

ALBERT A. BURCHETT

Attorney At Law

P. O. Box 0346

Prestonsburg, Kentucky 41653

May 3, 2004

Mr. Thomas Dorman
Executive Director
Public Service Commission
P O Box 615
Frankfort KY 40602

RECEIVED

MAY 04 2004

PUBLIC SERVICE
COMMISSION

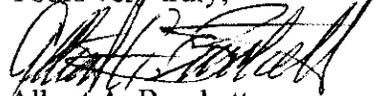
RE: *Big Sandy R.E.C.C.*
Case No. 2004-00085

Dear Mr. Dorman:

I enclosed original and four (4) copies of Big Sandy's Response and Motion for Informal Conference for Filing.

Please send future correspondence to this office.

Yours very truly,



Albert A. Burchett

AAB/tlb

CC: Bobby D. Sexton
Big Sandy

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAY 04 2004

PUBLIC SERVICE
COMMISSION

In the Matter of:

BIG SANDY RURAL ELECTRIC
COOPERATIVE CORPORATION

CASE NO. 2004-00085

ALLEGED FAILURE TO COMPLY
WITH ADMINISTRATIVE REGULATION
807 KAR 5:006, SECTION 2, AND
807 KAR 5:041, SECTION 3

RESPONSE AND MOTION FOR INFORMAL CONFERENCE

Comes Big Sandy RECC, (Big Sandy) by counsel, and for its response herein states as follows:

- 1.) Big Sandy admits the allegations of the accident report dated June 18, 2003.
- 2.) Prior to the accident of May 6, 2003 G & S Contracting, Inc.'s ("G & S") employees were receiving safety training by attending Big Sandy's monthly safety meetings (Exhibit "A").
- 3.) At that time "G & S" did not have a safety director.
- 4.) Subsequent to the accident, "G & S" has appointed a full time safety director, James Goble, who is present at the work site daily to ensure that safety standards are obeyed.
- 5.) Since the accident Big Sandy has required "G & S" to conduct a daily "Tailgate" safety meeting before work is started. The subject of this safety meeting is reduced to writing (Titled: Job Briefing") and is attached to each of the work orders before they are returned to Big Sandy (Selected copies attached hereto as Exhibit "B").

6.) Big Sandy will consider implementing additional remedial procedures to provide employees and the general public with a safe work environment.

MOTION FOR INFORMAL CONFERENCE

1.) Big Sandy moves the Commission for an order scheduling this matter for an informal conference for Monday May 10, 2004 at 10:00 a.m. at the Commission's office, for possible final disposition of these proceedings.

Wherefore, Big Sandy requests the proper order of the Commission.

Dated 30 day of April, 2004

Respectfully Submitted,



ALBERT A. BURCHETT

P.O. BOX 0346

PRESTONSBURG, KY 41653

ATTORNEY FOR BIG SANDY

PHONE: (606) 874-9701

FAX: (606) 874-8010

Case No. 2004-00085

Big Sandy

Exhibit "A"

SAFETY MEETING

March 18, 2003

JEFF LEWIS, SAFETY DIRECTOR

TOPIC: Hazard Communication & Fire Safety

PRESENT:

Nathan Frisby
Rondal Sexton, G&S -
Steven R Ward G+S
Paul Holbrook G+S
Ronald L Porter G+S
Jeffrey Prater
Roger Akres
Chris Prater
William R Collins Jr
Shawn Pennington
Linzie Estep G+S
Doug Holbrook
Mark Crider
Red Hackworth
Ralph Leslie
Steve Campbell
Manis Prater
Bill Jarret
Kirby Castle
Arlie Daniel
Estill Collins
Chris Ratliff
Dan Hitchcock
Jasper Samons G+S
Dwayne T Cornett
Fred Baldwin
Obie E Ratliff
Michael Holbrook
Chester Pennington
Dave Robinson
Bill Dotson

SAFETY MEETING

April 2, 2003

EAST KY POWER

TOPIC:

PRESENT:

Roger Akers
Arlie Daniel
Jeffrey Prater
Bill Jarrell
Kirby Castle
Steve Campbell
Chester Pennington
Joseph Samons } G + S
Linzie Estep? }
David Robinson
Fred Baldwin
Steve R Ward — G + S
Paul Holbrook
Ronald L Porter — G + S
John Harrison
Chris Prater
William R Collins Jr
Estill Collins
Doug Holbrook
Mark Crider
Dan Hitchcock
Ralph Leslie
Manis Prater
Willie Joe Dotson

SAFETY MEETING

April 13, 2004

RAY KING, EAST KENTUCKY POWER

TOPIC: Backhoe and Trenchers

PRESENT:

- 1. Fred Baldwin**
- 2. Chris Ratliff**
- 3. David Rigsby**
- 4. Arlie Daniels**
- 5. Roger Akers**
- 6. Jeff Prater**
- 7. Kirby Castle**
- 8. Doug Holbrook**
- 9. Shawn Pennington**
- 10. Dwayne Ratliff**
- 11. Steve Campbell**
- 12. Bill Jarrell**
- 13. Dave Robinson**
- 14. Chris Prater**
- 15. Paul Goble**
- 16. Mrk Crider**
- 17. Ralph Leslie**
- 18. Nathan Frisby**
- 19. John Harrison**
- 20. Bobby Collins**

G & S CONTRACTORS

- 1. Ronald Sexton**
- 2. Steve R Ward**
- 3. Paul Holbrook**
- 4. Larry Kinner**
- 5. Brian Grimstead**
- 6. Ronald Porter**
- 7. Linzie Estep**
- 8. Joseph Samons**
- 9. Doug H Hamilton**

Case No. 2004-00085

Big Sandy

Exhibit "B"

Job Briefing

Date 7-15-03 Work Order # 8881

Crew Leader Tom Sexton

Status of Job: Routine Emergency Other

Briefing Type: On-Job (tailgate) Update Other

Hazards associated with the Job: Energized equipment Falling
 Driving Hazards to the Public
 Other Hazards

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures

Special Precautions: Adjacent equipment / Buried Gas & Water lines
 Other Crews/ workers
 Other precautions:

Energy Source Controls: De-energization procedure Visible opening
 Testing for Voltage Grounding
 Other controls

Personal Protective Equipment requirements: Hard hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE

Signatures:
Crew Leader Tom Sexton
Crew Members JS
LK
SW
IE

Job Briefing

Date 8-17-03 Work Order # 8794

Crew Leader Don Sexton

Status of Job: Routine Emergency Other

Briefing Type: On-Job (tailgate) Update Other

Hazards associated with the Job: Energized equipment Falling
 Driving Hazards to the Public
 Other Hazards

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures

Special Precautions: Adjacent equipment / Buried Gas & Water lines
 Other Crews/ workers
 Other precautions:

Energy Source Controls: De-energization procedure Visible opening
 Testing for Voltage Grounding
 Other controls WORK HOT LINE ENERGIZATION

Personal Protective Equipment requirements: Hard hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE

Signatures:

Crew Leader Don Sexton

Crew Members LHE

SRW

JS

LK

Job Briefing

Date 9-16-03 Work Order # 8917
Crew Leader Ron Sexton

Status of Job: Routine Emergency Other
Briefing Type: On-Job (tailgate) Update Other

Hazards associated with the Job: Energized equipment Falling
 Driving Hazards to the Public
 Other Hazards

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures

Special Precautions: Adjacent equipment / Buried Gas & Water lines
 Other Crews/ workers
 Other precautions:

Energy Source Controls: De-energization procedure Visible opening
 Testing for Voltage Grounding
 Other controls WORK ENERGIZATION

Personal Protective Equipment requirements: Hard hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE

Signatures:
Crew Leader Ron Sexton
Crew Members Paul Holloway
B.P.
Joseph L...

Job Briefing

10-20-03

Work Order #

9003

Crew Leader Non SEXTON

Status of Job: Routine Emergency Other

Briefing Type: On-Job (tailgate) Update Other

Hazards associated with the job: Energized equipment Falling
 Driving Hazards to the public
 Other Hazards

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures

Special Precautions: Adjacent equipment / Buried Gas & Water Lines
 Other Crews / Workers
 Other precautions

Energy Source Controls: De-energization procedure Visible Opening
 Testing for Voltage Grounding
 Other controls WORK HOT

Personal Protective Equipment requirements: Hard Hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE

SIGNATURES

Crew Leader Randal Lytle

Crew Members Steve R. Wood

Paul Holtz

Scott Jones

Job Briefing

Date 11-4-03 Work Order # 9161

Crew Leader RON SEXTON

Status of Job: Routine Emergency Other _____

Briefing Type: On-Job (tailgate) Update Other _____

Hazards associated with the job: Energized equipment Falling

Driving Hazards to the public

Other Hazards _____

Work Procedures involved: Traffic Control Road Signs/Cones

Flagmen Standard Operating Procedures (SOP) Safety Manual

Contact with other entities

Other procedures _____

Special Precautions: Adjacent equipment / Buried Gas & Water Lines

Other Crews / Workers

Other precautions _____

Energy Source Controls: De-energization procedure Visible Opening

Testing for Voltage Grounding

Other controls WORK HOT

Personal Protective Equipment requirements: Hard Hat Safety Glasses

Dielectric boots Hearing Protection Cover-up Gloves

Other PPE _____

SIGNATURES

Crew Leader Ron Sexton

Crew Members Fal Hellmuth

Steve Ward

Jeff Smith

Job Briefing

Date 12-18-03 Work Order # 9276

Crew Leader RON SEXTON

Status of Job: Routine Emergency Other _____

Briefing Type: On-Job (tailgate) Update Other _____

Hazards associated with the job: Energized equipment Falling
 Driving Hazards to the public
 Other Hazards _____

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures _____

Special Precautions: Adjacent equipment / Buried Gas & Water Lines
 Other Crews / Workers
 Other precautions _____

Energy Source Controls: De-energization procedure Visible Opening
 Testing for Voltage Grounding
 Other controls _____

Personal Protective Equipment requirements: Hard Hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE _____

SIGNATURES

Crew Leader Ron Sexton

Crew Members Jason Simon

Pat McLeod

Steve Wood

Job Briefing

Date 1-27-04 Work Order # 9349

Crew Leader Paul SEITZ

Status of Job: Routine Emergency Other _____

Briefing Type: On-Job (tailgate) Update Other _____

Hazards associated with the job: Energized equipment Falling
 Driving Hazards to the public
 Other Hazards _____

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures _____

Special Precautions: Adjacent equipment / Buried Gas & Water Lines
 Other Crews / Workers
 Other precautions _____

Energy Source Controls: De-energization procedure Visible Opening
 Testing for Voltage Grounding
 Other controls _____

Personal Protective Equipment requirements: Hard Hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE _____

SIGNATURES

Crew Leader Paul Seitz

Crew Members Jefferson

Paul Westbrook

Steve Ward

Job Briefing

Date 2-23-04 Work Order # 8843

Crew Leader RON SEXTON

Status of Job: Routine Emergency Other

Briefing Type: On-Job (tailgate) Update Other

Hazards associated with the Job: Energized equipment Falling
 Driving Hazards to the Public
 Other Hazards _____

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other utilities
 Other procedures _____

Special Precautions: Adjacent equipment / Buried Gas & Water lines
 Other Crews/ workers
 Other precautions: _____

Energy Source Controls: De-energization procedure Visible opening
 Testing for Voltage Grounding
 Other controls _____

Personal Protective Equipment requirements: Hard hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE _____

Signatures:

Crew Leader Ron Sexton

Crew Members James King

Steve Ward

Paul Hubbard

David Porter

Job Briefing

Date 3-2-04 Work Order # 9378x

Crew Leader Don Sexton G45

Status of Job: Routine Emergency Other _____

Briefing Type: On-Job (tailgate) Update Other _____

Hazards associated with the job: Energized equipment Falling
 Driving Hazards to the public
 Other Hazards _____

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures _____

Special Precautions: Adjacent equipment / Buried Gas & Water Lines
 Other Crews / Workers
 Other precautions _____

Energy Source Controls: De-energization procedure Visible Opening
 Testing for Voltage Grounding
 Other controls _____

Personal Protective Equipment requirements: Hard Hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE _____

SIGNATURES

Crew Leader Don Sexton

Crew Members Joseph James

Steve B. Zeland

Paul Hollbrook

Job Briefing

Date 4-7-04 Work Order # 9288

Crew Leader RON SEXTON

Status of Job: Routine Emergency Other _____

Briefing Type: On-Job (tailgate) Update Other _____

Hazards associated with the job: Energized equipment Falling
 Driving Hazards to the public
 Other Hazards _____

Work Procedures involved: Traffic Control Road Signs/Cones
 Flagmen Standard Operating Procedures (SOP) Safety Manual
 Contact with other entities
 Other procedures _____

Special Precautions: Adjacent equipment / Buried Gas & Water Lines
 Other Crews / Workers
 Other precautions _____

Energy Source Controls: De-energization procedure Visible Opening
 Testing for Voltage Grounding
 Other controls _____

Personal Protective Equipment requirements: Hard Hat Safety Glasses
 Dielectric boots Hearing Protection Cover-up Gloves
 Other PPE _____

SIGNATURES

Crew Leader Ronald Sexton

Crew Members Joseph Brown
Paul Willard
Steve Wood