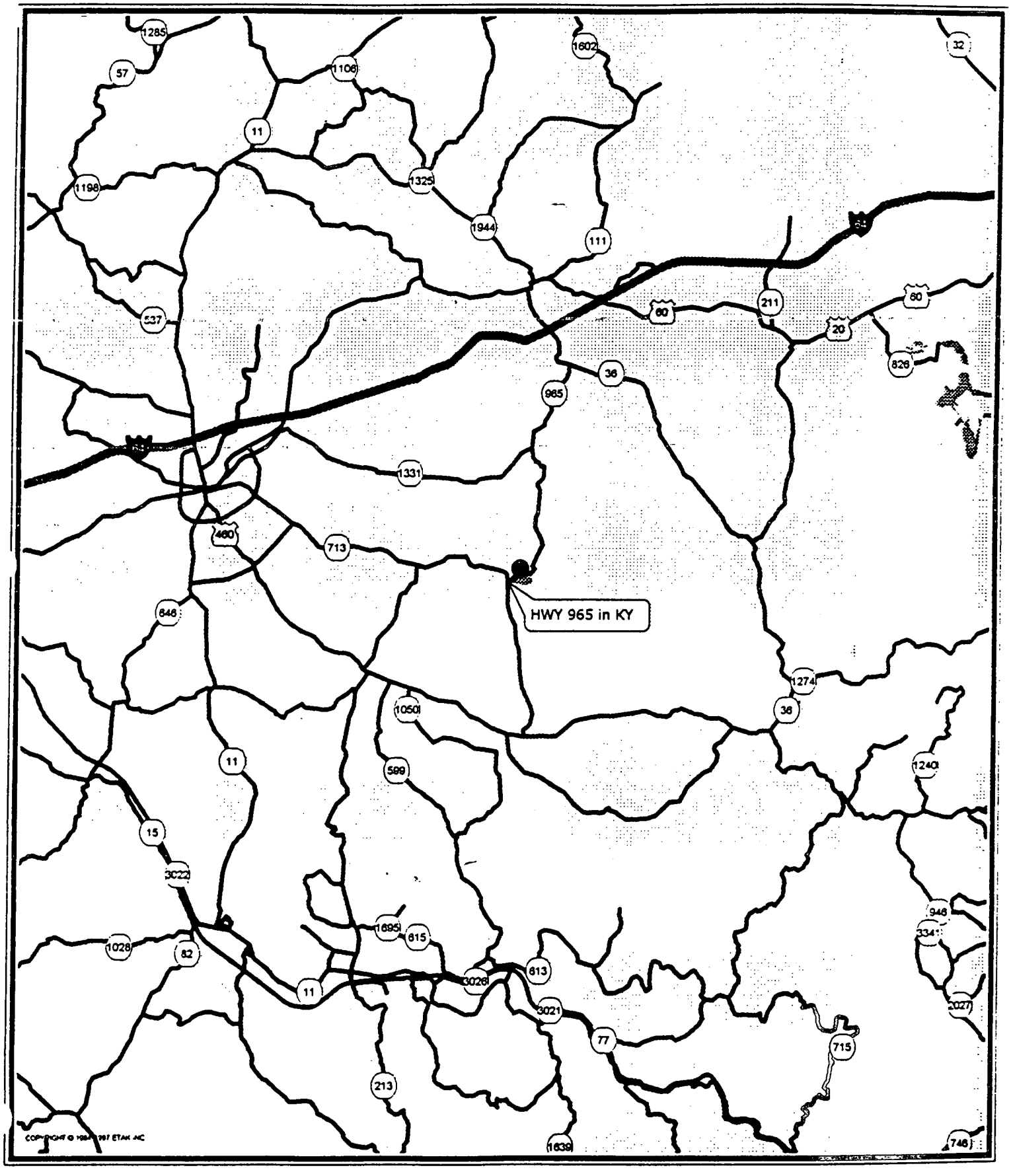
Emergency 911 was called from a residence across the road and CPR was given and continued until the Montgomery Ambulance Service arrived to transport Mr. Sturgell to the Mary Chiles Hospital in Mt. Sterling where he was pronounced dead at 3:18 P.M. Scott Sidwell notified Martha Morton of the Kentucky PSC by cellular phone from the accident site at approximately 5:00 P.M.

A follow up investigation was performed by Co-op employees Shannon Messer, Todd Peyton and Scott Sidwell on January 12, 1999. OSHA and the Kentucky State Police were contacted by Davis H. Elliot and participated in the investigation of the accident.

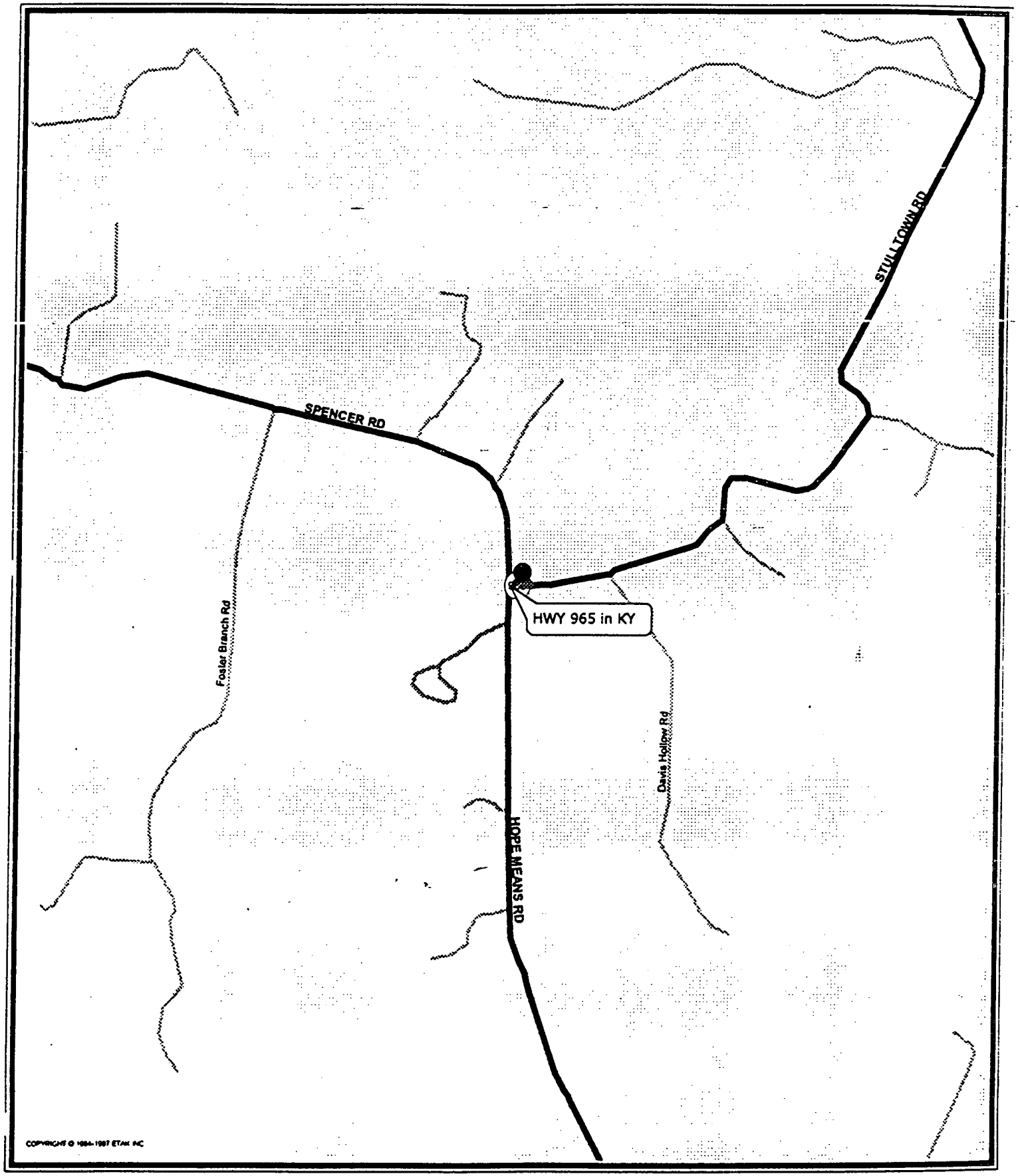
Current Map

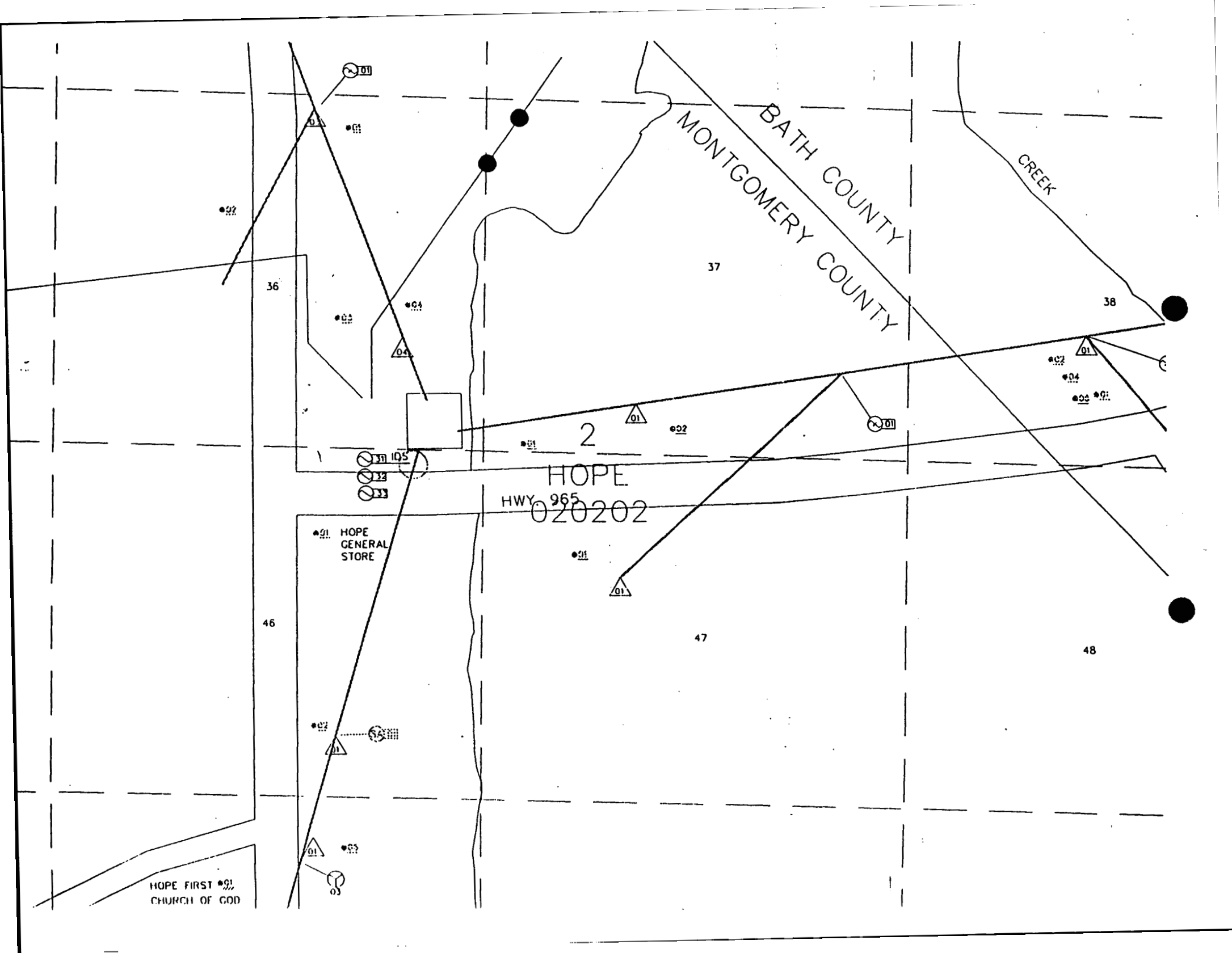


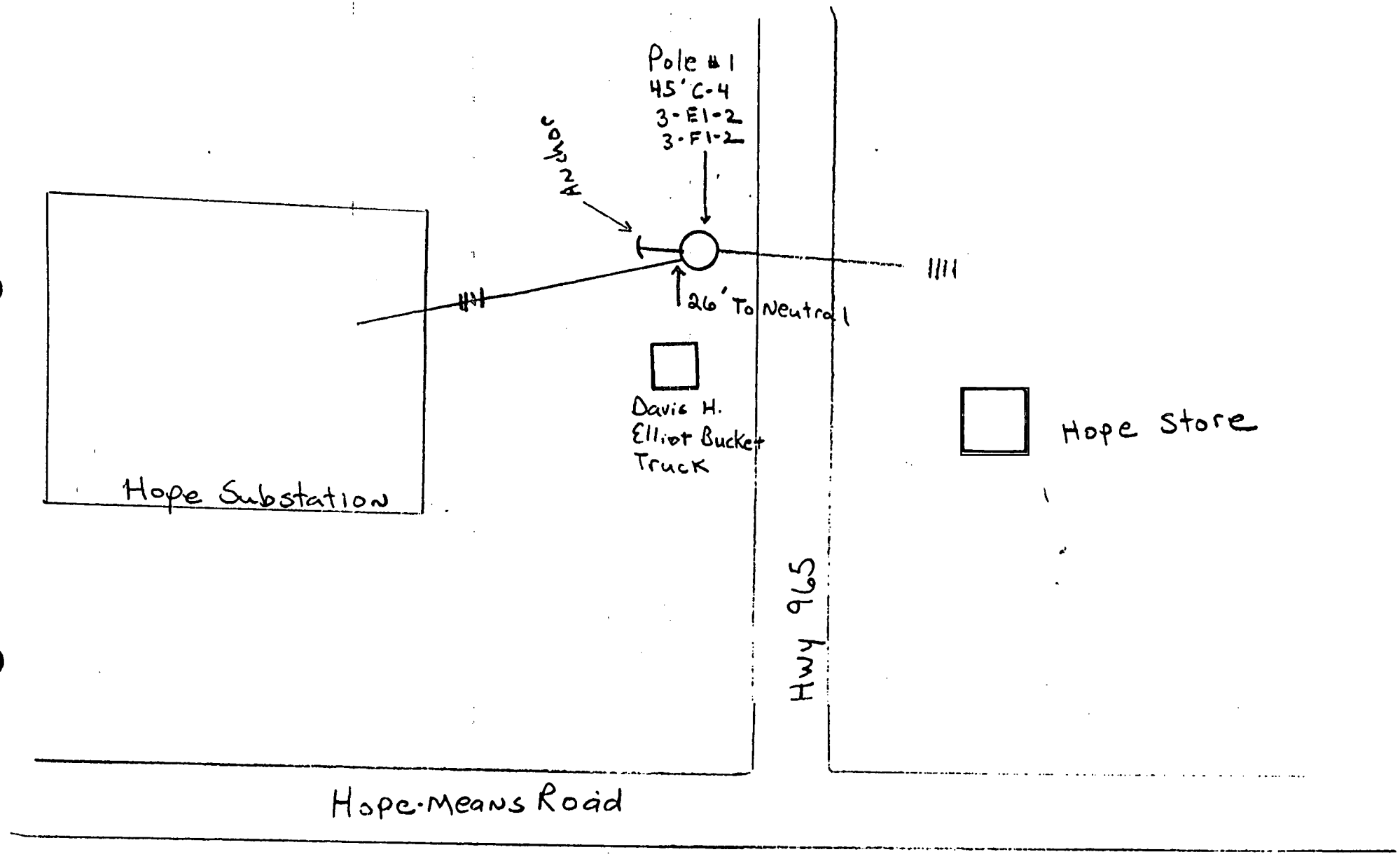
Current Map



Current Map




BATH COUNTY
MONTGOMERY COUNTY
CREEK
36
37
38
46
47
48
2
HOPE
HWY. 965
020202
HOPE GENERAL STORE
HOPE FIRST CHURCH OF GOD
105


Pole #1
45' C-4
3-E1-2
3-F1-2
A2 Wire
26' To Neutral
Davis H.
Elliot Bucket
Truck
Hope Substation
Hope Store
Hwy 96S
Hope-Means Road

FORM 16
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Neighbors

ELLIOT

Ky. 49, Clark

System Designation CODE 1600.1

Location MONTGOMERY COUNTY

Twp ____ R ____ Sec ____ Road

Map Reference 55, 44NWD, 2NWB HOPE-MEANS ROAD

Work Order No. 77187 CR. C

Sheet No. 1 of 13

Line ____ Lead ____

ENGINEER

Staked MCS

Checked 10-12-98

Released for Const. ____

SKETCH OF WORK

55 (HOPE)

Pole No.	Prl. (Back) Span	Poles H & C	Prl. Unit / Misc.	R-W Clearing	Line Angle	Trans. "G"	Gr. "M2"	GUY No.	GUY Unit "E"	GUY Lead	Anchor "F"	Ruling Span: SECONDARY Span Underbuild	SECONDARY Span Sec. ☆ Only.	SECONDARY Unit No.	SECONDARY Unit J	SERVICE Span	SERVICE Unit No.	SERVICE Unit K	Sec. or Ser. Wire Size	METER Loop	METER Size Meter	MISC. & REMARKS
POLE 1		45 3	C4	③ HS-1	*	45-6	1	* 2	* 1-2		1-2											
ADD		③ IDS						2	1-2 3-10			CUTOUTS		55-46-31 and 32 and 33								
POLE 2		40 4	V C1			136-10	11					M26-5		2	KIIc		1	IIc				CLARK ENERGY-98
ADD		① HS-6	③ HS-1	② HS-1s																		HOPE SUBSTATION
																						CIRCUIT TWO
POLE 3		40 4	V C2 V AS-2	*HS-6 #M3-4	##F	136-25	11	1	6-2 3-10		1-2						1					
ADD		② HS-6	M3-1	(6A "T")		VHS-9	(6A "T")					FUSE		55-56-01			1	IIc				
POLE 4		35 6	AS			* 106-10	1	X-2 4	1-2		#2 4 1-2			1	KIIc							
ADD						106-10		1	3-10													
POLE 5		35 6	C1	*116-6		136-10	1							1	KIIc							
ADD		① HS-6	② HS-1	② HS-1s				TAVE MOUNT TRANS ARRESTOR														

WORK WITH WO # 77188 CR
77189 CR

Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ✕. Replaced units with ○. Reset meters and transformers with □.

No. of Members
Primary Line Ft.
Sec. Only ☆ Ft.
Service Drop Ft.

FORM 6
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Neighbors

System Designation Ky. 49, Clark

Location _____

Twp _____ R _____ Sec _____ Road

Map Reference _____

Work Order No. 77187CR
Sheet No. 2 of 13
Line _____ Lead _____
ENGINEER
Staked _____
Checked _____
Released for Const _____

SKETCH OF WORK

55 (HOPE)

Pri. Wire: Size Kind Ruling Span

Pole No.	Pri. (Back) Span	Poles H & C		Pri. Unit		R-W Clearing	Line Angle	Trans. "G"	Gr. "M2"	GUY No.	GUY Unit "E"	GUY Lead	Anchor "F"	SECONDARY Span Underbuild	SECONDARY Span Sec. ☆ Only	SECONDARY Unit No.	SECONDARY Unit J	SERVICE Span	SERVICE Unit No.	SERVICE Unit K	Sec. or Ser. Wire Size	METER Loop	METER Size Meter	MISC. & REMARKS
POLE 6		40	4	✓ C1 V C7		③ MS-6 ④ VMS-9		136-10	11	1	1-2 3-10		1-2											
ADD						10A	"T"s						FUSES	55-76-01 and 02 and 03										
POLE 7		35	6	V	C1-1 AS-2	MS-6	VMS-9		1	1	1-2 3-10		1-2											
ADD		③	MS-6	③	MS-1	④	MS-1s		6A	"T"														
POLE 8		35	6	V	C1	* MS-6	* MS-9	136-50	1	1	1-2		1-2						1	11c				
ADD			MS-6			VMS 9	(6A "T")		1	3-10														
POLE 9		35	6	V C7-1 V AS-2		VMS 4	310-25		11	2	1-2 3-10		1-2			2	6c		1	11c				
"			*	④	MS-6		* ④ MS-9																	
ADD			④	MS-6	④	VMS-9	(6A "T"s)							FUSE	55-71-01									
POLE 10		35	6	V	A1			10S-15	1							1	K11c							
ADD			SAB		MS-6		MS-1																	

Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ✕. Replaced units with ○. Reset meters and transformers with □.

No. of Members
Primary Line-Ft.
Sec. Only ☆ Ft.
Service Drop Ft.

Facts Sheet

The Hope Substation, owned by East Kentucky Power, was acquired in 1953. The approximate date of line construction for the three-phase pole that Davis H. Elliot crew was working on, is also believed to be 1953.

FORM L 3
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Neighbors

System Designation Ky. 49, Clark

Location _____

Twp _____ R _____ Sec _____ Road

Map Reference _____

Work Order No. 77187CR
Sheet No. 3 of 13
Line _____ Lead _____
ENGINEER
Staked _____
Checked _____
Released for Const. _____

SKETCH OF WORK

55 (HOPE)

44 SWD

Pole No.	Pri. (Back) Span	Poles H & C		Pri. Unit		R-W Clearing	Line Angle	Trans. "G"	Gr. "M2"	GUY No.	GUY Unit "E"	GUY Lead	Anchor "F"	Ruling Span SECONDARY Span Underbuild	SECONDARY Span Sec. ☆ Only	SECONDARY Unit No.	SECONDARY Unit J	SERVICE Span	SERVICE Unit No.	SERVICE Unit K	Sec. or Ser. Wire Size	METER Loop	METER Size Meter	MISC. & REMARKS
POLE 11		35	6		AS	☆ MS-6	☆ MS-9	106-10	1	1	1-2		1-2			1	KIIC							
ADD			MS	6		VMS	9	(2A "T")		1	3-10													
POLE 12		35	6		CI AS-1	MS-6 YM3-4	M1F		1	1	1-2		1-2											
ADD			③	MS-6		③ MS-1		② MS-1S		1	3-10		(6A "T")		FUSE	55-96-01								
POLE 13		40	4	V V	CI AS-2	☆ MS-6	☆ MS-9	136-1S	1	1	1-2		1-2			1	KIIC							
ADD			MS-6			YMS-9		(6A "T")		1	3-10				FUSE	55-96-02								
POLE 14		35	6		CI AS	☆ MS-9	☆ MS-1	136-1S	1															
ADD		MS-6		V MS-9		(6A "T")		MS-1S	MS-1		PAT		TRANSFORMER		O.N	B	PHASE		FUSE	44-94-01			
POLE 15		35	6	V	CI AS-2	ADD MS-6 ☆MS-9	VMS-9	136-2S	1	1	1-2 3-10		1-2											
ADD			MS-6			VMS-9		(6A "T")						FUSE	44-94-06									

Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ✕. Replaced units w/th ○. Reset meters and transformers with □

No. of Members
Primary Line Ft.
Sec. Only ☆ Ft.
Service Drop Ft.

FORM 136
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Neighbors

System Designation Ky. 49, Clark

Location

Twp R Sec Road

Map Reference

Work Order No. 77187CR
Sheet No. 4 of 13
Line Lead
ENGINEER
Staked
Checked
Released for Const.

SKETCH OF WORK

44 SWD

Pri. Wire: Size Kind

Pole No.	Pri. (Back) Span	Poles H & C		Pri. Unit	Misc.	R-W Clearing	Line Angle	Trans. "G"	Gr. "M2"	GUY No.	GUY Unit "E"	GUY Lead	Anchor "F"	Ruling Span SECONDARY Span Underbuild	SECONDARY Span Sec. ☆ Only	SECONDARY Unit No.	SECONDARY Unit J	SERVICE Span	SERVICE Unit No.	SERVICE Unit K	Sec. or Ser. Wire Size	METER Loop	METER Size Meter	MISC. & REMARKS
POLE 16		40	4	V	C1				12															
ADD		③	MS-6	③	MS-1		③	MS-1s	3															
POLE 17		45	4	V ⊘V	C4 AS-2	② KM3-4	① HIF	② HS-6	11	4	1-2 2-10		1-2											
ADD					⑥	6A "T"								FUSES 44-94-02 and 03										
POLE 18		35	6	V	C1 AS-2	☆ MS-9		136-25	1	1	1-2		1-2			1	K11c							
ADD			MS-6		MS-9	(6A "T")				1	3-40			FUSE 44-94-04										
POLE 19		35	5		C1				2															
ADD		③	HS-6	⑥	MS-1	③	NS-1s		3															
POLE 20		35	6	V	C1 AS-2	☆ MS-9 ☆ MS-6	MS-6 MS-9	136-10	1	1	1-2 3-10		1-2											
ADD		MS-6		VMS-9	(2A "T" FOR TRANS - 6A "T" FOR TAP)										FUSE 44-94-05		1	K11c						

Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ✕. Replaced units with ○. Reset meters and transformers with □.

No. of Members
Primary Line Ft.
Sec. Only ☆ Ft.
Service Drop Ft.

FORM 6
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Neighbors

Ky. 49, Clark

System Designation

Location

Twp R Sec

Road

Map Reference

Work Order No. 77187CR
Sheet No. 5 of 13
Line Lead
ENGINEER
Staked
Checked
Released for Const

SKETCH OF WORK

2 NWB

Pole No.	Pri. (Back) Span	Poles H & C		Pri. Unit	Misc.	R-W Clearing	Line Angle	Trans. "G"	Gr. "M2"	GUY No.	GUY Unit "E"	GUY Lead	Anchor "F"	SECONDARY Span Underbuild	SECONDARY Span Sec. ☆ Only	SECONDARY Unit No.	SECONDARY Unit J	SERVICE Span	SERVICE Unit No.	SERVICE Unit K	Sec. or Ser. Wire Size	METER Loop	METER Size Meter	MISC. & REMARKS
POLE 21		40	4	V	CB				11															
ADD		③	MS-6	③	MS-1		③ MS-15																	
POLE 22		45	4	V V	C1 AS-2	# MS-9		136-10	1	1	1-2 3-10		1-2											
ADD			MS-6	VMS-9 (GA "T")										FUSE 02-05-02										
POLE 23		45	4	V V	C2 AS-2				1	1	1-2 3-10		1-2											
ADD			MS-6	VMS-9 (GA "T")										FUSE 02-05-01										
POLE 24		40	4	V	C1	# MS-6	# MS-9	136-10	1															
ADD			MS-6	V	MS-9	(GA "T")										1	KILL							
POLE 25		40	4	V V	C1 AS-2	MS-6	VMS-9		1	1	1-2 3-10		1-2											
ADD			(GA "T")											FUSE 02-05-03										

Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ✕. Replaced units with ○. Reset meters and transformers with □.

No. of Members
Primary Line Ft.
Sec. Only ☆ Ft.
Service Drop Ft.

FORM 16
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Neighbors

System Designation Ky. 49, Clark

Location _____ _____

Twp _____ R _____ Sec _____ Road

Map Reference _____

Work Order No. 77187 CR

Sheet No. 6 of 13

Line _____ Lead _____

ENGINEER

Staked _____

Checked _____

Released for Const. _____

SKETCH OF WORK

2 NWB

Pole No.	Pri. (Back) Span	Poles H & C		Pri. Unit	Misc.	R-W Clearing	Line Angle	Trans. "G"	Gr. "H2"	GUY No.	GUY Unit "E"	GUY Lead	Anchor "F"	SECONDARY Span Underbuild	SECONDARY Span Sec. ☆ Only	SECONDARY Unit No.	SECONDARY Unit J	SERVICE Span	SERVICE Unit No.	SERVICE Unit K	Sec. or Ser. Wire Size	METER Loop	METER Size Meter	MISC. & REMARKS
POLE 26		35	6		AS	#1S-11 #MS-14	#1S-4 #1S-9	10L-10	1	1	1-2 3-10		1-2						1	11C				
ADD			MVF	MS-6		VM3-4	(2A "T")																	
POLE 27		40	4	V V	CB AS-2	MS-6	VM3-9		11	1	1-2 3-10		1-2											
ADD			6A	"T"		LEAVE	TAP	DISCONNECTED							FUSE	02-15-03								
POLE 28		40	4	V V	C1-1 AS-2			12G-10	11	2	1-2		1-2			1	K11C							
ADD			MS-6		VM3-9	(6A "T")				1	3-10				FUSE	02-15-04								
POLE 29		35	6		AS	#1S-11 #MS-14	#MS-6 #MS-9	10L-10	1	1	1-2 3-10		1-2						1	11C				
ADD			MIF		MS-6	VM3-4	(2A "T")																	
POLE 30		40	4	V V	C2 AS-2	MS-6	MS-9	12G-10	11	1	1-2 3-10		1-2		FUSE	02-15-05								
ADD			6A	"T"																				

Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ✕. Replaced units with ○. Reset meters and transformers with ▭.

No. of Members
Primary Line Ft.
Sec. Only ☆ Ft.
Service Drop Ft.

FORM 16
United Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Neighbors

System Designation Ky. 49, Clark

Location _____ _____

Twp _____ R _____ Sec _____ Road

Map Reference _____

Work Order No. 77187CR

Sheet No. 7 of 13

Line _____ Lead _____

ENGINEER

Staked _____

Checked _____

Released for Const _____

Pri. Wire: Size Kind

Ruling Span

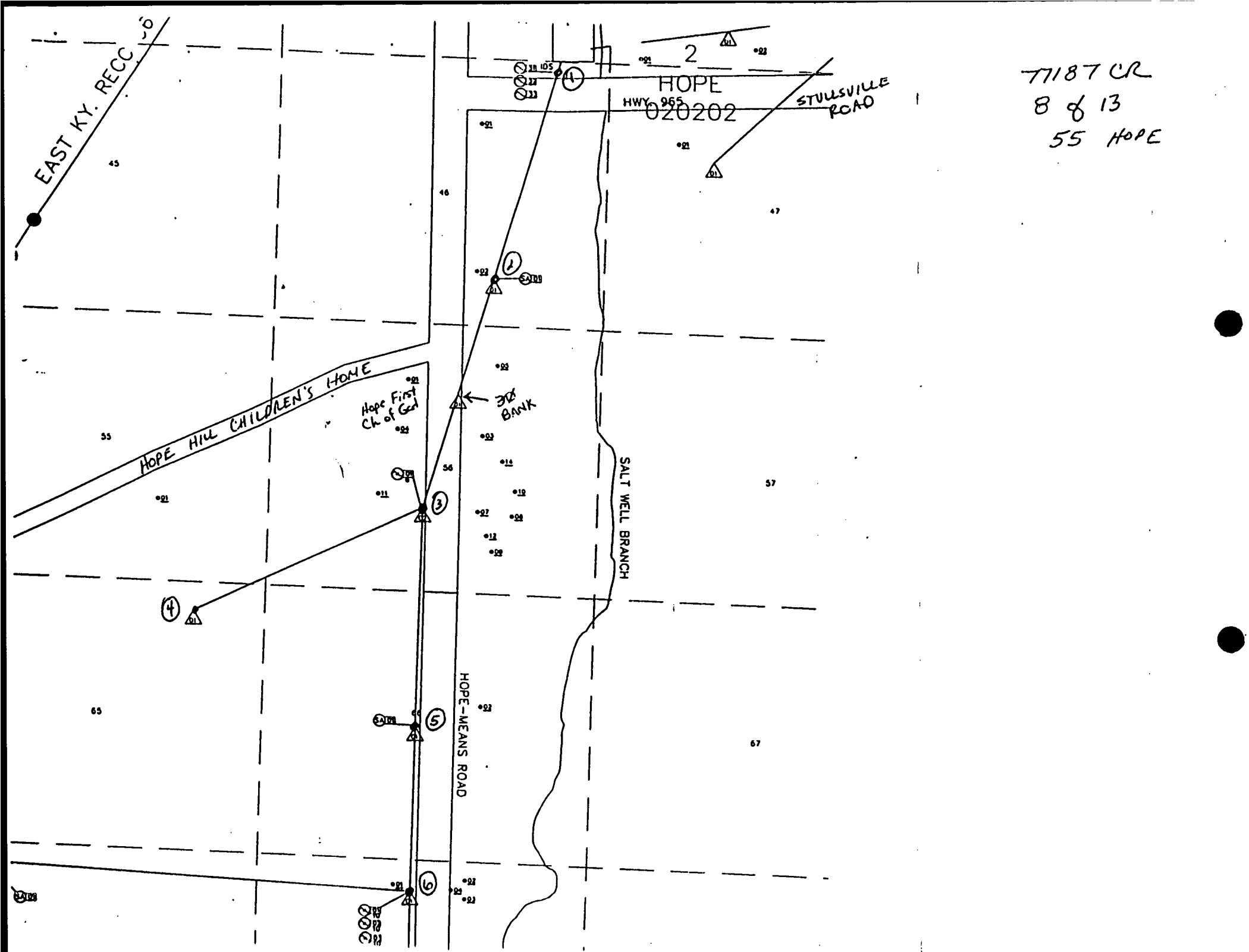
Pole No.	Pri. (Back) Span	Poles H & C		Pri. Unit	Pri. Misc.	R-W Clearing	Line Angle	Trans. "G"	Gr. "M2"	GUY No.	GUY Unit "L"	GUY Lead	Anchor "F"	SECONDARY Span Underbuild	SECONDARY Span Sec. ☆ Only	SECONDARY Unit No.	SECONDARY Unit J	SERVICE Span	SERVICE Unit No.	SERVICE Unit K	Sec. or Ser. Wire Size	METER Loop	METER Size Meter	MISC. & REMARKS
POLE 31		40	4	V	C1			136-10	1															
ADD			(3)	MS-6	(3)	MS-1	(3)	MS-1S											2	11c				
POLE 32	433	40	4	V V	C1 CB	K(3) MS-6	K(3) UDS	136-10	1	(3)	REGULATORS					2	K11c							
ADD			(6)	MS-6	(6)	MS-1	(6)	MS-1S																

SKETCH OF WORK

2 NWB

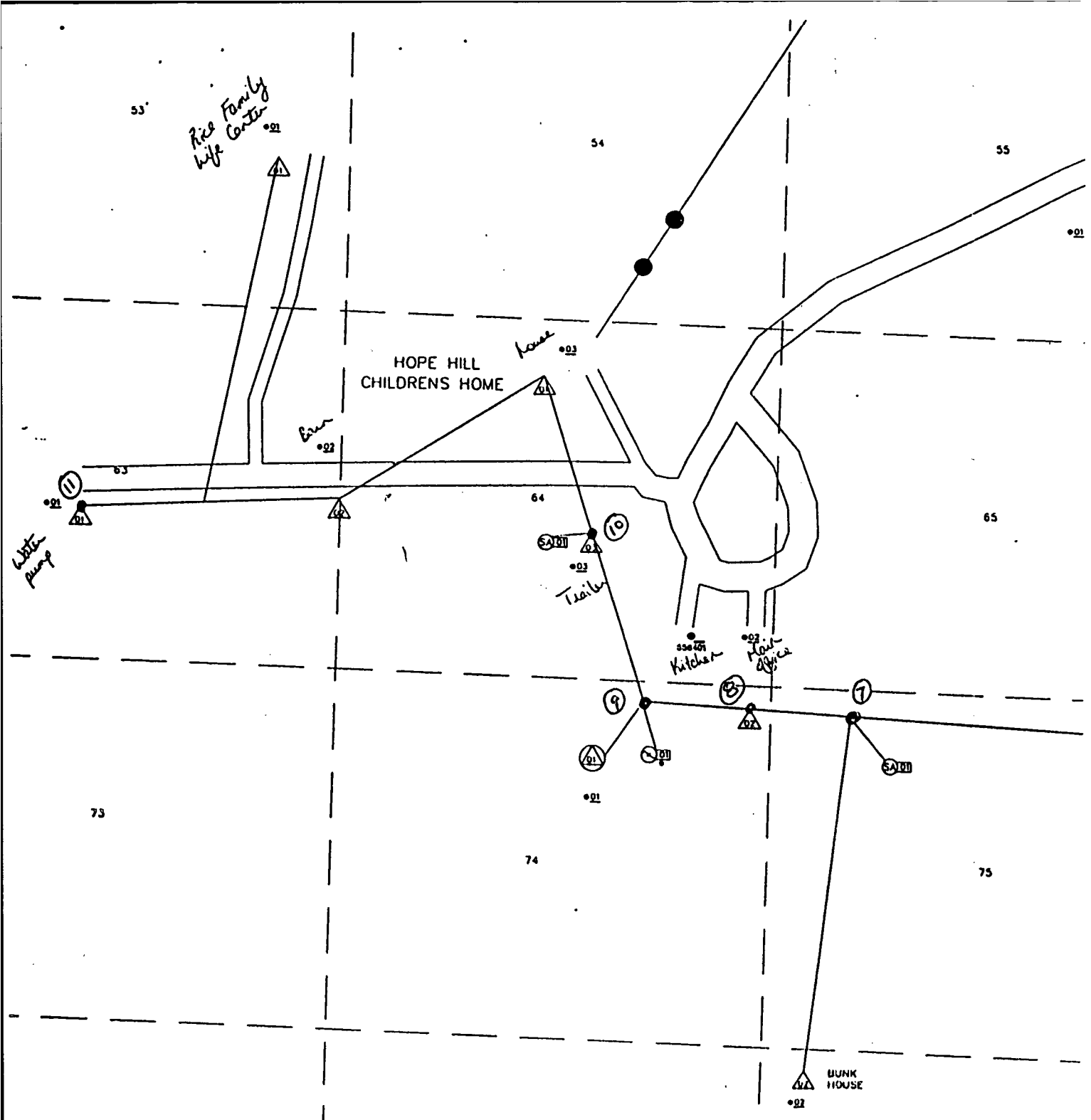
No. of Members
Primary Line Ft.
Sec. Only ☆ Ft.
Service Drop Ft.

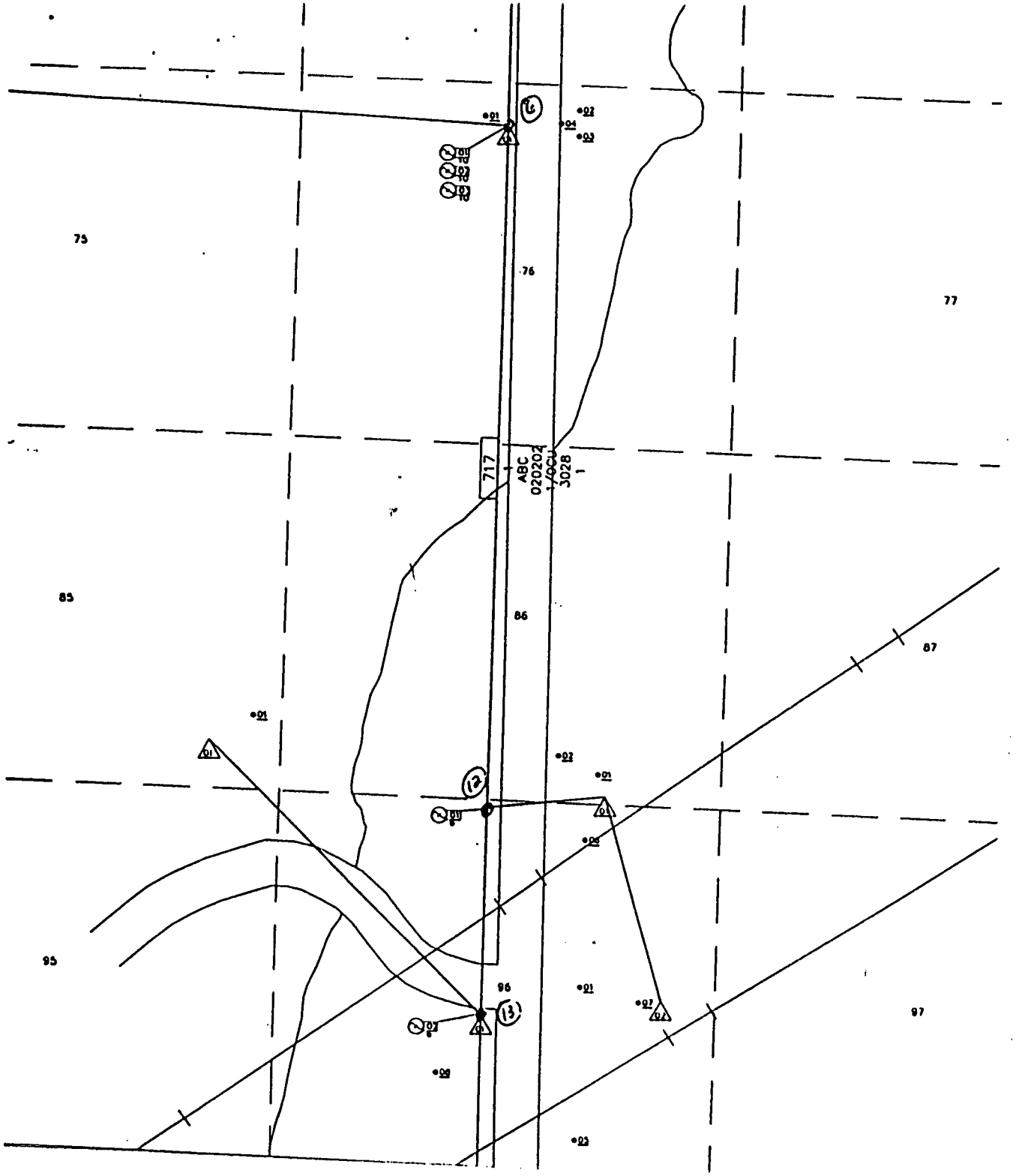
Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ✕. Replaced units with ○. Reset meters and transformers with □



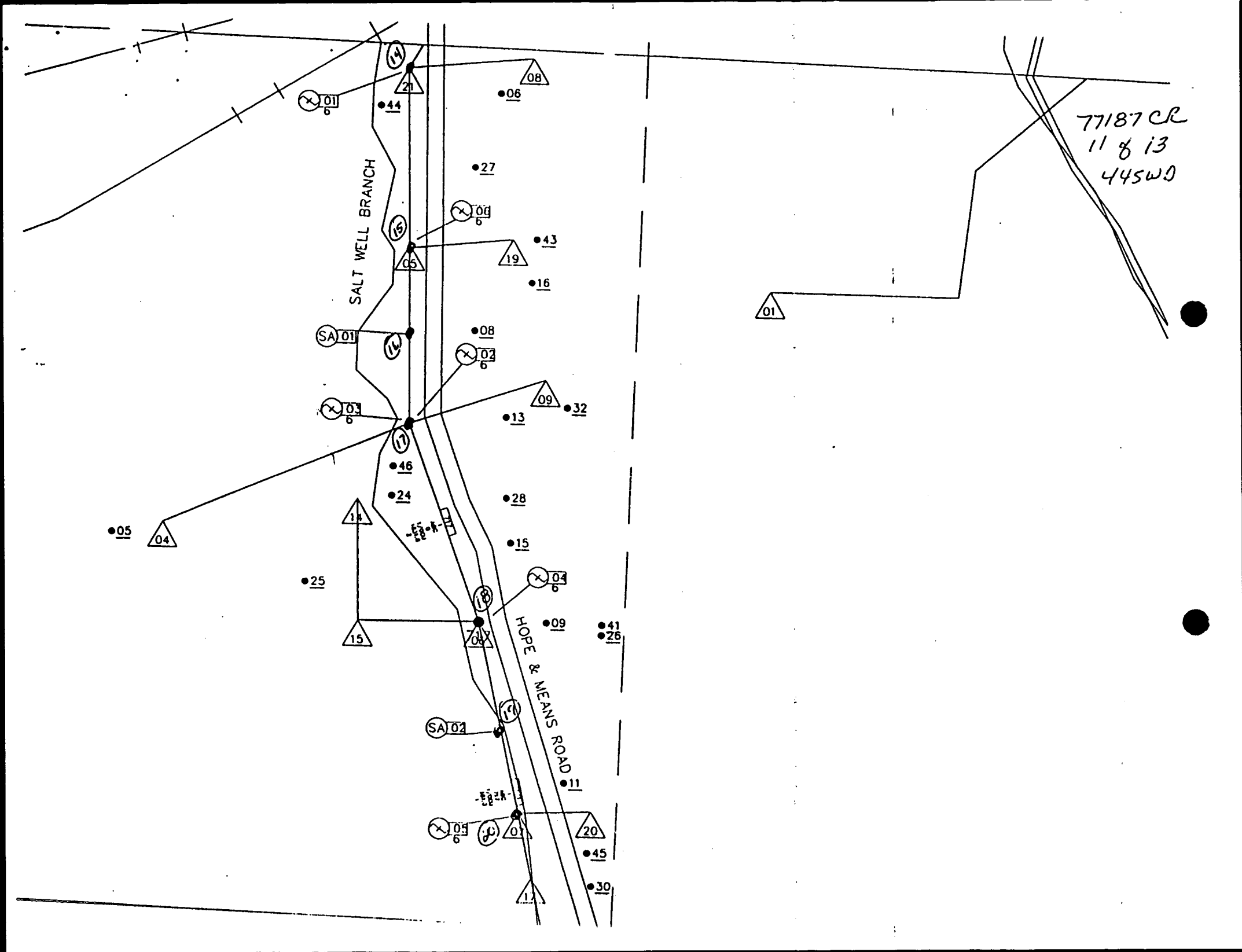
T7187 CR
8 of 13
55 HOPE

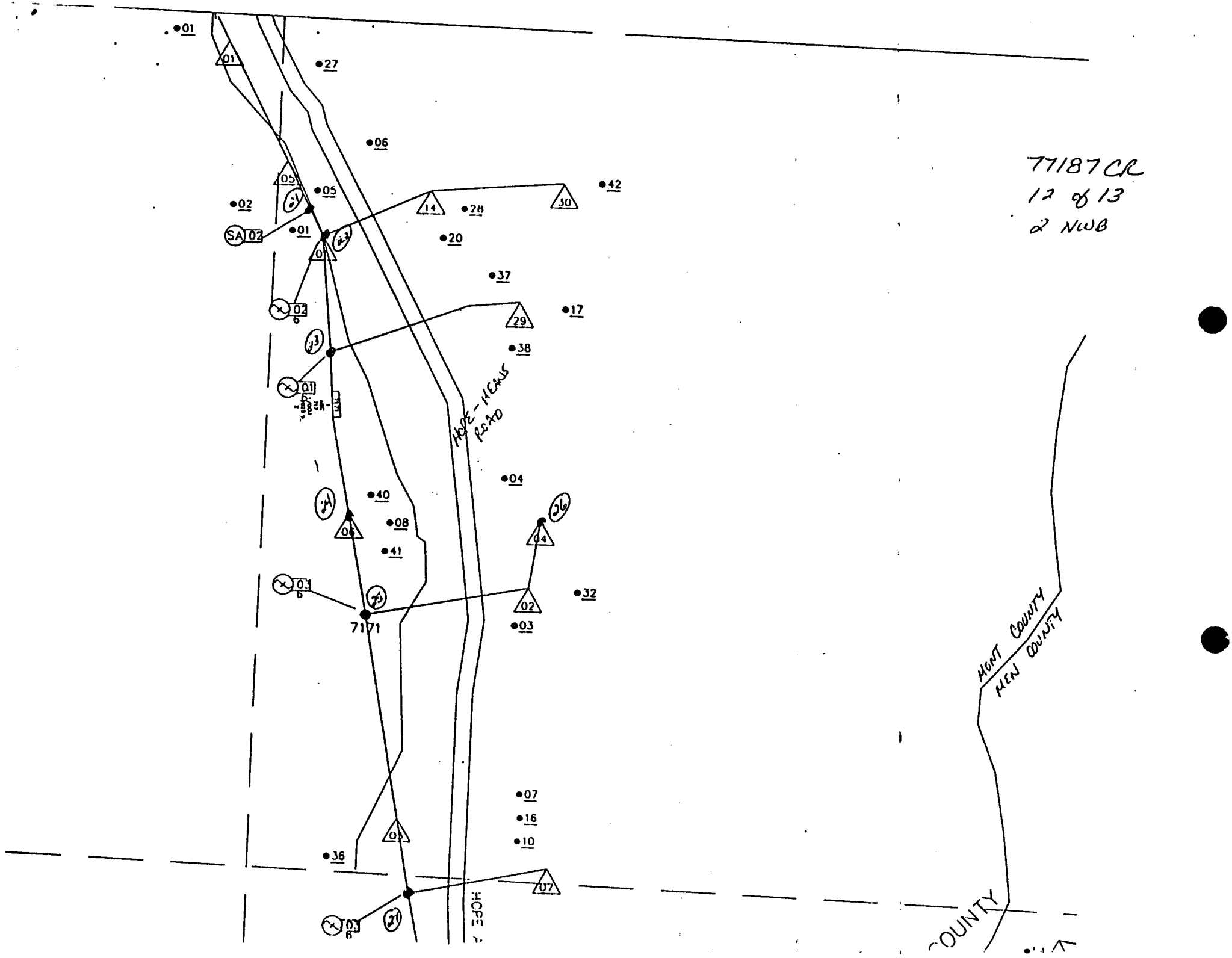
7718: R
9 of 13
55 HOPE

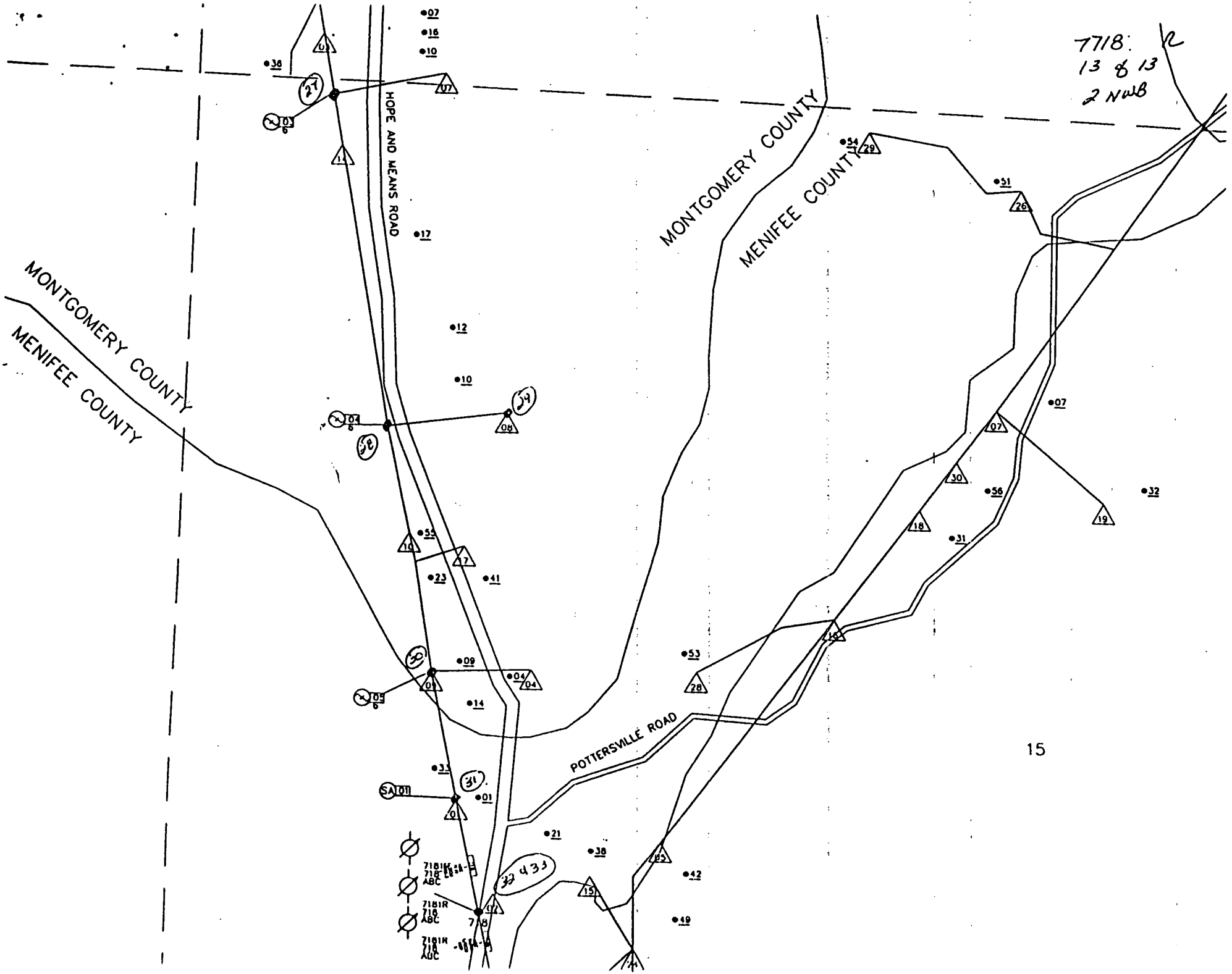




7718 7 CR
10 of 13
55 HOPE

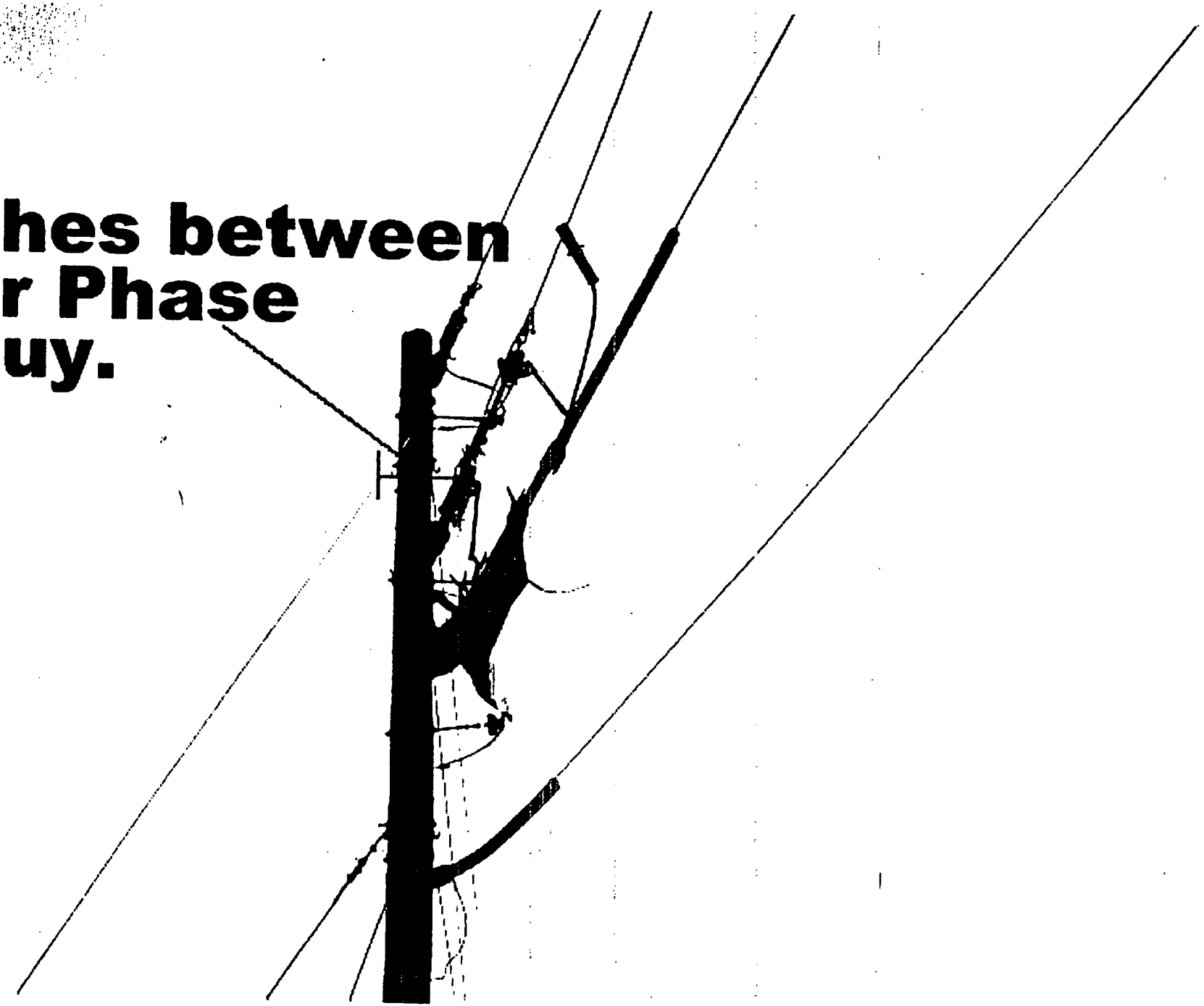

SALT WELL BRANCH
HOPE & MEANS ROAD
77187 CR
11 & 13
445WD

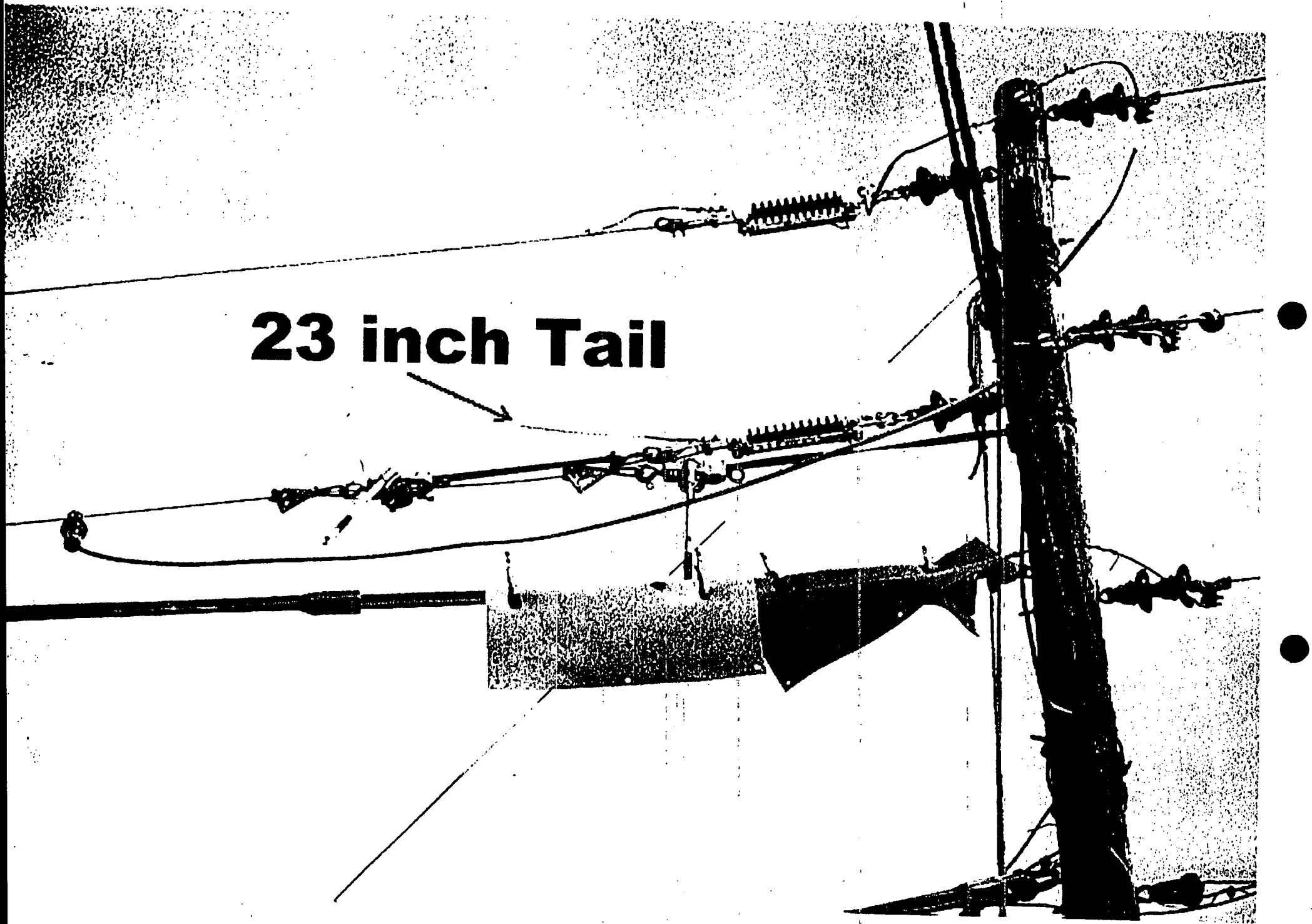

7171
HOPE - HEMBY ROAD
HUNT COUNTY
HUNT COUNTY
COUNTY
7187 CR
12 of 13
& NWB


7718:
13 & 13
2 NAB
HOPE AND MEANS ROAD
MONTGOMERY COUNTY
MENIFEE COUNTY
MONTGOMERY COUNTY
MENIFEE COUNTY
POTTERSVILLE ROAD
7181H
718
ABC
7181R
718
ABC
7181H
718
ABC

Victim Kneeling
Here

14 inches between Center Phase and Guy.




23 inch Tail

ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID LW AEWIN-2 | DATE (MM/DD/YY) 03/30/98

PRODUCER

Scott Insurance (Rke)
P O Box 2829
Roanoke VA 24001

Phone No. 540-343-8071 Fax No. FAX-345-2958

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

Davis H. Elliott Company, Inc.
Kentucky Division
673 Blue Sky Parkway
Lexington KY 40509

COMPANIES AFFORDING COVERAGE

COMPANY A: Federal Insurance Co
COMPANY B: National Union Fire Ins Co of
COMPANY C: Pacific Employers Ins Co
COMPANY D: Cigna Insurance Company

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
B	GENERAL LIABILITY [X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS MADE [X] OCCUR [X] OWNER'S & CONTRACTOR'S PROT [X] X,C,U Included	GL5440039	04/01/98	04/01/99	GENERAL AGGREGATE PRODUCTS - COMP/OP AGG PERSONAL & ADV INJURY EACH OCCURRENCE FIRE DAMAGE (Any one fire) MED EXP (Any one person)	$2,000,000 $1,000,000 $1,000,000 $1,000,000 $50,000 $5,000
B	AUTOMOBILE LIABILITY [X] ANY AUTO [ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS [X] HIRED AUTOS [X] NON-OWNED AUTOS	CA7201855 (VA) CA7201856	04/01/98 04/01/98	04/01/99 04/01/99	COMBINED SINGLE LIMIT BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE	$1,000,000 $ $ $
	GARAGE LIABILITY [ ] ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EACH ACCIDENT AGGREGATE	$ $ $
B	EXCESS LIABILITY [X] UMBRELLA FORM [ ] OTHER THAN UMBRELLA FORM	BE3574916	04/01/98	04/01/99	EACH OCCURRENCE AGGREGATE 	$10,000,000 $10,000,000 $
C D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE: [ ] INCL [ ] EXCL	WLRC42578794 XWC11795 (VA / KY)	04/01/98 04/01/98	04/01/99 04/01/99	[X] WC STATUTORY LIMITS [ ] OTHER EL EACH ACCIDENT EL DISEASE - POLICY LIMIT EL DISEASE - EA EMPLOYEE	 $1,000,000 $1,000,000 $1,000,000
A A	OTHER Contractors Equip Property	52521 52521	04/01/98 04/01/98	04/01/99 04/01/99	Equip Lim Deductibl	$500,000 $5,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

Certificate holder named as additional insured.

CERTIFICATE HOLDER

SAMPLE

Clark Energy Cooperative
P.O. Box 748
Winchester, KY 40392

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE Linda J. White

ACORD 25-S (1/95)

U.S. Department of Agriculture
Rural Utilities Service

DISTRIBUTION LINE EXTENSION CONSTRUCTION CONTRACT
(Labor Only)

PROPOSAL

TO:

Clark Energy Cooperative, Inc.

(hereinafter called the "Owner").

ARTICLE I—GENERAL

Section 1. **Offer to Construct.** *The undersigned (hereinafter called the "Contractor") hereby proposes to construct for the prices hereinafter stated, with materials furnished by the Owner, the rural electric project*

1996-1998CWP, 1999-2001CWP, *19* 98 *- Line Extensions (hereinafter called "Project") in strict accordance with the Plans, Specifications, and Construction Drawings hereinafter referred to. The Contractor understands and agrees that the Project will consist of line extensions and additions and line changes or similar work usually associated with overhead or underground distribution system improvement or extension work all located within the area served or ultimately to be served by the Owner and that the exact location and scope of individual sections of the Project (hereinafter called "Sections") will be made known to the Contractor from time to time as provided in Article II, Section 1 hereof; and provided, however, that the Contractor shall not be obligated to start construction of any Section unless the cost of construction of the Section computed on the unit prices of this Proposal shall amount to at least* _____

one *dollars ($* 1.00 *) and provided further that the Owner shall be obligated to release to the Contractor for construction at least one Section pursuant to the provisions of this Proposal.*

Section 2. **Additional Projects.** *From time to time the Owner and the Contractor may enter into negotiations for the performance of work at labor prices which may differ from those in the Proposal (such work being hereinafter called "Additional Projects"). Except as may otherwise be agreed upon in writing by the Owner and the Contractor at the time the supplemental contract for the Additional Project is negotiated, the provisions of the Contract for the Project shall apply.*

Section 3. **Proposal on Unit Basis.** *The Contractor understands and agrees that the various Construction Units considered in this Proposal are defined by symbols and descriptions in this Proposal, that the Proposal is made on a unit basis, and that the Owner may specify, as provided in Article II, Section 1 hereof, any number or combination of Construction Units which the Owner, may deem necessary for the construction of the Project. If kinds of Construction Units for which prices are not established in this Proposal are necessary for the construction of the Project, the prices of such additional Units shall be as agreed upon in writing by the Owner and the Contractor prior to the time of installation. The unit prices herein set forth are applicable to*

work performed on unenergized lines. Such unit prices shall be increased by zero

(0) *percent for all units installed on energized lines in accordance with instructions of the Owner, as provided in Article II, Section 1g.*

Section 4. **Description of Contract.** *The Specifications and Construction Drawings set forth in:*

RUS Bulletin 50-3, Specifications and Drawings for 12.5/7.2 kV Line Construction;
RUS Bulletin 50-5, Specifications and Drawings for 14.4/24.9 kV Line Construction;
RUS Bulletin 50-6, Specifications and Drawings for Underground Electric Distribution;

c. *A schedule showing the rate at which construction of the Section shall proceed and the total number of calendar days (excluding Sundays) to be allowed for completion; provided, however, that the required completion time for any Section shall not be less than* thirty (30) *days or* N/A (N/A) *days per mile of line, whichever is the greater, which days shall be calendar days (excluding Sundays). The time of the completion of the Section is of the essence of the contract to be effected by acceptance of this Proposal.*

d. *A statement that all required easements and rights-of-way have been obtained from the owners of the properties across which the Section is to be constructed (including tenants who may reasonably be expected to object to such construction).*

e. *A statement that all necessary staking has been completed.*

f. *A statement that all necessary funds for prompt payment for the construction of the Section will be available.*

g. *Specific instruction as to location and extent of work to be performed on energized lines, if any.*

The Contractor will not be required to dig holes, set poles, install anchors, install underground conduit, perform any plowing for the installation of underground cable, or dig trenches if there are more than six (6) inches of frost in the ground nor to perform any construction on such days when in the judgment of the Owner snow, rain, or wind or the results of snow, rain, or frost make it impracticable to perform any operations of construction; provided further that the contractor will not perform any plowing for the installation of underground cable on public roads or highways if there are more than two (2) inches of frost in the ground. To the extent of the time lost due to the conditions described herein and approved in writing by the Owner, the time of completion set out above will be extended. The time for completion shall be extended for a period of any reasonable delay (other than a delay resulting from the failure of the Contractor to secure sufficient labor) which is due exclusively to causes beyond the control and without the fault of the Contractor including acts of God, fires, floods, inability to obtain materials, direction of the Owner to cease construction as herein provided, and acts or omissions of the Owner with respect to matters for which the Owner is solely responsible: Provided, however, that no such extension of time for completion shall be granted the Contractor unless within ten (10) days after the happening of any event relied upon by the Contractor for such an extension of time the Contractor shall have made a written request therefor in writing to the Owner, and provided further that no delay in such time of completion or in the progress of the work which results from any of the above causes, except acts or omissions of the Owner, shall result in any liability on the part of the Owner.

Section 2. Changes in Plans, Specifications and Drawings. *The Owner may, from time to time during the progress of the construction of the Project, make such changes in, additions to, or subtractions from the Plans, Specifications, and Construction Drawings as conditions may warrant: Provided, however, that if the cost to the Contractor shall be materially increased by any such change or addition, the Owner shall pay the Contractor for the reasonable cost thereof in accordance with a construction contract amendment signed by the Owner and the Contractor, but no claim for additional compensation for any such change or addition will be considered unless the Contractor shall have made a written request therefor to the Owner prior to the commencement of work in connection with such change or addition.*

Section 3. Supervision and Inspection.

a. *The Contractor shall cause the construction work on the Project to receive constant supervision by a competent superintendent (hereinafter called the "Superintendent") who shall be present at all times during working hours where construction is being carried on. The Contractor shall also employ, in connection with the construction of the Project, capable, experienced, and reliable foremen and such skilled workmen as may be required for the various classes of work to be performed. Directions and instructions given to the Superintendent by the Owner shall be binding upon the Contractor.*

purpose of payment: Provided, however, that such approval by the Owner shall not be deemed approval of the workmanship or materials. Only ninety percent (90%) of each such estimate approved during the construction of a Section shall be paid by the Owner to the Contractor prior to completion of the Section. Upon completion by the Contractor of the construction of a Section, the Contractor will prepare a Final Inventory of the Section showing the total number and character of Construction Units and, will certify it to the Owner together with a certificate of the total cost of the construction performed. Upon the approval of such certificates, the Owner shall make payment to the Contractor of all amounts to which the Contractor shall be entitled thereunder which shall not have been paid.

b. *The Contractor shall be paid on the basis of the number of Construction Units actually installed at the direction of the Owner, as shown by the Inventory based on the Staking Sheets: Provided, however, that the total cost shall not exceed the maximum Contract price for the construction of the Project, unless such excess shall have been approved in writing by the Owner. It is understood and agreed that this maximum*

Contract price is one hundred thousand *dollars ($* 100,000.00 *). It is also agreed that the Contractor shall not be entitled to any claim for damages on account of any reasonable additions to or subtractions from the Project, or of any delay occasioned thereby, or of any changes in the routing of the lines.*

c. *No payment shall be due while the Contractor is in default in respect of any of the provisions of this Contract and the Owner may withhold from the Contractor the amount of any claim by a third party against either the Contractor or the Owner based upon an alleged failure of the Contractor to perform the work hereunder in accordance with the provisions of this Contract.*

Section 2. Certificate of Contractor and Indemnity Agreement - Line Extensions. *Upon the Completion of Construction of any Section of the Project but prior to payment to the Contractor of any amount in excess of ninety percent (90%) of the total cost of all Construction Units comprising the completed Section, the Contractor shall deliver to the Owner in the form attached hereto, (1) a certificate that all persons who have furnished labor in connection with the Project and subcontractors who have furnished services for the Project have been paid in full, and (2) an agreement to hold the Owner harmless against any liens arising out of the Contractor's performance hereunder which may have been or may be filed against the Owner.*

ARTICLE IV—PARTICULAR UNDERTAKINGS OF THE CONTRACTOR

Section 1. Protection to Persons and Property. *The Contractor shall at all times take all reasonable precautions for the safety of employees on the work and of the public, and shall comply with all applicable provisions of Federal, State, and Municipal safety laws and building and construction codes, as well as the safety rules and regulations of the Owner. All machinery and equipment and other physical hazards shall be guarded in accordance with the "Manual of Accident Prevention in Construction" of the Associated General Contractors of America unless such instructions are incompatible with Federal, State, or Municipal laws or regulations.*

The following provisions shall not limit the generality of the above requirements:

a. *The Contractor shall at no time and under no circumstances cause or permit any employee of the Contractor to perform any work upon energized lines, or upon poles carrying energized lines, unless otherwise specified in accordance with Article II, Section 1, subsection g.*

b. *The Contractor shall so conduct the construction of the Project as to cause the least possible obstruction of public highways.*

c. *The Contractor shall provide and maintain all such guard lights and other protection for the public as may be required by applicable statutes, ordinances, and regulations or by local conditions.*

h. *Upon violation by the Contractor of any provisions of this section, after written notice of such violation is given to the Contractor by the Owner, the Contractor shall immediately correct such violation. Upon failure of the Contractor so to do the Owner may correct such violation at the Contractor's expense.*

i. *The Contractor shall submit to the Owner monthly reports in duplicate of all accidents, giving such data as may be prescribed by the Owner.*

j. *The Contractor shall not proceed with the cutting of trees or clearing of right-of-way without written notification from the Owner that proper authorization has been received from the owner of the property, and the Contractor shall promptly notify the Owner whenever any landowner objects to the trimming or felling of any trees or the performance of any other work on his land in connection with the Project and shall obtain the consent in writing of the Owner before proceeding in any such case.*

Section 2. Insurance. *The Contractor shall take out and maintain throughout the period of this Agreement the following types and minimum amounts of insurance:*

a. *Workers' compensation and employer's liability insurance, as required by law, covering all their employees who perform any of the obligations of the contractor, engineer, and architect under the contract. If any employee or employee is not subject to workers' compensation laws of the governing state, then insurance shall be obtained voluntarily to extend to the employer and employee coverage to the same extent as though the employer or employee were subject to the workers' compensation laws.*

b. *Public liability insurance covering all operations under the contract shall have limits for bodily injury or death of not less than $1 million each occurrence, limits for property damage of not less than $1 million each occurrence, and $1 million aggregate for accidents during the policy period. A single limit of $1 million of bodily injury and property damage is acceptable. This required insurance may be in a policy or policies of insurance, primary and excess including the umbrella or catastrophe form.*

c. *Automobile liability insurance on all motor vehicles used in connection with the contract, whether owned, nonowned, or hired, shall have limits for bodily injury or death of not less than $1 million each occurrence, and property damage limits of $1 million for each occurrence. This required insurance may be in a policy of policies of insurance, primary and excess including the umbrella or catastrophe form.*

The Owner shall have the right at any time to require public liability insurance and property damage liability insurance greater than those required in subsections "b" and "c" of this Section. In any such event, the additional premium or premiums payable solely as the result of such additional insurance shall be added to the Contract price.

The Owner shall be named as Additional Insured on all policies of insurance required in subsections "b" and "c" of this Section.

The policies of insurance shall be in such form and issued by such insurer as shall be satisfactory to the Owner. The Contractor shall furnish the Owner a certificate evidencing compliance with the foregoing requirements which shall provide not less than (30) days prior written notice to the Owner of any cancellation or material change in the insurance.

Section 3. Bond. *If the estimated cost of the construction of a Section shall exceed $100,000, the Contractor agrees to furnish prior to the commencement of such construction, a bond in the penal sum not less than the estimated cost of such Section in the form attached hereto with a Surety or Sureties listed by the United States Treasury Department as acceptable sureties. In the event that the Surety or Sureties on the performance bond delivered to the Owner shall at any time become unsatisfactory to the Owner, the Contractor agrees to deliver to the Owner another or an additional bond.*

The Contractor agrees that if it has 100 or more employees and has not submitted a report on Standard Form 100 for the current reporting year and that if this Contract will amount to more than $10,000, the Contractor will file such report, as required by law, and notify the Owner in writing of such filing prior to the Owner's acceptance of this Proposal.

b. Equal Opportunity Clause. During the performance of this Contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this Equal Opportunity Clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers, with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the Equal Opportunity Clause of this Contract or with any of the said rules, regulations, or orders, this Contract may be cancelled, terminated, or suspended in whole or in part, and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24,1965, or by rule, regulation, or order of the Secretary of Labor, or as provided by law.

(7) The Contractor will include this Equal Opportunity Clause in every subcontract or purchase order unless exempted by the rules, regulations, or order of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Section 8. Extension to Successors and Assigns. *Each and all of the covenants and agreements contained in the Contract effected by the acceptance of the Proposal shall extend to and be binding upon the successors and assigns of the parties thereto.*

Davis H. Elliot Company, Inc.
CONTRACTOR

By D. Haskins
Asst. Vice-PRESIDENT
David Haskins
P.O. Box 12108

673 Blue Sky Parkway
Lexington, KY 40580
ADDRESS

ATTEST:

Susan Klaendl
SECRETARY

Date of Proposal May 18, 1998

This Proposal must be signed with the full name of the Contractor. If the Contractor is a partnership, the Proposal must be signed in the partnership name by a partner. If the Contractor is a corporation, the Proposal must be signed in the corporate name by a duly authorized officer and the corporate seal affixed and attested by the Secretary of the Corporation.

ACCEPTANCE

The undersigned hereby accepts the foregoing Proposal of David H. Elliot Company, Inc.

_____ *, dated* May 18, 1998 *, to*

construct the rural electric Project 1996-1998CWP / 1999-2001CWP *, 19* 98 *- Line Extensions.*

Clark Energy Cooperative, Inc.
OWNER

By _____
PRESIDENT &CEO

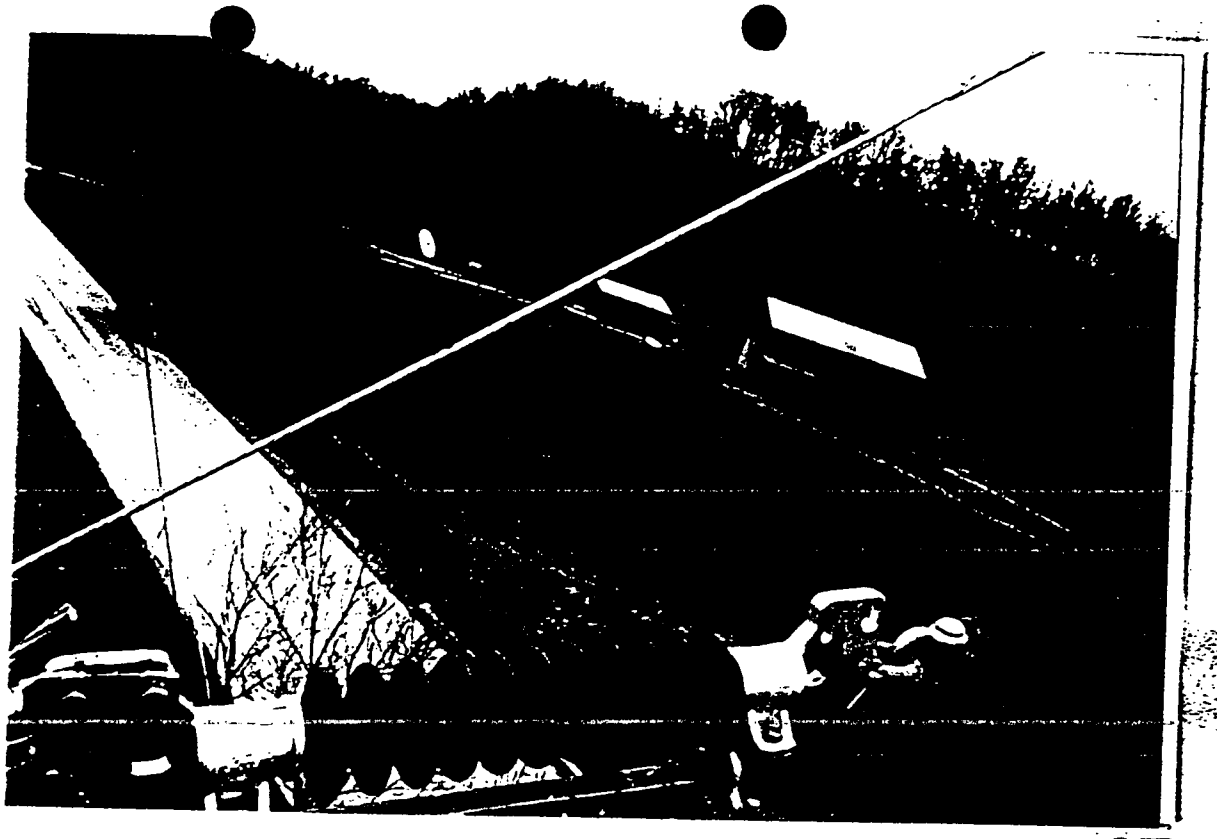
Overt L. Carroll

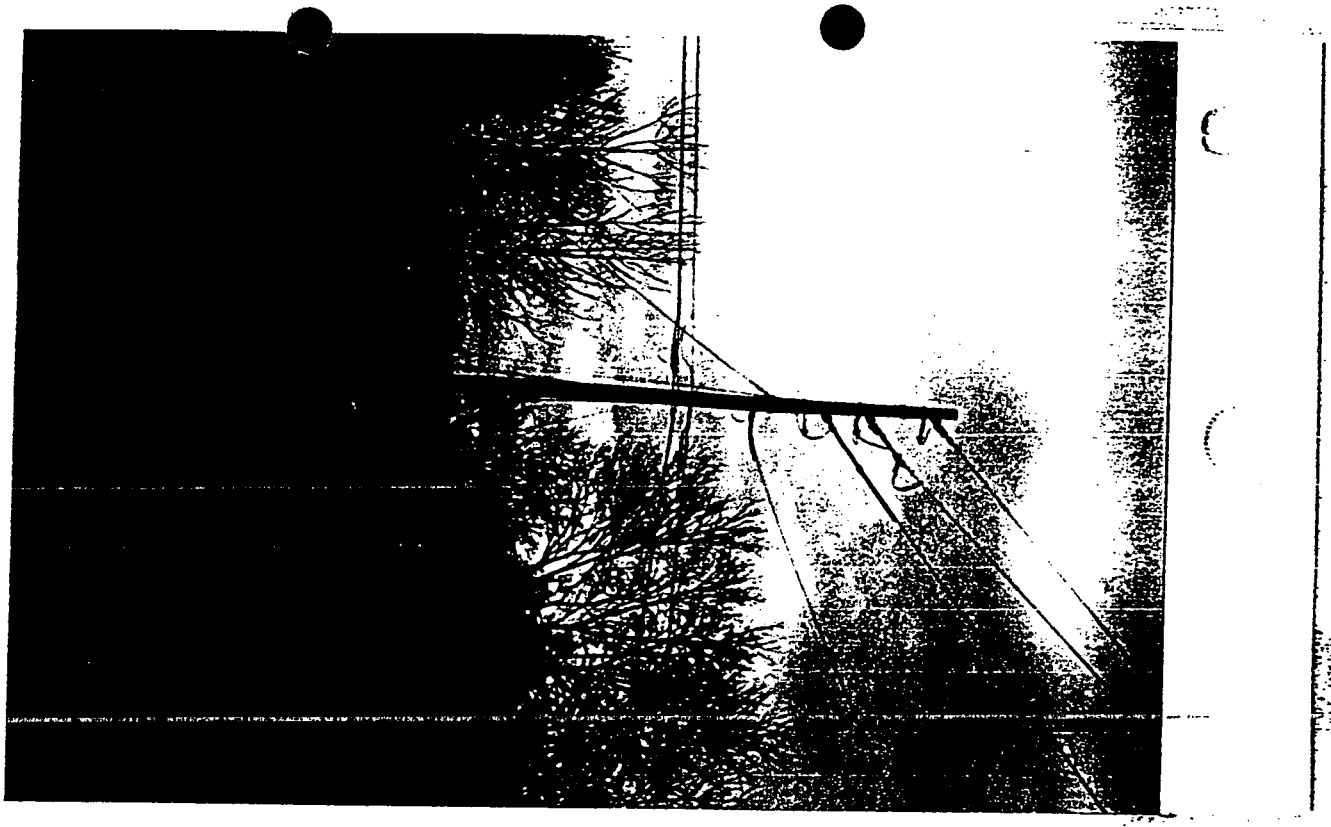
May 18, 1998
DATE OF CONTRACT

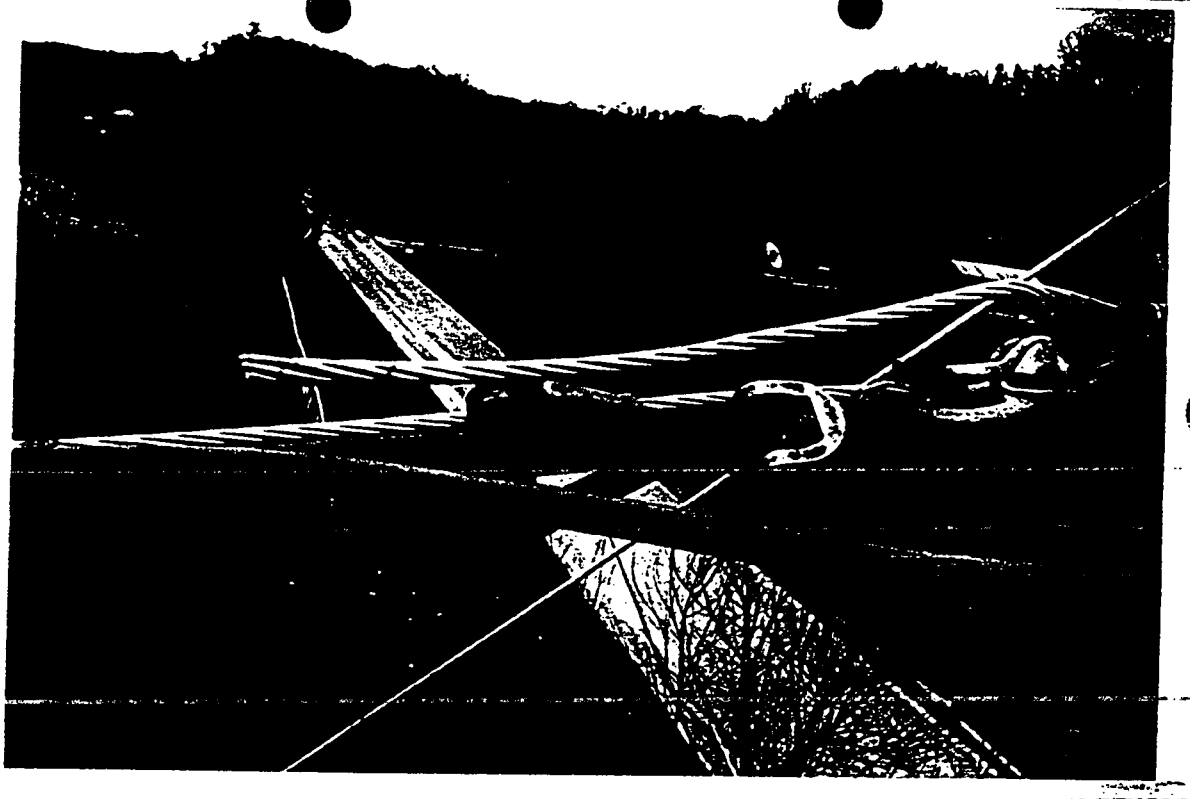
_____
SECRETARY

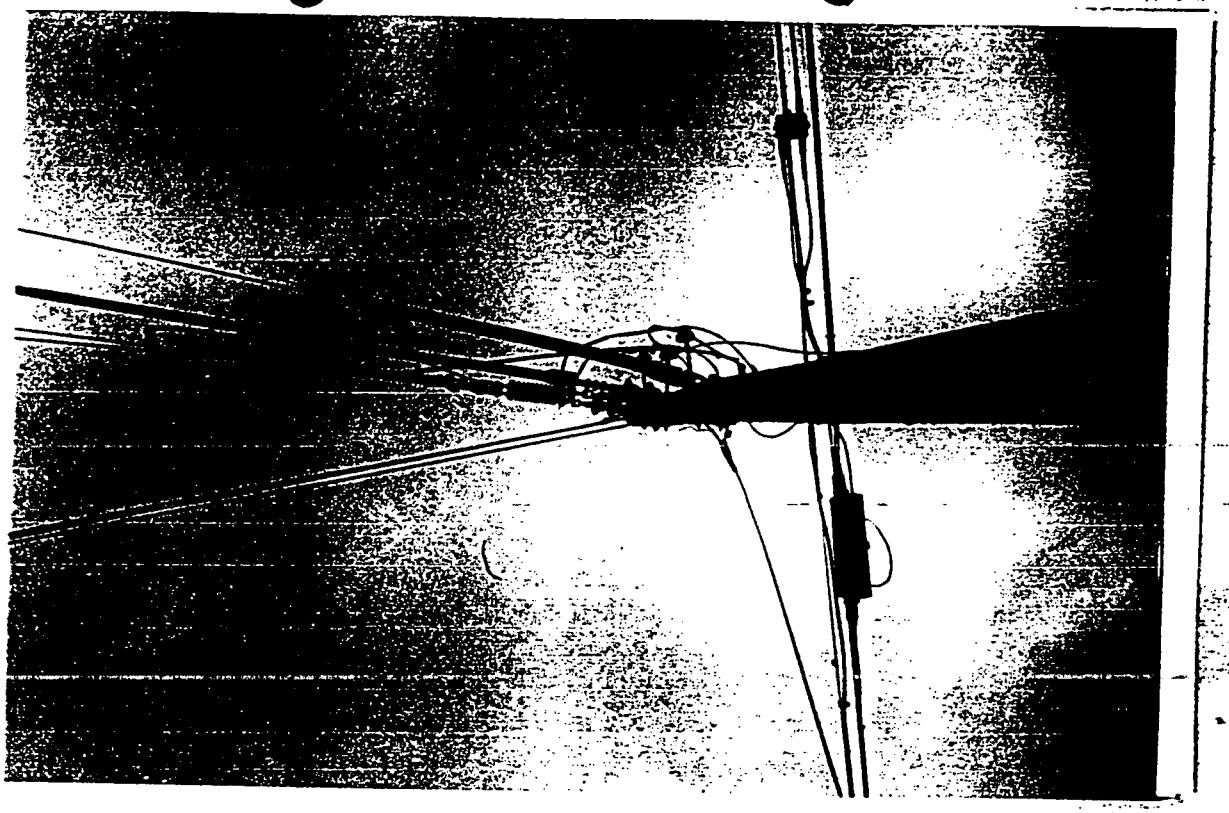
Attachment B

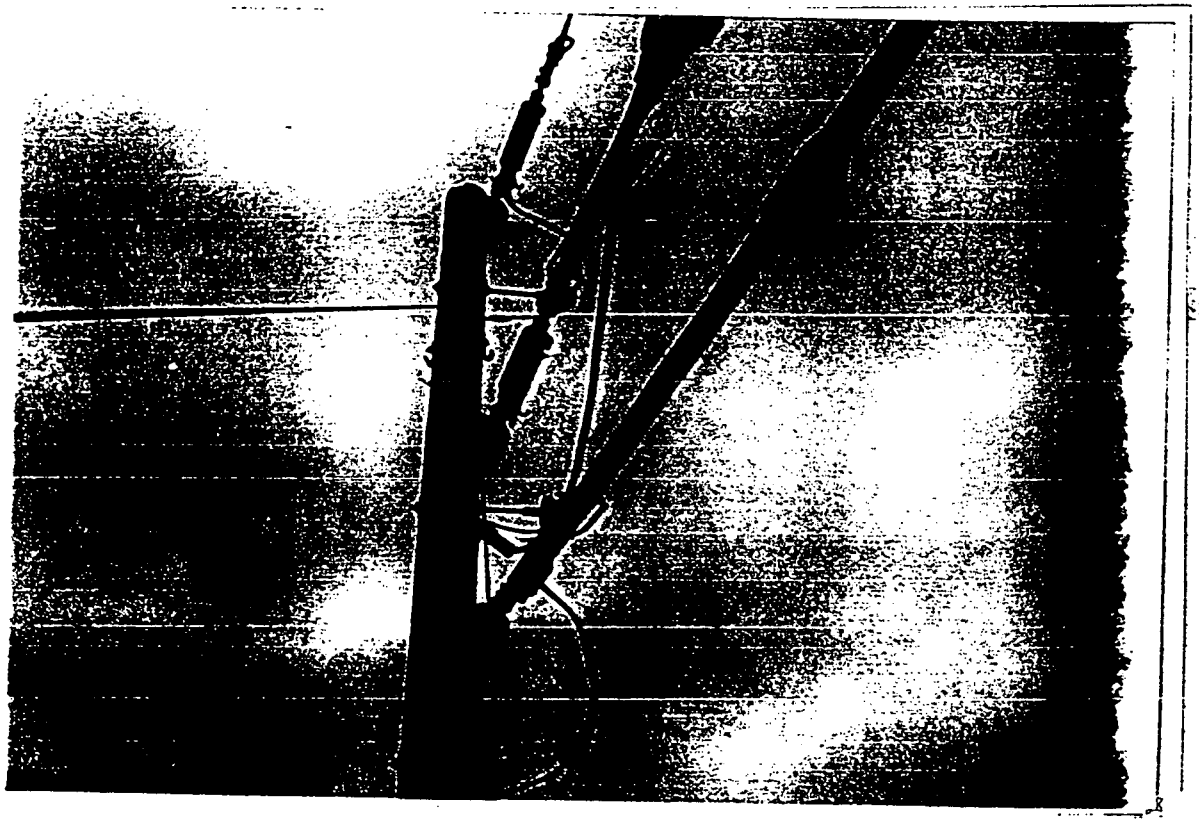
Photographs of Accident Site

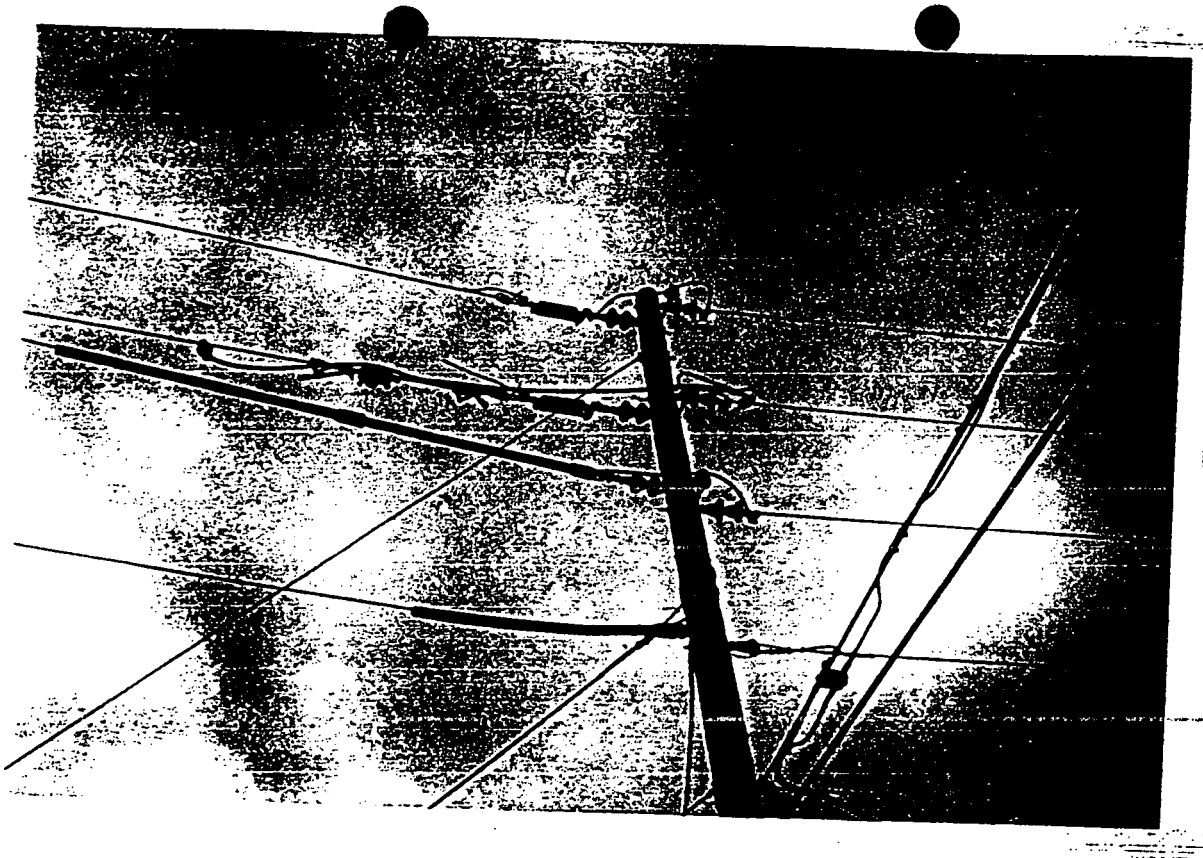


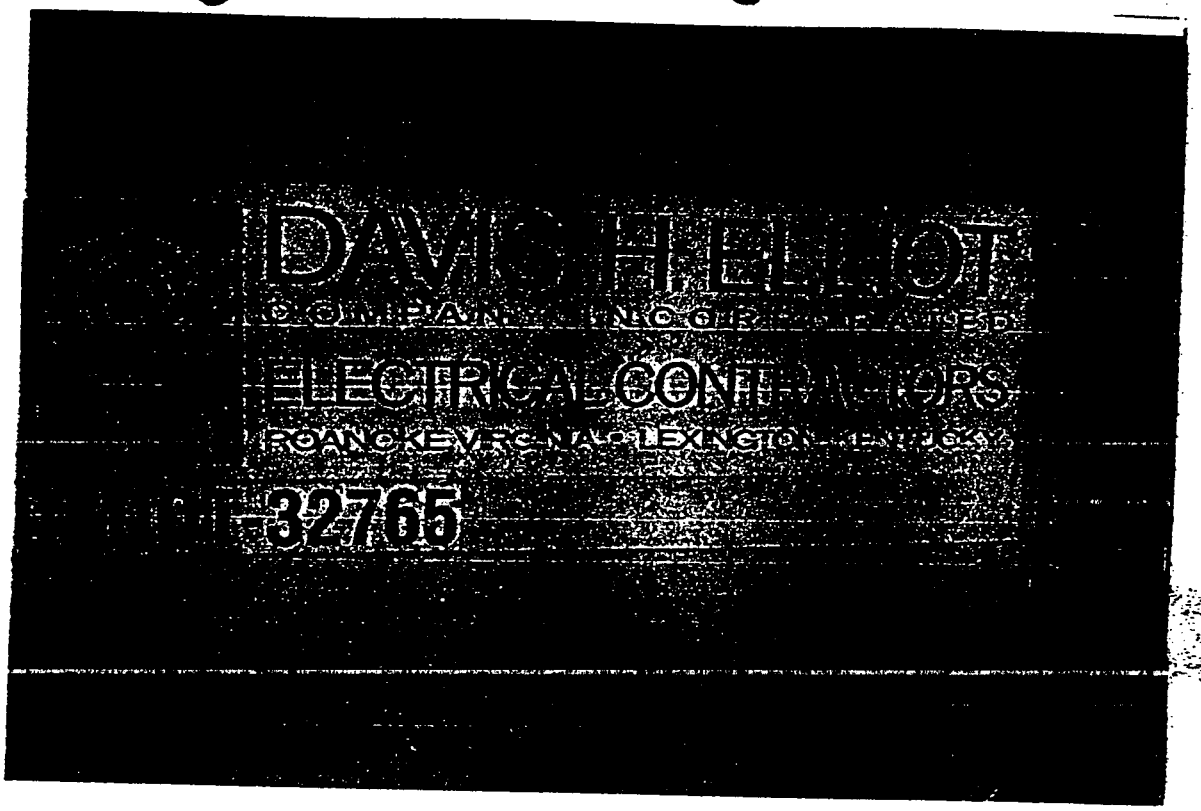


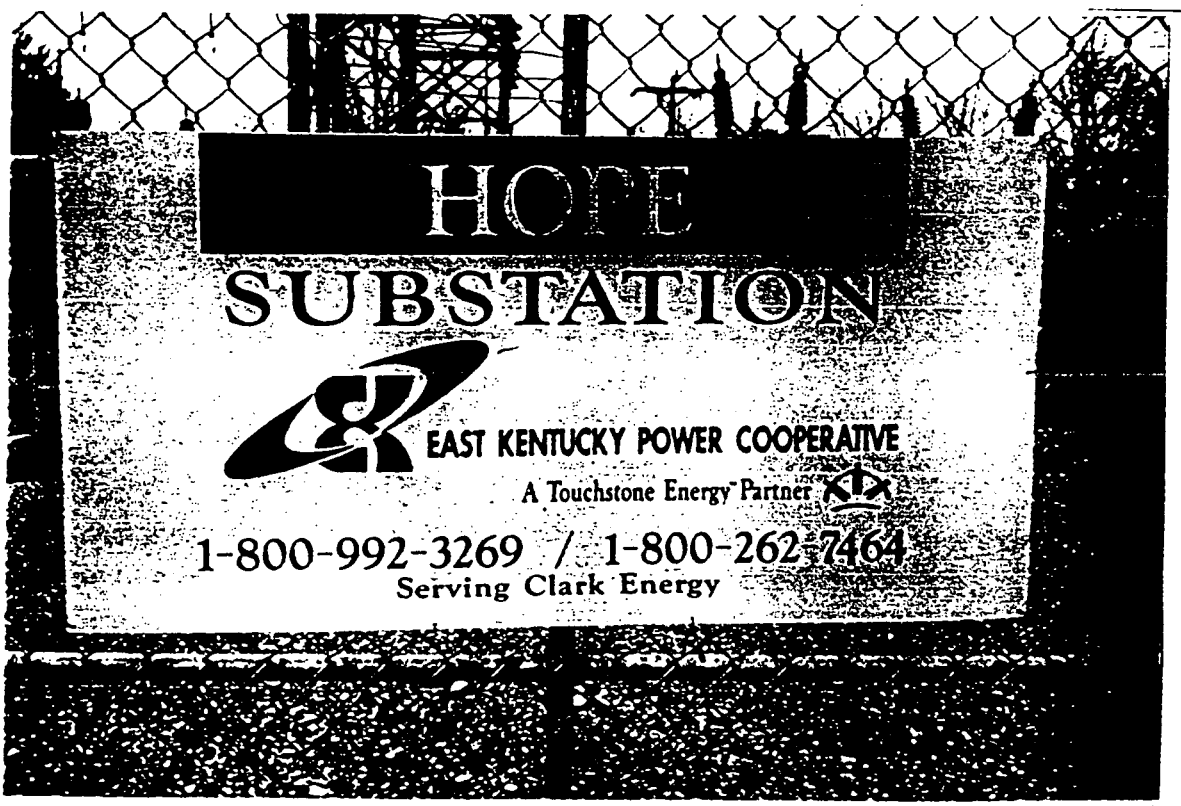









DAVIS H. ELLIOT
ELECTRICAL CONTRACTORS
32765


HOPE
SUBSTATION
EAST KENTUCKY POWER COOPERATIVE
A Touchstone Energy Partner
1-800-992-3269 / 1-800-262-7464
Serving Clark Energy

Attachment C

Personnel Information From Davis H. Elliot Company

Proper storage.

When using, seat the bit firmly in the chuck.

Align the bit and the brace, applying necessary pressure to allow the cutting edges of the bit to complete the boring operation.
Never strike the brace with another tool.

Inspect drilling/target area for electrical wiring.

(l) **How do you inspect and use saws?**

Blades for sharpness, missing teeth.

Proper storage.

Handle for cracks and security of blade.

Select the proper saw for the job.

When using, maintain firm footing and apply pressure on the forward stroke. Keep other hand away from teeth.

(j) **How do you inspect and use shears?**

Cutting edges for nicks and burns or excessive sideplay in blades.

Proper storage.

Handles for ease of operation, cracks or fractures.

When using cut at right angles, keeping other hand free from cutting edge.

(k) **How do you inspect and use knives?**

Blades for sharpness, burrs and nicks, mushrooming.

Proper storage.

Handle for tightness and wear.

Select the correct knife for the job.

When using, wear appropriate gloves, keep free hand away from direction in which force is applied. Do not use items between

Select the proper long-nose pliers for the job at hand.

When using long-nose pliers, the direction of pull should be away from the body, especially the face. Head level should be above the pulling effort.

(e) **How do you inspect and use hammers?**
Check handle for cracks, splinters, tape.

Head for fractured edge, mushroom and securely fastened.

Select the appropriate hammer for the task to be performed.

When using a hammer, grip the handle tightly, strike object squarely, keep other hand away from striking operation.

(f) **How do you inspect and use axes?**

Handle for cracks, splinters, tape.

Head for burrs or deep groves in cutting edge, securely fastened to handle.

Proper storage.

When using an axe, secure a firm footing, verify that movement will not be impeded when swung, area is clear of any onlookers, travel of cutting edge is away from body and never between legs.

(g) **How do you inspect and use drills?**

Drills for sharp cutting edges and straightness.

Proper storage.

Select the proper drilling hammer.

When using, wear special eye protection. Apply light hammer blows and turn drill slightly between blows.

(h) **How do you inspect and use a brace and bit?**

Brace for ease of operation of the chuck and ratchet.

Bits for sharpness and straightness.

(17) HAND TOOLS (E-D)

(a) **How do you inspect and use screw drivers?**

Check handles for breaks, splits, roughness.

Shank for looseness in handle or bent.

Blade for broken, chipped, bent, rounded edges or corners.

Select the proper size screw driver, keeping the shank in line with the screw.

When using, keep the blade squarely against the bottom of the screw slot, keep the free hand away from the tip of the blade while exerting pressure.

(b) **How do you inspect and use hand drills?**

Shaft for free rotation and excess wear.

Bits for sharpness and straightness.

Proper storage.

When using, keep fingers away from the drill point.

Place one hand on grip to apply even pressure.

(c) **How do you inspect and use diagonal pliers?**

Cutting edge for deep nicks, space between cutters, alignment of jaws.

Handles for straightness, broken, freedom of movement.

Select the proper size of cutting pliers for the job at hand.

When using diagonal pliers, cut the wire or cable in the direction away from the user.

(d) **How do you inspect and use long-nose pliers?**

Jaws for straightness, broken nose ends, alignment, gripping separations.

Handles for straightness, broken, freedom of movement.

Unauthorized decals.

Flex Test to determine if the physical properties of a helmet have deteriorated to a point where replacement is necessary. The test should be made at least semiannually and when the helmet is at room temperature. The Flex Test is performed as follows:

Grasp the helmet at the brim and compress inwards from the sides about 1 inch with both hands and release quickly without dropping the helmet.

The helmet should spring back exhibiting some elasticity.

Repeat the test on a new helmet.

If the test helmet does not exhibit the same elasticity as the new helmet, or if cracks appear in the test due to embrittlement, replace the test helmet.

4-30-98

(16) HARDHATS (E)

(a) **What type of protection is provided by the hardhat?**

Protection against head injury.

Protection for accidental electrical contact.

(b) **When do you wear a hardhat?**

Hardhats should be worn by employees when they are subjected to conditions which could result in head injuries from falling or moving objects or striking against stationery objects, or electric shock from accidental contact with electrically energized objects. The following are common work operations and conditions under which hardhats should be worn:

Performing all kinds of work, i.e., line from aerial lifts or truck mounted ladders.

Working aloft, i.e. from poles, ladders, and platforms.

In the vicinity of construction apparatus and equipment.

On the ground level when work is going on overhead.

Working in trenches.

Pole placing and removal work.

Entering, leaving and working in manholes /enclosed spaces.

At all sites where building construction work is in progress.

Working in any area or enclosure where headroom is insufficient such as in crawl spaces and tunnels.

Any other time when there is a potential for head injury.

(c) **What inspections and tests should be performed on a hardhat?**

Physical damage or wear, holes or attachments.

Suspension for proper fit.

ACKNOWLEDGMENT

I, the undersigned employee of Davis H. Elliot Company, Inc., acknowledge I have received a copy of the Company's *Safety Handbook and Work Process Manual* and agree to read it or have it read to me.

Albert E. Sturgell Jr

Employee's Name (Please Print)

Albert E Sturgell Jr.

Signature

4-16-97

Date

(d) **How do you inspect and maintain goggles?**

Lens for cracks and scratches.

Straps for elasticity and wear.

Clean and bright by washing with soap and water.

Store in the appropriate case.

4-30-98

James Maynard

Danny B Lin

Albert Stigall

Omer May

(15) EYE PROTECTION (E-D)

(a) **When do you wear ANSI approved safety glasses?**

At all times when there is a hazard of eye injuries.

When performing work operations requiring special eye protection (goggles).

(b) **How do you inspect ANSI approved safety glasses?**

Lenses, look for the manufacturer's symbol etched on lens.

At the top of the lens for plano, and near the hinge for corrective lenses.

Lenses not scratched or pitted, clean and bright.

Frames, look for the manufacturer's symbol on the frame and the inside of the temple.

Proper fit.

(c) **When do you wear goggles?**

Impact-type goggles shall be worn when:

Drilling or chipping stone, brick, masonry, terra cotta, tiles, etc.

Working around grinding wheels.

Using power-activated stud drivers.

Dust and splash-proof goggles shall be worn when:

Under motor vehicles when hammering.

Using compressed air.

Handling air filters or fluorescent tubes.

Handling battery acids.

When work is performed above eye level and when dirt and debris is likely to be distributed (i.e., tree trimming).

(14) FIRE SAFETY (E)

(a) **Where are fire extinguishers located and how are they used?** (DE)

Employee should be able to show the exact location of the fire extinguisher(s) and be able to demonstrate its use.

Fire extinguishers must be readily accessible to employees without subjecting the employees to possible injury.

Read the instructions on the fire extinguisher or:

- Pull the pin or release other holding mechanisms;
- Aim the nozzle, hose, or horn at base of fire;
- Squeeze or press the handle;
- Sweep from side to side at base of fire until extinguisher is discharged or fire is out.

(b) **What are your instructions in case of fire / emergencies?** (E)

Employee must be able to explain local instructions (emergency exits, reporting fires, etc.), emergency medical response as outlined by local procedures. Specific details should be discussed at this time.

4-16-98
James Maynard
Omar Mary
Allen Hughes

(13) HAZARD COMMUNICATION PROGRAM (E)

29 Code of Federal Regulations (CFR) 1910.1200, Federal Hazard Communication Standard (HCS), requires employees covered under the HCS to receive initial training and additional training whenever a new hazard is introduced into their workplace. This training and information will consist of:

- The HCS requirements.
- Any operations in their work area where hazardous chemicals are present.
- The availability of the Company's written Hazard Communication Program, including the required list(s) of hazardous chemicals, and material safety data sheets.
- Methods to detect the presence or release of a hazardous chemical in the work area, such as monitoring conducted by the employer, continuous monitoring devices, etc.
- The physical and health hazards of the chemicals in the work area.
- The measures employees can take to protect themselves from these hazards, including specific procedures the Company has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and protective equipment to be used.
- Details of the hazard communication program including an explanation of the labeling system and the material safety data sheet, and how to obtain and use the appropriate hazardous information.

4-16-98
James Maynard
Omer May
Albert Stinnett

(12) EMPLOYEE EXPOSURE RECORDS (E)

29 Code of Federal Regulations (CFR) 1910.1020, Access to Employee Exposure and Medical Records, provides employees and their designated representatives a right of access to relevant exposure and medical records. This CFR requires, upon an employee's first entering into employment, and at least annually thereafter, each employer to inform employees exposed to toxic substances or harmful physical agents of the following:

- The existence, location, and availability of any records covered by 29 CFR 1910.1020;

- The person responsible for maintaining and providing access to records; and,

- Each employee's rights of access to these records.

Note: Access is limited to only those employees who have been exposed, work in environments where they are likely to be exposed or are transferred to job titles at locations with working conditions where they will be exposed to toxic substances or harmful physical agents. Toxic substance or harmful physical agent means any chemical substance, biological agent (bacteria, virus, fungus, etc.), or
physical agent (noise, heat, cold, vibration, repetitive motion, ionizing and non-ionizing radiation, hypo- and hyperbaric pressure, etc.) which: (a) Is listed in the latest edition of the NIOSH Registry of Toxic Effects of Chemical Substances (RTECS); or (b) Has yielded positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer; or (c) Is the subject of a material safety data sheet kept by or known to the employer indicating that the material may pose a hazard to human health. Notification is limited to those employees who are covered by the 29 CFR 1910.20 regulations.

4-16-98
Omer Mayhorn
Omer May
Albert E Hurgett

(j) **When should the temporary barricade be used?**

Whenever the space is open.

(k) **How do you enter a manhole / enclosed space?**

Facing traffic and maintaining three points of contact.

Use only an appropriate ladder whose first step is no more than one foot below the ground surface. 4-15-98

James Maynard
Omer May
Albert E Stingfield

If sufficient water is present in the manhole to require pumping, hold the sampling hose/remoter sensor one foot above the water.

(f) **What do the different indicator readings mean?**

A near full scale or full scale movement of the indicator indicates an explosive level of gas.

A indicator reading over 1.0 or 100% indicates an explosive level and the foreman should be notified.

An indicator reading 0.1 to 1.0 or 10% requires purging and retesting with the blower in operation. If a second test still reads .1 to 1.0 or 10% to 100% do not enter and notify the foreman.

An indicator reading below 0.1 to 10% indicates that the manhole may be entered after purging.

(g) **What do you do if gasoline fumes are smelled?**

Vacate the manhole enclosed space.

Protect the public.

Notify your foreman <u>immediately</u>.

(h) **Why must a manhole / enclosed space be purged?**

No manhole /enclosed space <u>should</u> <u>ever</u> be entered until the space is purged for the required time to dissipate any stagnant gas, ensure against oxygen deficiency and provide a complete air change in the manhole.

Only one 90 degree bend in the blower hose is permitted while purging.

(i) **Where do you locate the ventilating equipment?**

The blower intake must be away from exhaust fumes.

The propane or compressed gas source should be in a secured upright position away from the blower intake and if possible lower than the manhole opening.

Only two 90 degree bends are permitted in the blower hose and the end must be secured in a horizontal position directed toward an end wall of the manhole.

(11) Enclosed Spaces (E)

(a) **What do you do prior to removing a manhole cover?**

Place work area protection.

(b) **How do you test the operation of the meter?**

Note: Follow the manufacturer's procedures for calibration and use. Never use a meter if it fails to pass any of the test.

(c) **When do you test for hazards in a manhole / enclosed space?**

Before or immediately after removing manhole cover.

After purging and entering a manhole.

Use continuous monitoring equipment.

When opening a duct, or removing duct plugs.

After removal of water from a manhole.

At every shift change.

(d) **How do you remove a manhole cover?**

One person can remove the cover by placing the feet solidly clear of the cover, bending the knees and keeping the back straight.
Use manhole cover lifter or hooks.

Two persons should first both use their hooks on the same side to break the manhole cover seal. One person then moves to the opposite side of the cover and lifts and assists while the other person pulls.

Frozen manhole covers should never be thawed with an open flame. Covers can be loosened with a digging bar, hammer or chisel, or by directing a ventilating heater hose at the cover.

(e) ***How do you test manhole / atmosphere?***

Lower the free end of the indicator hose/remote sensor to the point where a person's head will be when working in the manhole.

The vehicle cab should be equipped with insulating gloves and a rubber blanket.

Must have upper controls in bucket and overriding lower controls for use in case of emergency. 4-15-98

James Maynard
Albert E. Hargett
Omer May

onto the vehicle.

(h) **How may a pole truck be moved when derrick is not stowed?** ëEï

Have insulating blanket and gloves available in the cab of the truck.

For short distances, e.g., pole to pole, the auger may be carried suspended as long as it is secured to the derrick, the derrick stinger is retracted and rotated off the rear of the truck. The auger must not swing, presenting hazards to pedestrians or other vehicles.

Speed must not exceed a slow walking pace.

Ensure that outriggers are retracted before moving.

(i) **What are the restrictions when using boom tip or turret winch in pole removal?**

Never pull poles with the boom tip winch.

Always use a pole jack when removing poles.

(j) **What special precautions must be followed when entering a bucket?**

Do not exceed the designated bucket capacity as stated by the manufacturer.

Bucket users must wear a suitable fall protection (personal fall arrest equipment)with a safety strap or lanyard and be secured to the retaining ring at all times while in the bucket.

Enter or leave the bucket only in the manner recommended by the manufacturer or appropriate work practices.

(k) **What are the precautions when moving a vehicle with a person in the bucket?**

The vehicle must be equipped with a two-way intercom or other forms of communication and be in good working order.

The person in the bucket is in command of any vehicle movement.

The vehicle must be moved at a slow walking pace with the driver watching for bumps, soft shoulders or high crowns.

(10) VEHICLES MOUNTED DERRICKS/AERIAL LIFT DEVICES (E)

(a) **What are the requirements to operate a derrick or an aerial lift device?**

The operator must be thoroughly trained on the particular vehicle being used, including emergency operating procedures.

The operator must be familiar and use the daily check list and have full of potential hazards.

(b) **What precautions do you observe after positioning the vehicle?**

Set parking brake.

Operate the mico-lock (if equipped).

Set the wheel chocks.

(c) **Where must you stand when operating the controls of derricks?**

Stand in the position provided.

If operated from the ground level, an insulated blanket should be used to stand on.

(d) **What should you do before extending the digger derrick boom?**

Set the outriggers taking necessary precautions to ensure adequate footing.

(e) **What precautions should you take prior to extending a boom or aerial lift device?**

Check for exposed energized power.

If possible power contact exists, place appropriate cover up.

(g) **What do you do if the vehicle is suspected of being energized?**

Stay with the vehicle. Do not leave until power contact has been removed or power has been cut off.

If an emergency arises and personnel must leave the vehicle, put on rubber gloves, throw rubber blanket on the ground.

Jump onto the blanket. Do not jump in such a way that you may fall back

Neither adjacent span is over 165 feet.

(d) **How do you test poles?**

Use a Prod with a shaft of five inches in length or longer.

Insert the tool at a 45 degree angle below the ground line.(Most decay occurs 12 inches below ground.)

Wood decay will be evident by the ease with which the tool penetrates pole.

Sound the pole by striking with a hammer on all sides from the ground line to as high as can be reached. The presence of advanced decay can be recognized by the hollow or dull sound.

(e) **What do you do if the pole does not pass the test?**

Do not climb.

Tag with the appropriate pole tag and notify your foreman.

(f) **What do you do if pole / tower steps are bent, missing, or loose?**

Replace steps. Never climb on defective steps

(g) **What are the precautions to follow after storms?**

Perform a visual patrol of the line and survey surroundings for any hazards.

Wear personal protective equipment

Test all potential electrical hazards.

Coordinate with power company.

(h) **How do you raise and lower hand tools and equipment?**

Use a canvas bucket and/or a hand line.

2-20-98

(9) WORKING ALOFT ON POLES (E-D)

(a) **What hazards do you look for prior to climbing?**

Base of pole clear of debris, depth of setting.

conduits, fixtures, exposed wires.

Climbing obstructions, nails, traffic signs, clothes lines, hooks, antennas, missing or bent steps, etc.

Check for the presence of bees, wasps, other insects and poisonous plants, other hardware or on pole.

Unbalanced loading or distribution.

(b) **What causes a hazardous unbalanced condition?**

Unbalanced loading or distribution on a pole.

Removal of guys.

Releasing conductors under tension.

Placing additional conductors.

Tensioning conductors.

Changing locations of attachments.

Loosening guy clamps.

Moving conductors.

(c) **Which poles are to be tested?**

All other poles must be tested unless all of the following conditions exist:

The pole is in a straight line section but not a dead end pole.

The pole is carrying conductors that will support the weight of the pole and will remain securely fastened throughout the work operation.

There is no downward grade change at the pole.

Lower the descending foot no more than 12 inches to the ground.

Lower remaining foot to ground maintaining body balance with both hands on pole until feet are in a stable and balanced position.

Cover gaffs with guards and remove climbers.

2-20-98

For right maneuver, position right foot one-half step higher than left foot. Position hands on outside edge of safety strap with Fingers and thumbs gripping the inside edge one-half the distance between body belt and pole. Shift weight to leading foot. Move hips forward and while supporting body weight with hand, shift the safety strap in the direction of the lateral step.Position trailing foot one-half step behind and one-half step below leading foot.

Shift body weight to trailing foot and continue maneuvering sequence.

(e) **How do you unbelt?**

Visually inspect pole.

Check feet and legs for circulation; move around or shift position to restore circulation if necessary.

Position right foot higher than left, center and balance weight over left gaff, position left hand around pole.

Disengage snaphook from right Dee ring, position hand carrying snaphook at should height and transfer snaphook to left hand, transfer weight to right hand, engage snaphook in left Dee ring.

Reverse if left-handed.

(f) **How do you descend?**

Both hands parallel on the pole.

Lower the leading foot, engage the gaff and lock the knee.

Position the following hand 8 to 12 inches below the balancing hand.

Lower the other foot and penetrate the pole approximately 8 to 12 inches below the opposite foot and lock the knee.

Drop the following hand below the balancing hand.

Continue the 3 point technique to the ground.

(g) **How do you step off a pole?**

Visually inspect the area around the base of the pole.

(8) CLIMBING SKILLS (D)

(a) **What do you do in preparing to ascend?**

Wear proper personal protective equipment.

Inspect the pole for hazards.

Determine the high side of the pole and inspect the climbing area visually.

Put body belt and safety strap on and adjust the strap to the proper length.

Put climbers on at the base of the pole, and remove gaff guards.

(b) **How do you ascend the pole?**

Hands at shoulder height, first raise right hand, then right foot and insert gaff at heart of pole 8 to 12 inches from ground.

Transfer weight to right leg and raise left hand, and then the left leg and insert gaff at heart of pole 8 to 12 inches above right gaff.

Continue the three-point technique to the desired height.

(c) **How do you belt in?**

Place right foot one step higher than left, center weight on left foot, position right hand around pole.

Remove top snaphook from carrying Dee ring, position hand with snaphook on back quarter of pole shoulder high, shift body Balance to left wrist, transfer snaphook to right hand, engage snaphook in right Dee ring, visually check that snaphook is engaged.

Position safety strap to belt height.

Shift weight to body belt and safety strap.

Reverse if left-handed.

(d) **How do you move around the pole?**

Visually inspect pole.

Position safety strap at belt-height or higher for maneuver, keep body erect.

Push climber, knee and hand toward the pole by moving knee until the strap loop is against the pole.

Maintaining this position, gradually exert full pressure straight down on the stirrup. Do not jerk or jump. Do not raise the other foot off the ground, but do place all of your weight on the gaff.

A correctly shaped gaff will cut into the pole and hold within a distance of two inches or less.

After using the gaff guard to check this measurement, replace the guard.

Check both climbers in this manner.

(e) **How do you hone a gaff?**

Hold the stone on the inner surface of the gaff and as close to the leg iron as possible.

20 to 25 strokes toward the tip but not over the tip, keeping the stone flat against the surface.
Stroke outer side to remove burrs.

(f) **When do you wear climbers?**

Only when actually climbing and working on poles.

2-18-98

(7) CLIMBERS (E-D)

(a) **When should you visually inspect?**
When received and each day prior to use.

(b) **How should you visually inspect?**

Gaff guards in place.

Straps and pads for wear, cut fabric, and enlarged holes, broken buckles, loose rivets.

Sleeve screws for tightness.

Missing screws or rivets.
Leg irons for fractures, bends or twists or broken loops, and rings.

Gaffs for fractures, hairline cracks distortions, looseness or dullness.

Gaff ridge for straightness.

Insulated parts in good condition and properly placed

(c) **When should you perform the cut-out test?**

When received.

First time used each week.

Anytime damage is suspected.

(d) **How should you perform the cut-out test?**

Put on one climber, fasten the foot strap but not the leg strap.

Remove the gaff guard and put on your work gloves.

Place a gloved hand between the leg and climber pad, palm facing the pole.
Place the other hand around the pole for balance.
With the leg at the normal climbing angle (about 30 degrees), point the gaff at the center of the pole about one foot above ground line.

Slightly penetrate the pole surface (penetration should not exceed 1/4 inch). Keep enough pressure to hold the gaff in the Pole but do not penetrate further.

(6) BODY BELTS, SAFETY STRAPS, HARNESS & LANYARDS (E-D)

(a) **When do you visually inspect?**

When received and each day prior to use.

(b) **How do you inspect?**

Fabric and leather

Burn marks.

Cuts or cracks which would affect the strength.

Broken or rotted stitching.

Contrasting colored marker visible.

Excessively enlarged holes in tongues.

Unauthorized attachments.

Metal Parts

Badly worn or broken reinforcement plate.

Loose or broken rivets.

Cracks in buckle or snaphook.

Binding of keeper on snaphook.

Check Dee rings, on flat surface, for 90-degree rotation.

(c) **When do you use a lanyard?**
A lanyard is used in the bucket of an aerial lift device and when fullbodyharness is used as personal fall arrest equipment.

(c) **What do you do if they fail the test?**

Do not use.

Cut glove, palm side from finger to top of gauntlet.

(d) **When do you wear insulating gloves/ Sleeves?**

Whenever there is a possibility of contacting electrical power energized at 50 volts or more.

Sleeves are not required when there is no potential for the upper body to contact the exposed energized lines or other items that could

When driving ground rods in areas that may contain buried power

(e) **How do you store insulating gloves?**

A protective glove palm down.

An insulating glove palm up.

Both fabric liners.

The other insulating glove palm down.

The last protector glove palm up.

Grasp all gloves together by the gauntlet and insert in bag, fingers up.

Hang bag by strap in a protected place.

James Maynard 7-18-98
Albert E. Stuart
Guy Stuart
Omer May

(5) ELECTRICAL HAZARDS (E-D)

(a) **When do you test insulating gloves?**

When received.

Before and after use.

(b) **In what sequence do you test insulating gloves?**

Visually check return date for testing.

Pull the fingers to stretch the rubber in each finger crotch.

Look for evidence of contrasting color (red or yellow) showing through the black.

Look for signs of abrasions or deterioration on the palm, finger area or back of glove.

Squeeze the fingers of the glove together and let go quickly; live rubber will return to the normal position. If there is a sign
Of stickiness, check glove for deterioration and, if in doubt, exchange gloves.

Inspect the gloves over the entire surface (inside and out).
Roll the rubber gently between the hands to expose defects,
Imbedded foreign material, and solvent and/or oil damage.

Perform the air test only when the conditions above are satisfactory. Hold the glove at each side of the edge of the gauntlet. Slightly stretching the gauntlet will provide a slight air seal.

Revolve it about the edge of the gauntlet as an axis, thus
rolling it toward the palm and confining the air in the palm and
Fingers.

Hold the rolled-up gauntlet in one hand.

At head level, squeeze the palm of the glove with the other hand to put the confined air under pressure. Any puncture should be
Readily detected by feeling the escaping air against the face or by sound.

(4) LEAD EXPOSURE (E)

(a) **How does lead primarily get into the body?**

Inhalation

Ingestion

(b) **Why may high lead levels be injurious to health?**

Lead is a toxic substance. Excessive quantities in the body can cause symptoms ranging from minor disorders to serious physical Damage.

(c) **Which work operations have the greatest potential for excessive lead exposure levels?**

Working with lead paint on towers or other structures

(d) **How can you control potential exposures to air-borne lead?**

Personal hygiene - keep food, beverages, and tobacco away from work operation.

Wash hands prior to eating, drinking or smoking.

Wear specially provided clothing, personal protective equipment, and adhere to the prescribed exposure time limits.

2-16-98

To gain access to a roof, extend the ladder at least three rungs (3') above the point of support.

(h) **What is proper footing and how is it obtained?**

Ensure both ladder feet are on the same level.

On uneven surfaces use block, wedge, or ladder foot.

On wet or oily pavement, a smooth floor, an icy or metal surface, Lash, block, secure or have ladder held by another employee.

(i) **How do you place the ladder at the proper angle?**

Place the foot of the ladder on the ground so that the distance from the base of the ladder to a line extended vertically from
The top point of contact is approximately 1/4 the length of the ladder measured from the point of contact to the base.

The "fireman's method" is a convenient way of checking the Angle of the ladder. Place your toes against the base of the Ladder; fully extend both arms towards the side rail and parallel to the ground. When standing erect you should be able to grasp the side rails.

j) **What is the highest rung to stand on?**

Fourth from the top.

k) **What are the reaching limitations?**
Do not attempt to lean to the side so far that the outside shoulder is more than 12" beyond the side rail. A good rule to
Remember is, never move your breastbone beyond the side rail.

James Maynard 2-16-98

Guy Stewart
Albert E. Stewart
Omer Mays

Replace rope.

Oil locks, springs and pulleys.

Keep rungs free from dirt, oil, tar, etc.

Replace feet.

Keep ladder clean - remove any buildup of grease, grime, or other conductive materials

(f) **How do you extend the ladder?**

Place the ladder upright with the fixed section close to and facing the wall or pole.

Face the fly section.

Place one foot at the outside of the base of the fixed section to steady the ladder, but not in a position where it could be Struck by the fly section.

Bring the rope around the side rail and use one hand to pull the rope and the other hand to lift a rung of the fly section.

Extend the fly section one or two rungs at a time and engage the locks after each pull. Never place the free hand between the Rungs where it can touch the rungs on the fixed section.

After the top section is raised beyond the reach of the free Hand, steady the ladder by holding the side rail and continue to Extend.

After the ladder is extended, place at proper angle and secure the ladder rope.

To lower, move the base close to wall and reverse the raising procedure by lowering one or two rungs at a time.

Never let the ladder rope slip through your hand.

(g) **How many rungs should extend above the edge of a roof or work surface?**

(3) EXTENSION AND/OR COMBINATION LADDERS (E-D)

a) **How should ladders be removed from the vehicle?**

Lower the base of the ladder onto the ground.

Assume a position at the side of the vehicle facing the base, Bend the knees slightly and fit the side rail snugly against the Shoulder.

Lift the ladder by straightening the knees and readjust until the exact point of balance is obtained;

Or, after facing the base, lower the other end of the ladder using the proper lifting procedure.

(b) **How should ladders be carried?**

Carry on the shoulder in a balanced position; base downward and to the front. Or, carry the ladder at one's side with the base forward.

c) **When should you visually inspect all ladders?**

When received.

The first time used each week.

If dropped.

(d) **How should you visually inspect?**

Side rails: check for chips, cracks, dents, fractures, gouges, splits, scratches, and scuffs.

Rungs: check for cracks, bending, looseness or excessive wear.

Hardware for broken, worn or defective feet, rubber pads, guide-irons, locks, pulleys, guide brackets.

Ladder rope for wear, broken fibers, cuts, extreme softness, decay or burns.

(e) **What maintenance should be performed?**

Tighten nuts.

Have clear vision.

Do not twist your body.

Do not change your grip.

Face spot where object is to be placed.

Change direction by moving your feet.

(2) LIFTING (E)

(a) **How do you properly lift?**

Position yourself with one foot slightly ahead of the other, toes pointing slightly outward, feet apart (width of shoulders) and Firmly planted.

Squat down close to the object, keeping the back as straight as possible.

Test weight of object by lifting corner or tilting it.

Grasp object firmly with full palm grip.

Keep objects close and lift it by straightening the knees.

b) **What do you do if the weight to be lifted exceeds your capabilities?**
Divide load into smaller portions.

Get help or use a mechanical device.

(c) **How do you set an object down?**

Squat down while keeping back straight.

Lower object onto one corner or onto support to avoid finger injuries.

Lower object into final position keeping fingers from underneath.

(d) **What are some of the movements that should be avoided when lifting?**

Twisting; change direction by moving your feet, not your torso.

1-12-98

Jerking.

Side lifting.

Overextending when reaching.

(e) **How should you carry objects?**

Select clear route of travel.

Keep object close to body.

(1) WORK AREA PROTECTION (E)

(a) **Why is work area protection required?**

For the protection of employees, equipment and the public with minimum interference to traffic or pedestrians, when working in,
Or close proximity to, vehicular or pedestrian traffic patterns.

(b) **What factors are to be considered in establishing work area protection?**

Location of work site.

Type of road (e.g., Multi-lane, One-way) Speed of traffic.

Time of day (e.g., light versus darkness).

Weather conditions (e.g., snow, ice, and rain).

State and local laws.

(c) **How should work area protection be placed?**

The initial warning sign should be placed first, an appropriate distance from the work site.

For many different situations see work area protection manual

(d) **When is a flag person required and how should they be equipped**

A flag person should be used when adequate protection cannot be obtained using conventional devices.

A flag person is to be equipped with a reflective vest (illuminated at night), paddles, hard hat, and hand flags, as required.

1-12-98

(e) **How should you provide work area protection for pedestrian traffic?**

Rope

Tape

Cones

Barricades, signs

Other devices

Davis H. Elliot Company, Inc.
Kentucky Division

Annual Training Subjects for 1998

Two Year Training

1. CPR
2. Flagging

Three Year Training

1. First-Aid
2. Transportation of Hazardous Material

James Maynard

ELECTRICAL EXCELLENCE

DAVIS H. ELLIOT COMPANY, INC.
TRAINING OUTLINE
KENTUCKY DIVISION

1998

knees or legs.

(l) **How do you inspect and use wrenches?**

For wear and burrs on holding edges, ease of operation of moving parts.

Gripping end free of burrs and straight.

Select the proper size of wrench for the job.

When using adjustable wrenches, position tightly on the nut so that the pulling force is applied to the stationary jaw.

Use a pulling motion on a wrench, not a pushing motion.

(m) **How do you inspect and use fishtapes?**

Burrs, sharp edges.

Ease of operation.

Inspect both ends of area to be fished for hazards (e.g., electrical panels, office surroundings).

James Maynard 5-7-98
Albert Stinnett
Omer May

(18) POWER TOOLS (E-D)

(a) **What is the purpose of the third wire?**

To protect the user from shock and possible death by providing a low-resistance path to ground from the case of the tool.

(b) **When do you test a power tool and cord?**

When received.

Once a month.

When maintenance work is performed.

(c) **How do you test a power tool and cord and record the results?** ëDEï

Test ground continuity between the case of the tool and the ground prong using an ohm meter with the on/off switch open and closed.

Test the conductors, between each conductor prong and the metal case to ensure that no continuity exists. Repeat with the on/off switch open and closed.

Document monthly test results. Documentation must be kept with the tool.

If tool is double insulated, inspect for double insulated stamp, damaged or worn cord, damaged plug, defective switch, chuck tighten securely, no splice in the cord, and case not cracked, dirty, etc.

(d) **What types of extension cords may be used and how should they be inspected?**

Use only approved electrical extension cords.

Inspect insulation for cuts, burns, worn places, tears, and frays.

Bare wires for inner conductor insulation should not show.

5-7-98

Use of tape is not permitted.

Homer Maynard
Albert Stargill
Homer Mayo

(19) WIRE/FIBER ROPE (E-D)

(a) **How do you inspect fiber rope before usage?**

Inspect for abrasions, cuts, extreme softness, decay or burns.

At 3 foot intervals look for broken fibers, fine powder, mildew, mold or change in color.

(b) **How do you inspect wire ropes and sling before usage?**

Inspect for:

Abrasions

Corrosion

Pitting

Rust

Kinks

Crushed spots

Ten broken strands in any one lay

Five broken wires in one strand in any one lay.

(c) **What precautions do you follow when using pulling lines?**

<u>All types of ropes</u>:

Wear work gloves.

Do not overload.

Determine proper size and kind.

Avoid twist and kinks.

Do not straddle, stand next to, or place hands when rope or line is under tension or moving.

Do not stand inside the angle.

Avoid sudden jerks.

Use the appropriate grip or hitch for the job at hand.

Use walkie-talkie hand or voice signals to control pulling operations.

Fiber

Do not use wet rope in the vicinity of energized wires unless it is an emergency and then only if wearing insulating gloves.

Wire:

Check rigging.

Do not bend wire rope around sharp corners.

Never pull winch lines over stationary supports.

Do not place hands on winch lines being moved by winch drum or within arm's reach of any sheave, guide, etc.

Never use wire rope clamps to form an eye.

Never be in an manhole/enclosed space when wire rope is under tension.

Wind evenly on winch drum.

Never splice except when forming an eye.

5-7-98

(20) STEPLADDERS (E-D)

(a) **When do you visually inspect?**
When received and the first time used each week and if dropped.

CAUTION: Use only ladders which meet Standards.

(b) **How do you visually inspect?**

Place the stepladder in good light.

Side rails for cracks, splinters, or protruding nails.

Steps and rungs for cracks, splits, splinters, decay and loose braces or tie rods on the steps.

Hardware for bent or broken metal and loose rivets.

(c) **What is the highest safe step to stand on?**

The second step below the top cap.

(d) **What are the reaching limitations?**

Do not lean in either direction so that your outside shoulder extends one foot beyond the side rail. A good rule to remember
is never move your breast bone beyond the side rail.

(b) **How should the step ladder be positioned when pulling conductors or tape?**

Place the ladder with steps opposite the direction of the pulling force.

CAUTION: Never position the stepladder as a straight ladder
for any operation.

Homer Maynard 5-13-98
Allen Stinnett
Homer May

(21) POLYCHLORINATED BIPHENYLS (PCBs)

(a) **What is PCB?**

A liquid material present in some electrical power transformers, fluorescent light ballasts and capacitors that has been classified to be hazardous to human health and the environment.

(b) **Where can PCB's be found?**

PCB's can be found in electrical distribution transformers, and capacitors and transformers on joint-use utility poles.

(c) **What are the precautions involving suspected PCB leaks from power transformers?**

Contact your foreman and your Environmental Manager.

Have condition reported to power company. Avoid contacting leak material. Protect the public with barricades.

(d) **What additional precautions are necessary when working near PCB or having suspected contact with PCB?**

Wear protective clothing and gloves.

Observe good personal hygiene, wash hands or exposed skin before eating, drinking or smoking.

Clean affected parts of body twice with waterless hand cleaner. Wash with soap and water, as soon as possible. Dispose of contaminated towels and rags in sealed plastic bags.

James Maynard 5-21-98
Albert Stigall
Omer May

(22) VEHICLE TRENCHING/PLOWING (E)

(a) **What are the requirements to operate a trencher or plow?**

Operator must be throughly trained on the particular machine.

The operator must be familiar with and use a daily check list and have full of potential hazards.

The operator should carry an up to date card authorizing him/her to operate the equipment. If card is not available, other documentation of training must exist.

(b) **What should be done before the start of trenching or plowing?**

The path the trencher or plow is to follow should be walked to check for obstacles that may damage or tilt the machine.

Such obstacles should be clearly marked with red flags or other highly visible objects.

Locate or have all underground utilities located and marked.

(c) **Why is a hand signal system necessary?**

This will ensure all are aware of the direction of the vehicle, when to stop, start, or turn the trencher, terrain problems, cable problems, etc.

A hand signal system must be established with other employees before the start of work operations.

(d) **What is the umbrella area of protection?**

The umbrella area of protection is a ten-foot radius around the trencher where no one must enter.

If anyone enters this area the operator must stop the vehicle.

(e) **Where to walk while working with trencher?**

Walk well ahead or beside trencher.

Keep out of the umbrella areas so you are clearly visible to the operator.

(f) **How and where should the equipment be parked?**

Park well off the traveled portion of the road.

Rest the blade on a board or rock to prevent freeze-up.

Remove the keys.

James Maynard 5-27-98

Albert Stargill

Omer Craig

(23) Trenching (E)

(a) **What do you do along the route before digging?**

Determine the locations of existing buried or underground telephone cables and foreign plant along the route of work.

Determine the location of power, gas, CATV, water, sewer and pipe lines.

(b) **What types of hand tools are used when working on buried plant?**

Only hand tools with wooden/fiberglass handles shall be used.

No digging bars or all metal tools shall be used.

(c) **What precautions should be taken while <u>hand</u> digging?**

Wear eye protection and insulating gloves and proceed with caution.

Do not cut, chop or break underground obstructions until determining what they are.

Do not disturb, push away, or lift any electrical plant or pipeline.

(d) **What do you do if a gas line is broken?**

Get out of the hole.

Leave the hole open to allow gas to dissipate.

Warn residents and the public in the vicinity.

No smoking or open flames.

Do not leave the location unguarded.

Notify the fire department and gas company.

Notify your foreman.

(e) **What do you do if a power cable is broken?**

Barricade location until condition has been cleared.

Keep the public away from the area.

Do not leave the area unguarded.

Notify the proper utility company.

Notify your foreman.

(f) **How do you identify cables in a joint trench?**

Electrically identify each cable with an approved test set and approved test methods.

If ends of cables are exposed and are readily identifiable as telephone, CATV, or power there is no need to electrically test.

Do not look directly into the sharply severed ends of cables that may contain lightwave transmissions (Fiber Optic).

(g) **When must shoring be used in a trench?**

Shoring is required in all trenches five feet deep or more, unless excavation is in solid rock or the sidewalls are tapered back eighteen inches for every twelve inches of depth. Spoilage (dirt) must be two feet from the edge of evacuation.

Do not enter trench unless shoring/sloping has been provided as described.

Ladders must be located so as to require no more than 25 feet of lateral travel, if the trench is four feet or more in depth.

James Maynard 6-4-98
Albert Stingily
Omer Mays

(24) Compressed Gas (E)

(a) **How shall Nitrogen Gas be stored and transported?**

Stored in a secured upright position with protective caps in place and chained or securely strapped to a fixed wall.

Temporary field located cylinders, both liquid and dry type must be secured and supported to protect the public.

Liquid nitrogen cylinders should never be placed in manholes or buildings.

May be transported in a horizontal position on racks in a special compartment, or adequately blocked to prevent movement.

When not in use the regulators shall be removed and protective caps in place.

Verify tank test date (10 years).

(b) **What may occur when nitrogen is being used in manholes / Enclosed Spaces?**

Since nitrogen is heavier than air, it will displace the oxygen in an Enclosed space or pit.

Do not enter the enclosed space or pit without first testing and ventilate as required.

(c) **How are cylinders identified?**

Each tank has a positive identification on the neck of the tank.

Aluminum nitrogen cylinders must have a label explaining the heat indicating feature and be painted with a special paint that gives
a positive indication if the cylinders have been exposed to temperatures in excessive of 350 degrees F.

James Maynard 6-10-98

(25) ACETYLENE GAS (E)

(a) **How should cylinders be stored and transported?**

Always keep the tank in an unright position and vented compartment.

Verify tank test date.

(b) **How do you ignite an acetylene torch?**

Wear eye protection and gloves.

Position the tank in an upright secured position.

Soap test all fittings.

Open the tank valve 1/4 turn.

Turn the regulator control valve clockwise to the desired pressure.

Open the valve on the torch handle and ignite with a friction type lighter only.

Adjust the valve in the torch handle to obtain the desired flame size.

(c) **What do you do when torch work is completed?**

Extinguish the flame by closing the tank valve.

Allow gas to burn from hose and regulator.

Close regulator control valve to the limit of its travel.

Never raise, lower or transport a tank with the tank valve open.

James Maynard 6-15-98
Albert Stargill
Omer May

(26) PROPANE GAS (E)

(a) **What are the dangerous characteristics of propane?**

Propane is highly explosive.

Propane is heavier than air.

If a leak exists in a tank or valve, the gas will seek the lowest level, which could be a manhole.

Soap test all fittings.

(b) **How should cylinders be stored and transported?**

Secured in an upright position.

Regulators should be removed and plugs wrench tight.

They should never be stored or stacked or transported in an enclosure unless the enclosure is ventilated and specifically provided for that purpose.

Verify test date (12 years initial inspection and recommend replacement).

James Maynard 6-18-98

Albert Stargill

Owen Mayo

(27) WORKING ON CUSTOMER PREMISES (E)

(a) **What precautions should be taken prior to working on customer premises?**

Obtain permission from an authorized person before work is begun. Where permission has been previously obtained, notify the occupant before starting work and inquire about possible safety hazards.

Have dogs and other pets restrained.

(b) **What should be done about safety hazards encountered on customer premises?**

Safety hazards encountered on customer premises that cannot be made safe with the use of safety equipment and/or personal protective equipment should be eliminated by the subscriber before work proceeds.

(c) **Precautions to be taken when working in crawl spaces?**

Provide adequate lighting.

Wear eye protection and safety headgear.

Watch out for broken glass, nails, pipes, etc.

Look up before rising from a stooped or kneeling position.

(d) **Precautions to be taken when working in buildings being constructed, altered, or razed?**

Do not use temporary stairways, platforms or ladders unless they are known to be safe.

Avoid loose boards, temporary guards, scaffolding, etc.

Do not ride in material hoists or customer lift devices.

Wear safety headgear.

(e) **What should you do if it is necessary to temporarily block an entrance, doorway, or stairway?**

Place adequate warning devices or station another worker as a guard.

(f) **Precautions to be taken when working in Industrial Plants and/or Commercial Buildings?**

Coordinate work operations with their safety department.

When necessary to work nearby or above moving machinery, work must be deferred until the machinery is shut off. Ensure lockout/tagout compliance.

Do not place wires, cables, terminals, etc., in elevator or lift shafts if this can be avoided. When necessary to do any work in such a shaft, it shall be done under the direction of a foreman. Do not operate any elevator other than the self-service type.

(g) **Precautions to protect the public and customer while working on customer premises?**

Do not leave hardware, attachments, tools, etc., on floors or other locations where they may cause injury.

Do not let children handle tools or material.

Provide adequate work area protection.

Before leaving, a job replace covers, remove barriers, pick up scraps, wire ends and debris.

James Maynard 6-23-98

Albert Stumbo

Omer Ward

(28) WET CELL BATTERIES (E)

(a) **What protective equipment should be worn when handling used batteries?**

- Splash proof goggles.
- Acid resistant Neoprene gloves and apron.
- Wear protective equipment when performing any activity involving the handling of electrolyte, electrolyte cells, or maintenance activities requiring exposure to shock or electrolyte contact from cells.

(b) **What action is necessary if battery electrolyte gets in eyes?**

- Flush eyes immediately with large amounts of clean water.
- Cover with a clean dressing.
- Get medical attention immediately.

(e) **Where is eye wash kit located and how is it used?**

- Employee should identify location of eye wash kit in work area.
- Employee should obtain the eye wash kit and read the instructions.
- Employee should explain and give a mock demonstration on the use of the eye wash kit.

James Maynard 6-25-98

Albert Stumpff
Duncan Wiley

LINE ERECTOR APPRENTICESHIP TRAINING PROGRAM

SCHEDULE OF HOURS (ESTIMATED)

YEAR 1	Self-Study/ Classroom Hrs.
Sharpen hooks	
Drill a concrete pole	
Learn to climb a pole	
Install a street light	
Install service at house and pole	
Install rubber goods on secondary conductor	
Install alley arm	
Install sidewalk guy	
Install wrapped guy	
Pull overhead guys	
Pre-job conference (tailboard)	
Take a voltage reading with a voltmeter	
Check load on a 10, 120/240V transformer with amp meter	
Check polarity of a transformer	75
Sag secondary cable	
Sag primary conductors	
Install secondary spreader	
Interpret one-line diagram	
Inspect protective equipment	
Check rotation of 30 service	
Use capacitance meter	
Match phases on service conductors	
Install and/or inspect CT on secondaries	
Set a three-wire and four-wire meter	
Read KWH meter	
Use line hose and blankets	75
TOTAL FIRST YEAR CLASSROOM AND SELF-STUDY HOURS	150

YEAR 2	Hours
Install spiral conductor covers (stove pipe)	
Install line guards	
Install hot board	
Identify hot line tools	
Install and operate a C.S.P. transformer	
Work energized conductors from a bucket truck	
Bucket rescue from ground	
Replace primary fuse cutout	
Connect transformers WYE-WYE	
Connect transformers open WYE-open DELTA	
Connect transformers WYE-DELTA closed	
Connect transformers open DELTA-open DELTA, DELTA-DELTA and DELTA-WYE	
Interpret transformer nameplate	
Change transformer tap setting, change secondary lead inside a transformer	75
Climb a transmission pole	
Install wrapper guy and eye plate guy	
Frame an H-structure	
Replace a 69KV crossarm	
Replace a string of 69KV insulators	
Replace a 69KV horizontal line post insulator	
Install stringing blocks	
Frame a 69KV arm construction tangent pole	
Frame a 69KV armless pole	
Ground a transmission circuit	
Prepare conductors and tension sleeve for compression	
Frame 69KV skeleton pole	
Rigging procedures	
Install transmission conductors	
Install dead-end clamp or compression dead end	
Clip in static wire and conductors on transmission pole (arm or armless)	
Set up and operate basket	

(continued next page)

YEAR 2 (continued)	Hours
Frame steel tangent pole	
Install multi-helix anchor and extension using digger	
Operate Sterling digger	75
TOTAL SECOND YEAR CLASSROOM AND SELF-STUDY HOURS	150

YEAR 3	Self-Study/ Classroom Hrs.
Install pole reinforcement	
Parallel transformer banks	
Install recording voltmeter	
Trouble-shoot transformer	
Install conductor ties	
Change out cutout on energized lines	
Cut double dead-end in existing primary	
Splice energized 336MCM conductor	
Change out 9' wood crossarm with energized 3 phase primary	
Frame and lay out conductors for re-conductoring	
Use load break and load pickup tool (A.B.Chance)	
Replace lightning arrester	
Check for open neutral	
Replace dead-end insulators	
Change out horizontal line post insulator on triangular construction from aerial basket	
Use a load break tool (S&C)	75
Install OCR and place in service	
Install 600 amp switches on vertical construction	
Install primary metering equipment	
Replace 3 phase capacitor bank with 3 phase capacitor bank with oil switches and time clock	
Install primary jumpers, triapgular or crossarm construction	
Operate line regulator	
Switch and tag underground	
Switch and tag overhead	
Switch and tag transmission	75
TOTAL THIRD YEAR CLASSROOM AND SELF-STUDY HOURS	150

TOTAL PROGRAM HOURS - CLASSROOM AND SELF-STUDY	450

Davis H. Elliot Company, Inc.

Safety Training Test
for
Pole Top Rescue

NAME: Albert Sturgell DATE: 7-24-97

TRUE OR FALSE:

True 1. There is no known method of pole-top CPR that will provide the body with the blood circulation needed to revive a victim of heart failure.

True 2. A rescuer should first check the scene for safety before beginning any rescue operation.

T 3. It is up to the rescuer to evaluate the situation and determine the best possible method and technique.

F 4. The line coming to the victim should be on the inside to keep the victim from swinging away from the pole.

F 5. The bowline is the only knot approved for securing the victim.

T 6. After the victim is secured, the rescuer cuts the safety strap.

F 7. The call for help should be made whenever it is convenient.

T 8. After belting off, the rescuer should first check vital life signs of the victim.

T 9. Employees should only work on energized circuits from a pole if a qualified person is available to perform rescue operations.

T 10. Emergency override controls or lower controls should be tested before each use.

DAVIS H. ELLIOT COMPANY, INC.

Flagger Certification Test

Name Albert E. Sturgill Date 2-14-97

Address P.O. Box 35 City Fort Gay State WV Zip 25514

Soc. Sec. No. 235-23-5869 Phone No. (304) 393-4938

TRUE-FALSE: Place a "T" or "F" to the left of each statement to indicate your answer.

T 1. The hard hat, an orange or approved vest and steel toed safety shoes shall be worn whenever the flagperson is at the flagging station controlling traffic on maintenance, construction, or utility operations.

F 2. The flagger should remain on the road shoulder or in a barricaded area until all traffic in a series has stopped.

F 3. Flaggers may leave their positions to erect fallen cones or signs.

T 4. Flaggers may be held responsible for accidents that occur as a result of their negligence.

T 5. The primary goals of a flagger are to reduce confusion, make traffic flow safely, and to improve public relations.

F 6. For night flagging, the flagger's vest does not need to be reflectorized.

F 7. The 5-foot "STOP/SLOW" paddles is the primary signaling device used in flagging operations on highways.

T 8. The flagger's station will normally be located 100 feet ahead of the work area.

Multiple Choice: Circle the letter which identifies the best answer to the statement.

9. Flaggers are primarily responsible for:
   A. Setting up fallen cones or signs.
   B. Informing the public about the work activity ahead.
   (C.) The safety of the work crew and the passing motorists.

10. A flagger's clothing should be neat and clean and must include:
   A. Orange or approved shirt or vest.
   B. Orange or approved shirt or vest and hard hat.
   (C.) Orange or approved shirt or vest, safety shoes, and hard hat.

11. The flagger's certification card must be:
   A. Visible to the approaching traffic.
   B. Renewed every twelve months.
   (C.) Carried when on flagging duty and renewed every 24 months.

12. Motorists approaching a road construction or maintenance crew should see three warnings, in the following order:
   A. "ROAD WORK AHEAD" sign, the "STOP/SLOW" paddle, the "GRAPHIC FLAGGER" sign.
   (B.) "ROAD WORK AHEAD" sign, "BE PREPARED TO STOP" sign, the "GRAPHIC FLAGGER" sign.
   C. "ROAD WORK AHEAD" sign, "GRAPHIC FLAGGER" sign, the STOP/SLOW paddle.

13. The flagger's position should be located:
   (A.) On the shoulder or in a barricaded lane visible to approaching traffic.
   B. On the shoulder behind his or her car for protection.
   C. On the shoulder facing the work area.

14. When stopping traffic with a regulation paddle, the flagger should:
   A. Wave the paddle at oncoming traffic.
   B. Position the paddle in front of the vehicle to be stopped.
   (C.) Hold the paddle still and use a free hand with the palm forward for added emphasis.

15. When stopping traffic in a work zone, the flagger should:
   (A.) Start from a position on the shoulder of the road or in a barricaded lane.
   B. Move directly into an open travel lane.
   C. Wave the stop paddle in the oncoming lane of traffic.

16. To maintain a good public image, the flagger should:
   A. Be friendly and smile, but speak only briefly with the motorists.
   B. Inform all stopped cars about the delay.
   C. Use hand signals, but not talk to motorists.

17. To alert and slow traffic with a regulation paddle, the flagger should:
   A. Wave it from side to side overhead.
   B. Hold it still and use your free hand or an attention flag for added emphasis.
   C. Hold it straight up at arms' length.

18. Flagger stations should be located:
   A. As close to the work and equipment as possible.
   B. A maximum of 150 feet from the work zone.
   C. 200 to 300 feet from the work area.

19. The desirable visibility of the approaching traffic to the flagger is:
   A. 100 feet
   B. 500 feet
   C. 1500 feet

20. When flagging services and signs are no longer needed, the flagger should:
   A. Leave signs in place for the next days work.
   B. Remain at the flagger station until traffic flow is normal.
   C. Turn all FLAGGER related signs 90 degrees, lay them down, or cover them up.

DAVIS H. ELLIOT COMPANY, INC.

DEFENSIVE DRIVING TEST

NAME Albert E. Sturgell DATE 2-14-97

1 What is brake lag distance?
a) Distance between brake pedal and wheels
b) Distance truck travels after applying brakes
c) Distance your truck travels after you brake, but before the brakes begin to stop your truck

2 What factors can effect your braking distance?
a) Vehicle weight
b) Road surface
c) Condition of tires
d) All of the above

3 What are the three components of the "Accident Prevention Formula"?
a) Recognize the hazard, Understand the defense, Act correctly in time.
b) Recognize the defense, Understand the hazard, Act correctly in time.
c) Understand correct reaction, Recognize the hazard, Act correctly in time.

4 What safety steps should you follow when backing with a helper?
a) Agree with helper on hand signals before starting
b) Advise helper to stay out of your path of travel
c) Back slowly keeping an eye on the helper and stopping immediately if you loose sight of him
d) All of the above

5. What safety steps should you follow when backing without a helper?
a) Keep the wheels straight and accelerate at an even pace
b) Look in both mirrors frequently to identify objects in rear view
c) Get out to check for pedestrians, parked cars, posts, curbs, potholes and other obstructions.
d) All of the above

6 Hydroplaning can occur in a vehicle weighing over 26,000 lbs.
a) True
b) False

7 How often should you check your mirrors?
a) Every 1 - 2 minutes
b) Every 3 - 5 seconds
c) Every 3 - 5 minutes
d) Every 30 - 50 seconds

8. Scanning is an important part of defensive driving. How far ahead should your scan be when driving on a highway?
a) 1 mile
b) 2 miles
c) ¼ of a mile
d) ½ of a mile

9 What safety precautions should you follow when making a right turn?
a) Signal at least 100 feet before the intersection.
b) Stay to the right of the lane to prevent others from squeezing by
c) Slow for the turn
d) All of the above

10. A preventable collision is one in which the driver failed to _____ to avoid it.
a) React in time
b) Do everything reasonable
c) Steer around other vehicles

American Red Cross First Aid and CPR Answer Sheet

Name _____ Date _____

Course Component: ☐ First Aid ☑ Adult CPR ☐ Infant/Child CPR
Test: ☑ A ☐ B

DIRECTIONS: Fill in the correct answer for each question.

1.	●	b	c	d
2.	a	●	c	d
3.	a	b	c	●
4.	a	b	c	●
5.	a	b	●	d
6.	a	●	c	d
7.	a	b	●	d
8.	a	b	●	d
9.	●	b	c	d
10.	a	●	c	d
11.	a	b	c	●
12.	a	●	c	d
13.	a	b	●	d
14.	●	b	c	d
15.	a	b	c	●
16.	a	b	●	d
17.	a	b	c	●
18.	a	●	c	d
19.	●	b	c	d
20.	a	b	●	d
21.	a	●	c	d
22.	a	b	c	●
23.	a	●	c	d
24.	●	b	c	d
25.	●	b	c	d

You may wish to go back and check your answers to be sure that you matched the right answer with the right question.

Allist E. Stuyzl

Safety Manual Training Evaluation Test

1. When shall the nominal operating voltage of the equipment and lines be determined?

   A. When you hear any popping sounds
   B. When the line is engineered
   C. Before any work is undertaken on or near energized equipment and lines
   D. When the foreman instructs you to do it

2. When should employees enter a permit required confined space to perform rescue?

   A. Never
   B. When more than three employees are present
   C. Only if you are properly trained and equipped to performed the rescue
   D. When the attendant authorizes you to enter

3. When shall gloves and sleeves be returned for electrical test?

   A. 270 days
   B. 180 days
   C. Annually
   D. 90 days

4. When an exposed conductor or equipment is energized at 15.1 to 36 kv phase to phase, unless properly protected, the minimum approach distance phase to ground is:

   A. 2' - 4"
   B. 4' - 3"
   C. 10' - 0"
   D. 5' - 0"

5. When working by the insulating glove method, insulating gloves are required when the voltage exceeds:

   A. 750 volts
   B. 240 volts
   C. 50 volts
   D. 8 kv

6. When is a ladder required to enter an exit a manhole or subsurface vault?

   A. Cable hangers are not available
   B. The manhole or vault is over 10 feet deep
   C. ladders are not required
   D. The manhole or vault is over 4 feet deep

7. When personal protective equipment is to be used, when should it be put on?

   A. Before coming within reach of the minimum approach distance
   B. After grounding has been completed
   C. Before making contact with energized conductors
   D. Anytime the conductor appears to be energized

15. When using the bare hand method, when shall the electrical potential test on the insulating support of the aerial lift device be performed?

A. Weekly
B. Monthly
C. After use each day
D. Before starting work each day or when changing to a higher voltage

16. When grounding de-energized lines, where are the grounds placed?

A. At the dead end pole
B. At the point of work, unless it creates a congestion problem, then the ground is placed on each side as near as possible to the point of work.
C. On the side nearest the sub station
D. Grounds are not needed

17. Where should the workers work when loading or unloading poles?

A. From the trailer side of the load
B. At the ends of the poles whenever possible
C. At the butt end of the pole only
D. Behind the pole pile or rack

18. What additional precaution is required when transformers are to be left out of service for a long period of time?

A. Transformers can not be left out of service for a long period of time
B. The transformer case ground is removed
C. The line lead from the cutout or the primary riser shall be disconnected
D. The foreman shall notify the local Director

19. Parts of trees in contact with energized conductors shall be handled as:

A. little as possible
B. energized conductors
C. Grounded conductors
D. Regular tree trimming operations

20. When can work be done on station lightning arresters?

A. They are disconnected from the energized circuit and both terminals are grounded
B. Any time a storm is not in progress
C. They are disconnected from the energized circuit
D. Lightning arresters are fixed components and should not be worked on

21. When working at power generating stations, employees shall not operate any equipment that is not within the scope of their duties unless:

A. Specifically authorized to do so
B. The employee feels comfortable in doing so
C. The directions are clearly labeled on the equipment
D. You have observed other employees operating the equipment

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