



Ernie Fletcher
Governor

Mark David Goss
Chairman

LaJuana S. Wilcher, Secretary
Environmental and Public
Protection Cabinet

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

Teresa J. Hill
Vice Chairman

Christopher L. Lilly
Commissioner
Department of Public Protection

September 29, 2006

Kent Blake
Director - Rates & Regulatory
Kentucky Utilities Company
c/o Louisville Gas & Electric Co.
P. O. Box 32010
Louisville, KY 40232-2010

RE: Case No. 2006-00354

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

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/sh
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY UTILITIES COMPANY)
_____)) CASE NO. 2006-00354
)
ALLEGED FAILURE TO COMPLY)
WITH KRS 278.042)

O R D E R

Kentucky Utilities Company ("KU") is a Kentucky corporation engaged in the generation, transmission, and distribution of electricity to the public for compensation for lights, heat, power, and other uses and is a utility subject to Commission jurisdiction.¹

Commission Staff submitted to the Commission an Incident Investigation Report ("Incident Report") dated June 22, 2006, attached hereto as Appendix A, which alleges that on June 15, 2006, Thomas James Gray, a temporary resident of Clear Creek Baptist Bible College in Pineville, Kentucky, was standing next to a three-phase bank pole when he grabbed the left side guy wire. He started shaking the guy wire, which was slack, and it came in contact with a 7200-volt riser. Mr. Gray sustained a shock and burns on his right hand and both feet and he was hospitalized.

KRS 278.042 requires that an electric utility construct and maintain its plant and facilities in accordance with the most recent edition of the National Electrical Safety Code, which is the 2002 Edition ("NESC"). The Staff's Incident Report notes one

¹ KRS 278.010.

probable violation of KRS 278.042, which is NESC Section 27, Rule 279.A.2.a, which requires ungrounded guys to be insulated if attached to a supporting structure carrying any supply conductors of more than 300 volts or if vulnerable to accidental energizing by such conductors due to a slack conductor or guy.

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

1. KU shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Incident Report.

2. KU shall appear on November 16, 2006 at 9:30 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky to present evidence concerning the incident which is the subject of the Incident Report, specifically the one alleged violation of KRS 278.042 and NESC Rule 279.A.2.a, and to show cause, if any it can, why it should not be subject to the penalties of KRS 278.990 for the one probable violation of the aforementioned statute.

3. The official record of this proceeding shall be by video, unless otherwise requested by KU.

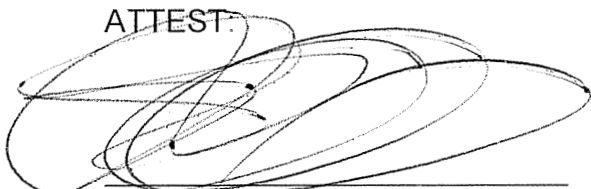
4. The Incident Report dated June 22, 2006 is hereby made a part of the record in this case.

5. Any request by KU 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 29th day of September, 2006.

By the Commission

ATTEST:

A large, complex handwritten signature in black ink, consisting of multiple overlapping loops and flourishes, positioned over a horizontal line.

Executive Director

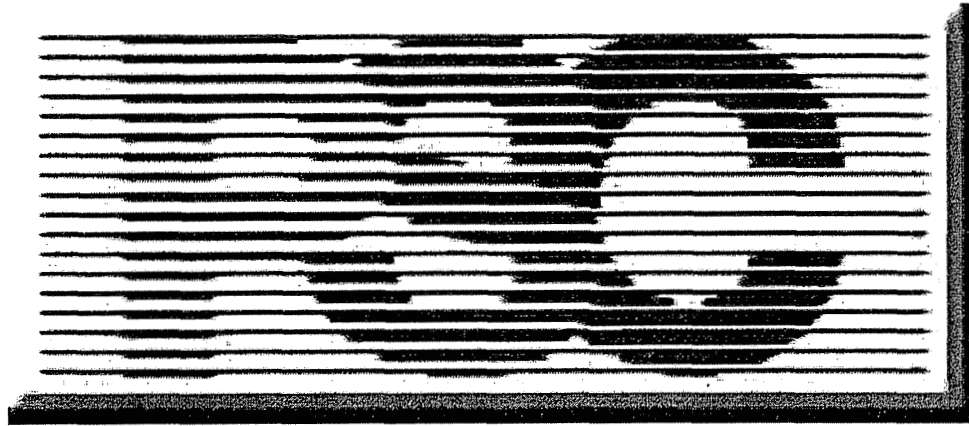
APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2006-00354 DATED September 29, 2006.



Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report



INCIDENT INVESTIGATION ~ Staff Report

Incident Location ~ Bell County, Kentucky

Report Date ~ June 22, 2006

Incident Date ~ June 15, 2006

PSC Investigator ~ Jeff Moore

Utility ~ Kentucky Utilities

Victim ~ Thomas James Gray

PSC Regulated Rural Electric Utilities

- Big Sandy RECC
- Blue Grass Energy Cooperative
- Clark Energy Cooperative
- Cumberland Valley Electric
- Farmers RECC
- Fleming-Mason Energy Cooperative
- Grayson RECC
- Inter-County Energy Cooperative
- Jackson Energy Cooperative
- Jackson Purchase Energy Corporation
- Kennerly Corporation
- Letcher Valley RECC
- Madeira County RECC
- Nolin RECC
- Onion Electric Cooperative
- Salt River Electric Cooperative
- Shelby Energy Cooperative
- South Kentucky RECC
- Taylor County RECC

PSC Regulated Investor Owned Utilities

- American Electric Power (AEP)
- Berea College Utilities
- Kentucky Utilities Company (KUC)
- Danville Gas and Electric Company (D.G.E.)
- Union Light, Heat, and Power Company (ULH&P)

Multi-Service Areas

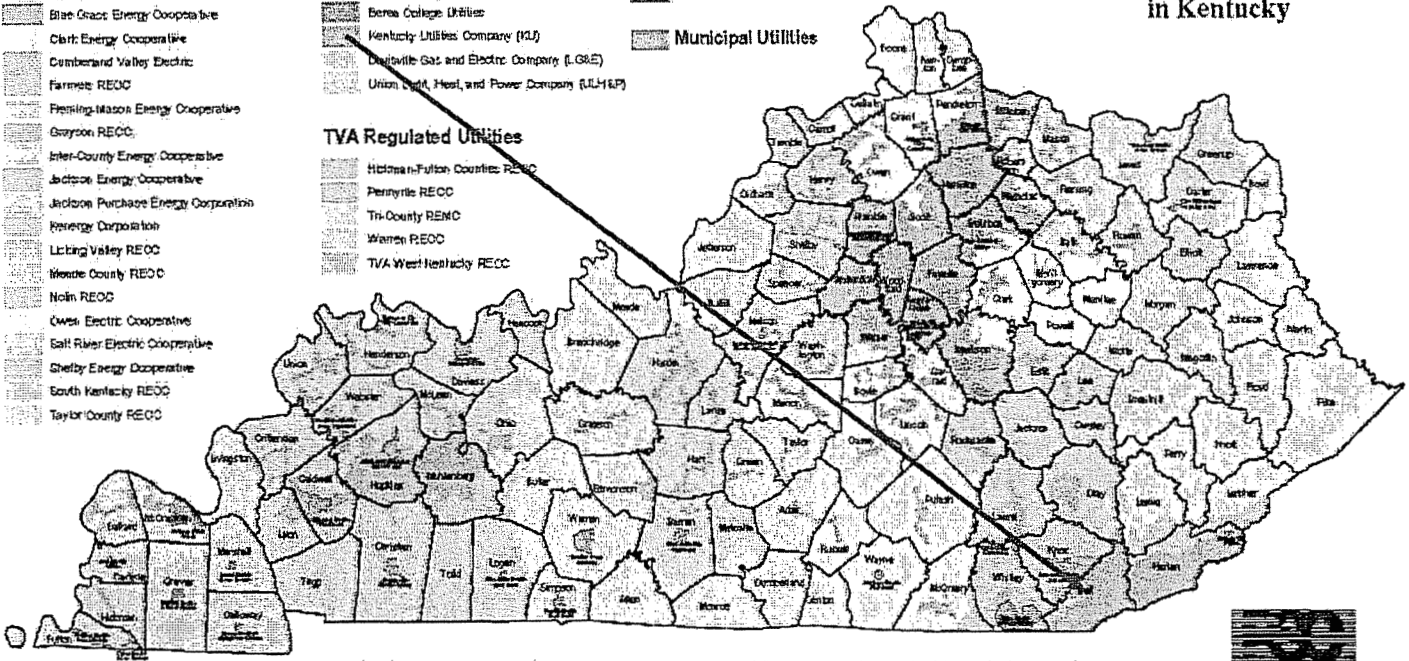
- Jackson Energy Cooperative & KUC
- Madeira County RECC & LG&E

Municipal Utilities

TVA Regulated Utilities

- Hickman-Fulton Counties RECC
- Perryville RECC
- Tri-County RECC
- Warren RECC
- TVA West Kentucky RECC

Electric Service Areas in Kentucky



0 10 20 30 40 50 Miles

The electric service areas are compiled from certified territory maps on file with the Commission. These are legal documents which define the retail service area of electric supply service as used by the Commission (Kentucky Statute 278.027). Kentucky has 31 municipal systems which the PSC does not regulate. Their boundaries were derived from the ESC's certified territory maps, or from boundaries indicated by information furnished by the municipal utility. If the municipal service area's boundaries were unknown, a circle was placed around the urbanized area.



Kentucky Public Service Commission
January 24, 2002



Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report

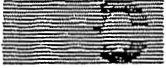
UTILITY:	KENTUCKY UTILITIES / KU	
Reported By:	Ken Sheridan / Keith McBride	
Accident Occurred:	June 15, 2006	Approximately: 8:48 AM
Utility Notified:	June 15, 2006	Approximately: 8:58 AM
PSC Notified:	June 15, 2006	Approximately: 9:10 AM
PSC Investigated:	June 15, 2006	Approximately: 4:30 PM
Report Received:	June 22, 2006	
Accident Location:	300 Clear Creek Road, Pineville, Kentucky	
Accident Description:	<p>On June 15, 2006, the PSC was notified of a possible public contact. Arriving at Clear Creek Baptist Bible College, I met Lauren Jackson in the parking lot of the office building. I asked if she could direct me to the accident site. She agreed and explained that she was at the accident site when the accident occurred. While going to the accident site, Ms. Jackson told me that she and Mr. Gray were standing near the maintenance building next to the accident site. Mr. Gray walked over and grabbed the guy wire with his right hand and shook it. She said he then made the comment to her, "I wonder if this will do anything." At this time the guy wire made contact with the primary riser operating at approximately 7200 volts. Ms. Jackson said she saw the arc when the guy wire came in contact with the primary riser. She saw Mr. Gray's body tense up; his mid section and shoes began to smoke; and he fell to the ground. Ms. Jackson said she told Mr. Gray to roll away from the wire several times. According to Ms. Jackson, when he was clear from the guy wire, she checked on his condition. Someone called the emergency service while she checked the condition of Mr. Gray. I returned Ms. Jackson to the office building. I then returned to the accident site and met with utility personnel. The guy wire Mr. Gray grabbed was slack. The slack in this guy wire allowed for enough movement, which when shook by Mr. Gray, made contact with the primary riser. The guy wire was not connected to a system neutral nor did it have any type of guy insulator.</p>	



Kentucky Public Service Commission

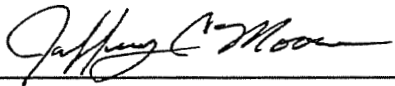
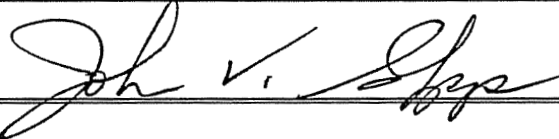
Electric Utility Personal Injury Accident Report

VICTIM(S):	NAME		ADDRESS	EMPLOYER
	Thomas James Gray		4521 Pickett Road Fairfax, Virginia 22032	Appalachia Service Project ASP / Community Coordinator
	Fatality	AGE		
	No	22		
I n j u r y	Shock and Burn. Burns on his right hand and burns on both feet.			
Witness(es):	Name		Address	Employer
	Lauren Jackson		Unknown	ASP / Community Coordinator
Information From:	Name		Address	Employer
	Keith McBride		Fire & Safety Investigator	LG&E
Lauren Jackson		Unknown	Appalachia Service Project ASP / Community Coordinator	



Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report

Temp & Weather:	85° Calm Sunny		
Probable Violations:	<u>KRS 278.042 Service Adequacy and Safety Standards</u>		
	1. NESC Section 27: (279-A-2-a) Use of Guy Insulators		
Investigated By:	Name	Company	
	Jeff Moore	Kentucky Public Service Commission	
Signed:		Date	7-13-06
	Name	Company	
Reviewed By:	John Shupp	Mgr., PSC Engineering Staff	
	Signed:		Date

- Attachments:
- A. Utility Accident Report
 - B. Utility Photographs of Accident Site
 - C. PSC Photographs of Accident Site
 - D. Copy of Cited Violation



Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report

Attachment A
Utility Accident Report



an e-DM company

Mr. John Shupp
Manager Electrical Branch
Division of Engineering
Kentucky Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602

RECEIVED

JUN 21 2006

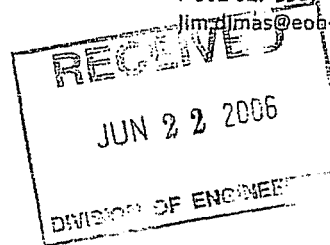
PUBLIC SERVICE
COMMISSION

Kentucky Utilities Company
Corporate Law
220 W. Main St.
Louisville, Kentucky 40202
www.eon-us.com

Jim Dimas
Sr. Corporate Attorney
T 502-627-3712
F 502-627-3367
jim.dimas@eon-us.com

June 21, 2006

Re: Kentucky Utilities Company Service Territory Incident
Public Member Received Shock



Dear Mr. Shupp:

I am forwarding the attached "Investigation Report" prepared by Keith McBride regarding the incident in the Kentucky Utilities service territory on June 15, 2006. Kentucky Utilities is providing this report to the KPSC in accordance with the applicable seven-day reporting requirement.

If you need additional information concerning this incident, please contact me at (502) 627-3712 so I can direct your request to the appropriate person.

Sincerely,

Jim Dimas
Senior Corporate Attorney

Attachment

C: Keith McBride

KPSC External / INVESTIGATION REPORT

Public Received Shock/Admitted to Hospital

Type of Report

06-E-022-KU

Report Number

Keith McBride

Investigator

June 15, 2006

Date of Incident

Location: Clear Creek Baptist Bible College
300 Clear Creek Road
Pineville, Kentucky 40977

Incident / Notification

On June 15, 2006 at 8:58 a.m., Kentucky Utilities Distribution Control received a call notifying of an electrical contact by a member of the public. Initial reports stated that male received a shock and burns, and was transported to the Pineville Hospital. Cecil Jackson, KU Team Leader, confirmed there had been a shock and burn and the person was in the hospital. Ken Sheridan, Manager of Safety and Technical Training, notified the Kentucky Public Service Commission of the incident.

Investigation

On June 15, 2006 at 8:58 a.m., KU Distribution Control received a call notifying KU of an electrical contact by a member of the public. Investigation of the incident found that a 22 year old male, while holding onto a guy wire, shook or pushed the guy wire into a 7200 volt riser.

Thomas James Gray, a worker for the Appalachia Service Project ("ASP"), was a temporary resident of the Clear Creek Baptist Bible College. On the morning of June 15, 2006 shortly before 8:58 a.m., Mr. Gray grabbed the left side guy wire holding the three phase bank pole next to the maintenance building for the camp. Lauren Jackson, Community Coordinator for ASP (no relation to Cecil Jackson), was the only known witness to the incident.

When KU's Cecil Jackson arrived at the scene, he spoke directly with Lauren Jackson about the incident. Ms. Jackson stated that she and Mr. Gray were just standing around near the maintenance building when Mr. Gray walked over to the guy wire. Ms. Jackson further stated that Mr. Gray grabbed the guy wire with his right hand and began to shake it back and forth. Ms. Jackson stated that as Mr. Gray was shaking the guy wire, he made a statement to the effect of "I wonder if

this does anything.” At that point the guy wire came into contact with the C-phase riser.

Ms. Jackson stated to Mr. Jackson that she saw smoke around Mr. Gray’s right hand, his feet, and his mid-section; then Mr. Gray fell to the ground.

Ms. Jackson stated to Mr. Jackson that she yelled to Mr. Gray to roll away from the guy wire, which he was able to do. Others in the area heard the commotion and came over to the scene. An unknown person called 911. The Bell County EMS responded and transported Mr. Gray to the Pineville Hospital where he was later admitted.

Mr. Gray received a shock and entry burn to his right hand. He had two exit burns to the left side of his left foot and one exit burn to the right side of his right foot.

Mr. Gray was released from the Pineville Hospital the next day, June 16, 2006.

Thomas James Gray – injured
4521 Pickett Road
Fairfax, Virginia 22032
Cell – 703-409-1734
Home – 703-764-2315

Lauren Jackson – Witness
ASP / Community Coordinator
Office – 606-337-9805
Cell – 330-209-3976

Appalachia Service Project
4523 Bristol Highway
Johnson City, Tennessee 37601
423-854-8800

45 foot pole
3-phase 120/240volt 25KVA transformer bank w/secondary
3/phase 7200 volt system
Pole installation date – believed to be 1948



an *e-on* company

Mr. John Shupp
Manager Electrical Branch
Division of Engineering
Kentucky Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602

RECEIVED

JUL 7 2006

PUBLIC SERVICE
COMMISSION

Kentucky Utilities Company
Legal Department
220 W. Main St.
Louisville, Kentucky 40202
www.eon-us.com

Jim Dimas
Sr. Corporate Attorney
T 502-627-3712
F 502-627-3367
jim.dimas@eon-us.com

July 7, 2006

Re: Kentucky Utilities Company Service Territory Incident
Thomas James Gray -- Shock Incident on 6/15/06

Dear Mr. Shupp:

In follow-up to the Investigation Report that was filed by Kentucky Utilities Company on June 21, 2006 concerning the shock injury to Thomas James Gray in Pineville, Kentucky, enclosed are the additional items that were requested by the KPSC:

1. Copy of the system print and associated paperwork; and
2. Complete copy set of scene photographs taken by KU of the scene on June 15, 2006.

We have searched our records and have been unable to locate any past work orders relative to this pole, which was installed in 1948. It is our belief that the KPSC now has all documents that have been requested from KU concerning this incident. If you need additional information concerning this incident, please contact me at (502) 627-3712.

Sincerely,


Jim Dimas

Enclosures

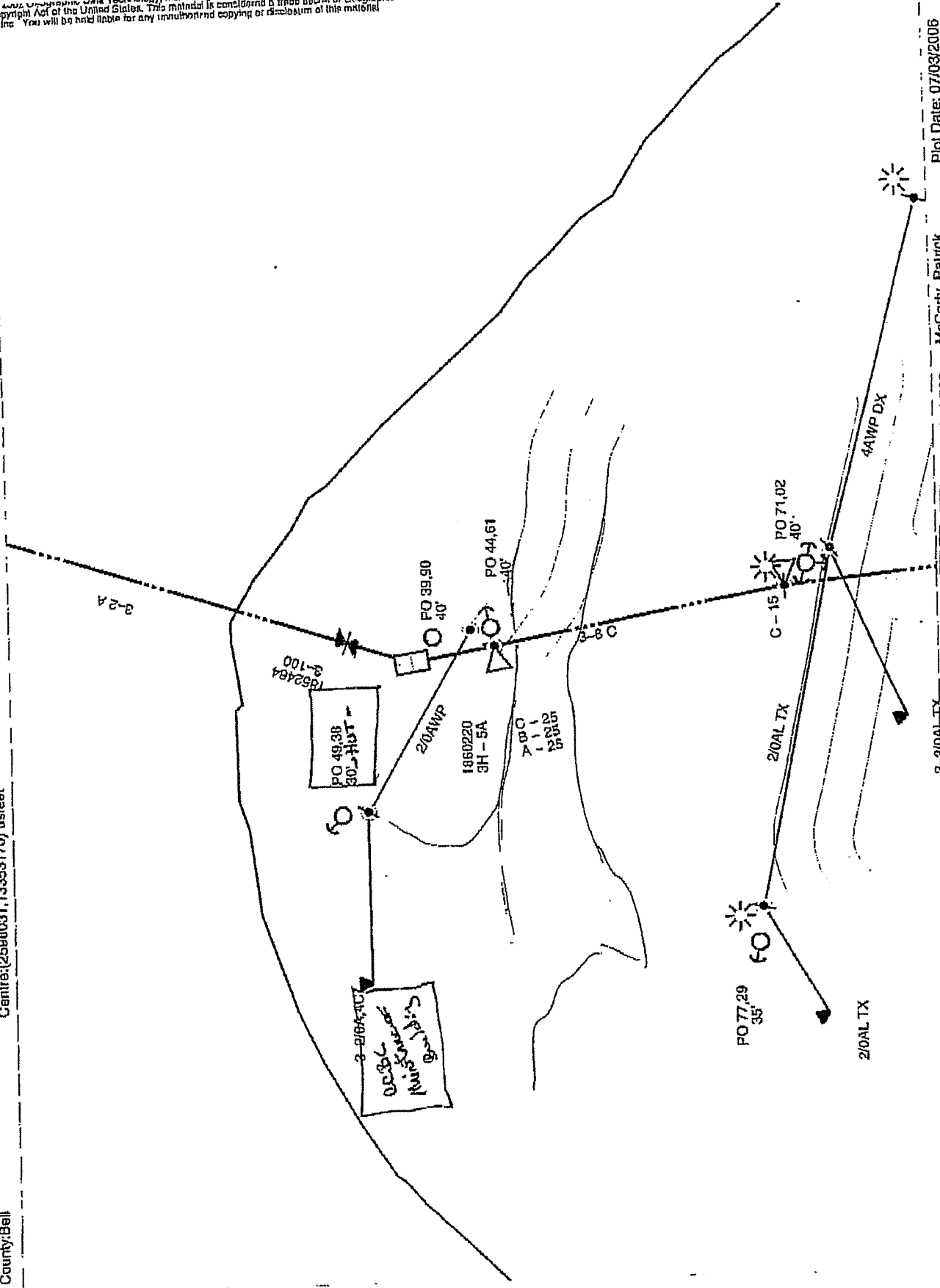
cc: Keith McBride

Town: Kentucky Ridge Plot Date: 07/03/2006

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holy hill
County: Bell
KY - MIDDLESBORO NORTH NW 1 D A

Unless otherwise noted, all elevations are in feet. All measurements were taken on the ground and must be verified in the field prior to any construction where there is a possibility of interference with existing KVA/GAE facilities exists.
Centre: (2580031, 13358170) us/est



Plot Date: 07/03/2006

McCarthy, Patrick

Scale 1:769

This information contained herein is for informational purposes only and does not constitute an offer of insurance or any other financial product. It is not intended to be used for any other purpose, and is furnished solely for the convenience of the recipient using it.

Page: 1

KU 21-28

KU INSPECTION REPORT DISTRIBUTION AND SERVICE FACILITIES

Page: _____ of _____

Office: MIDDLETOWN

Zone Number: I

Circuit Number Inspected: _____

Inspection Check List:

Conductors	<u>✓</u>	Crossarms	<u>✓</u>	Arresters, Cutouts & Grounds	<u>✓</u>
Insulators	<u>✓</u>	Guys & Anchors	<u>✓</u>	Service Drops	<u>✓</u>
Poles/Structures	<u>✓</u>	Transformers	<u>✓</u>	Meters	<u>✓</u>

Maintenance required or other remarks (attach additional sheets as required). Show location by line route or address.

ALL - NO PROBLEMS

Visual inspection performed in whole or in part in connection with regular duties.

Date Completed: 10-29-05

Danny C. Marwein
Inspection Personnel

Repairs or other maintenance performed (attach additional sheets as required).

Date Completed: _____

Maintenance Personnel

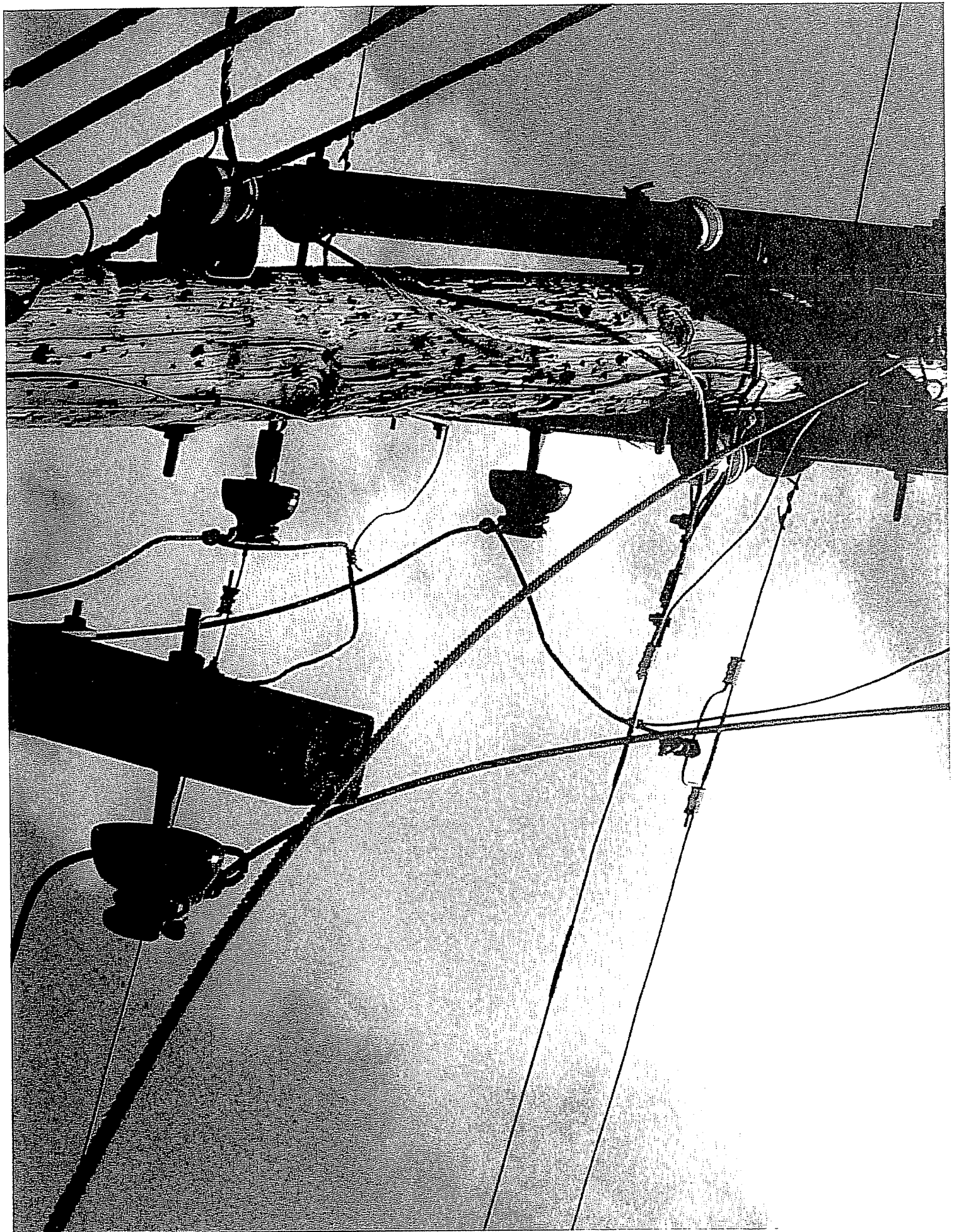


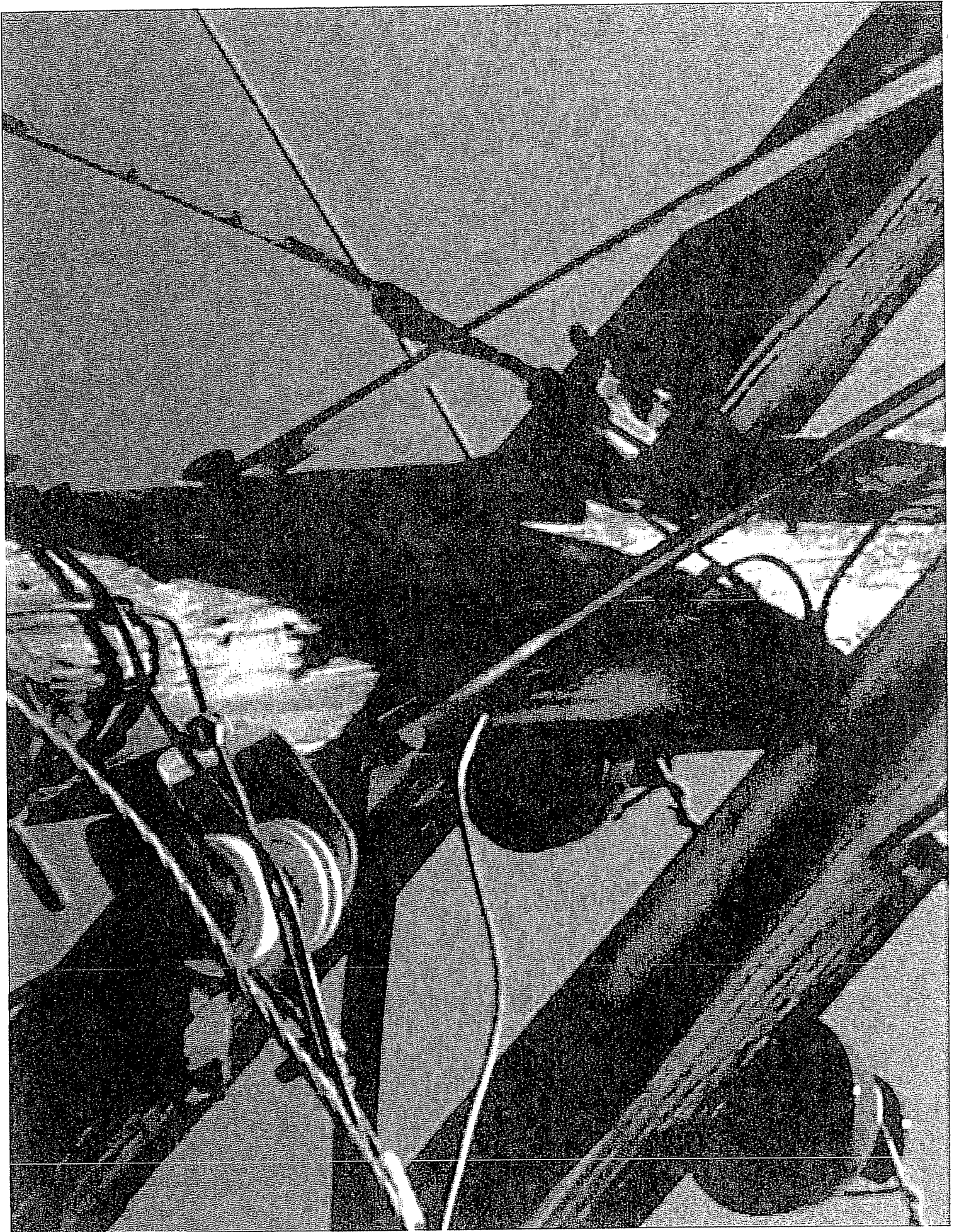
Kentucky Public Service Commission

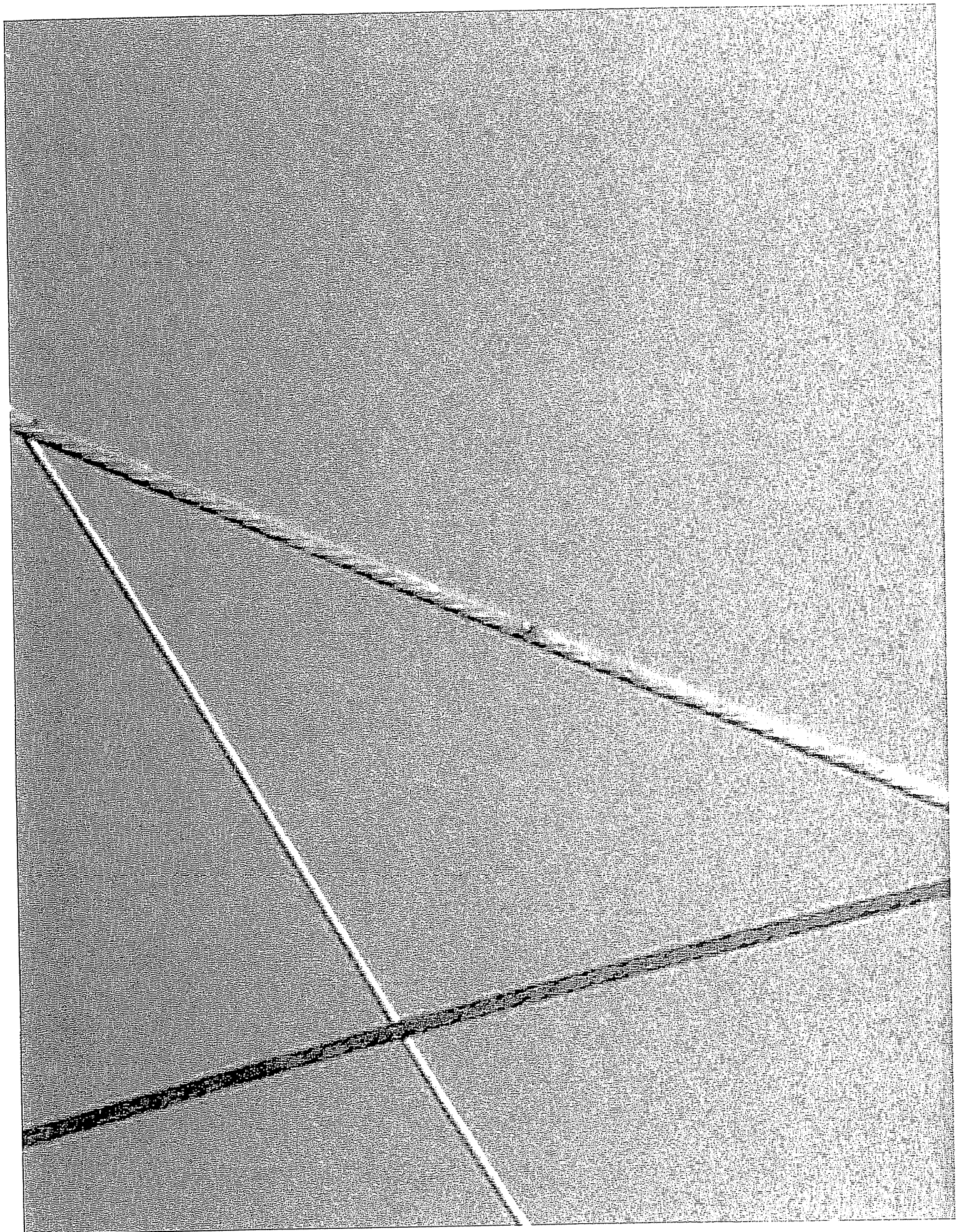
Electric Utility Personal Injury Accident Report

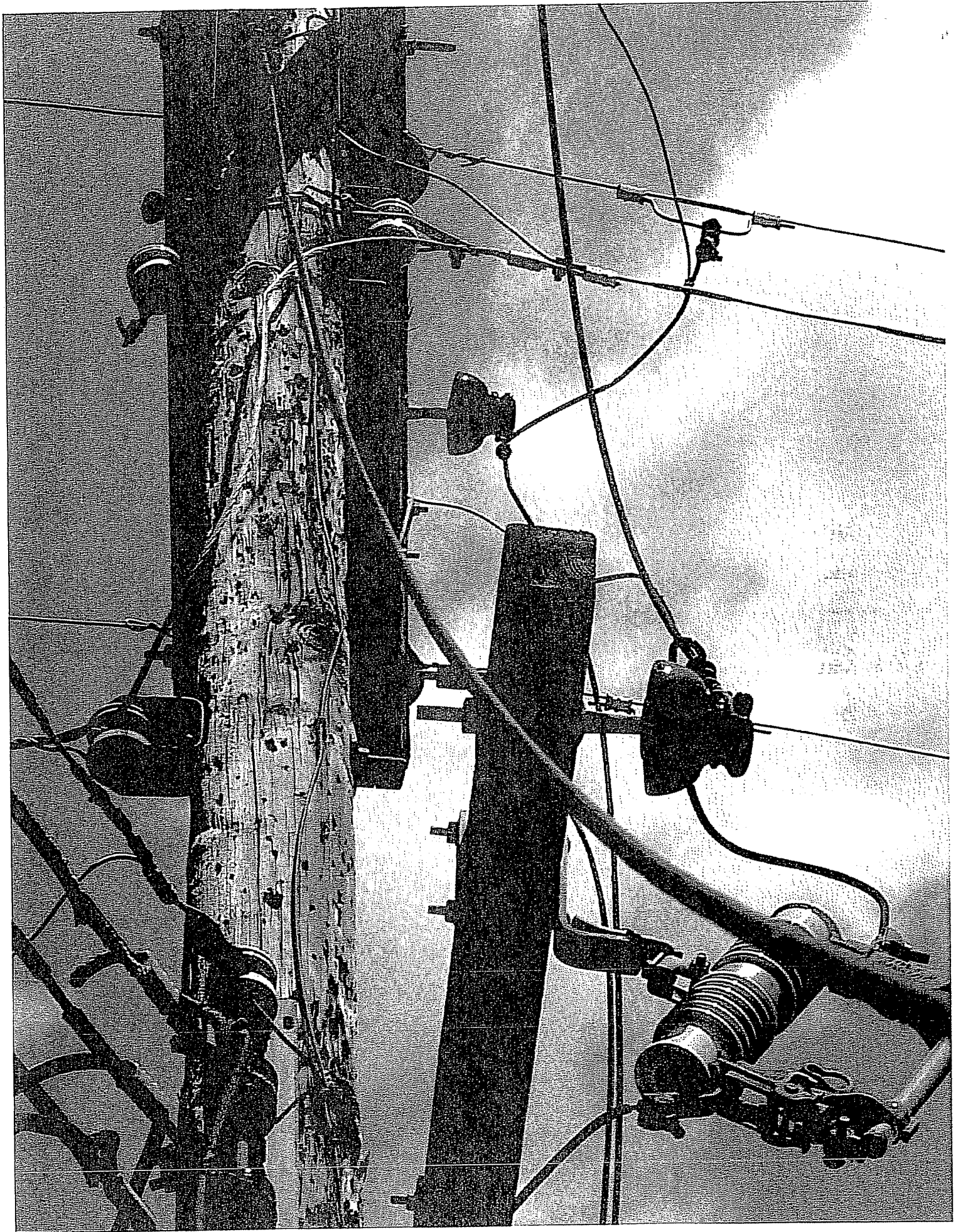
Attachment B

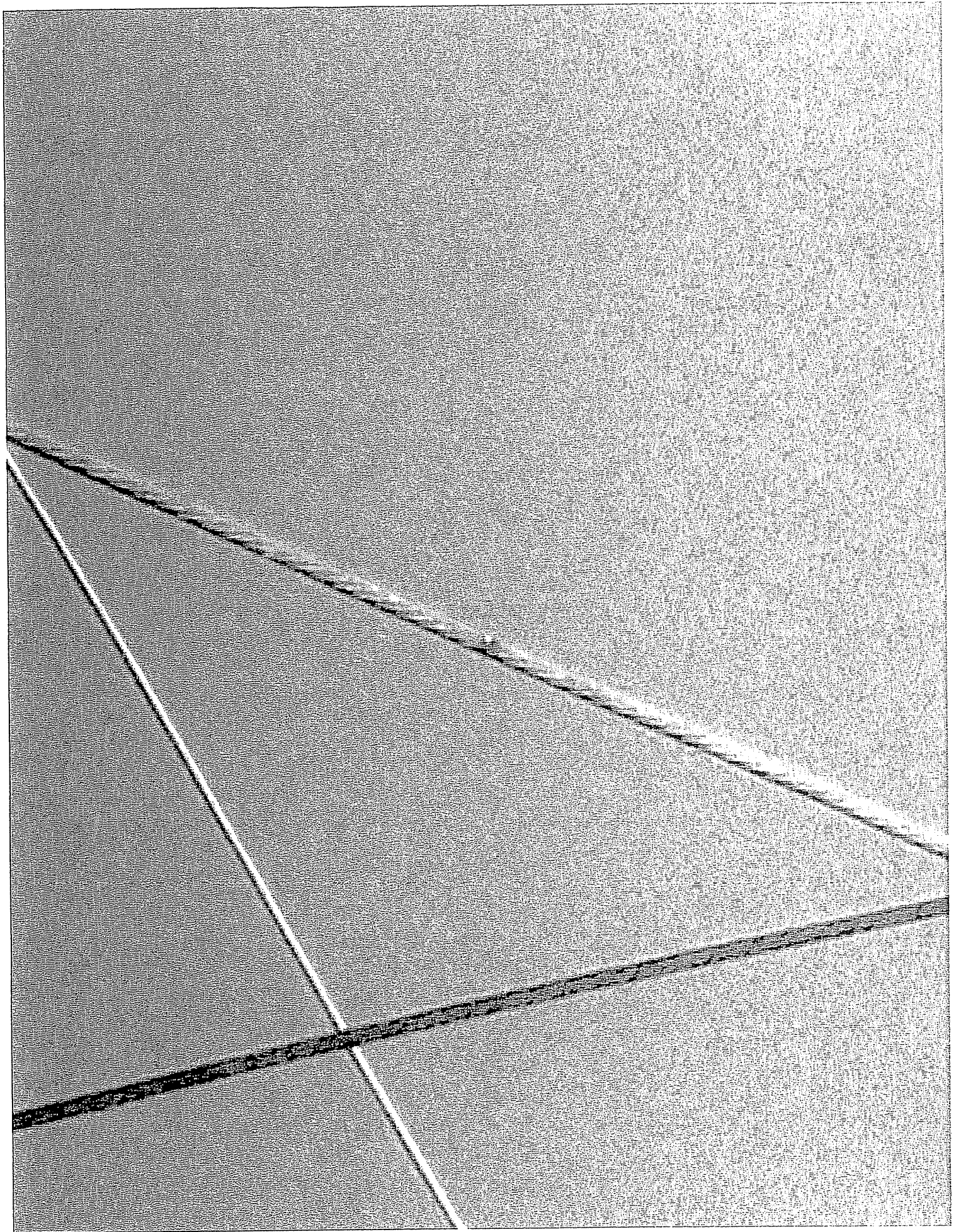
Utility Photographs of Accident Site

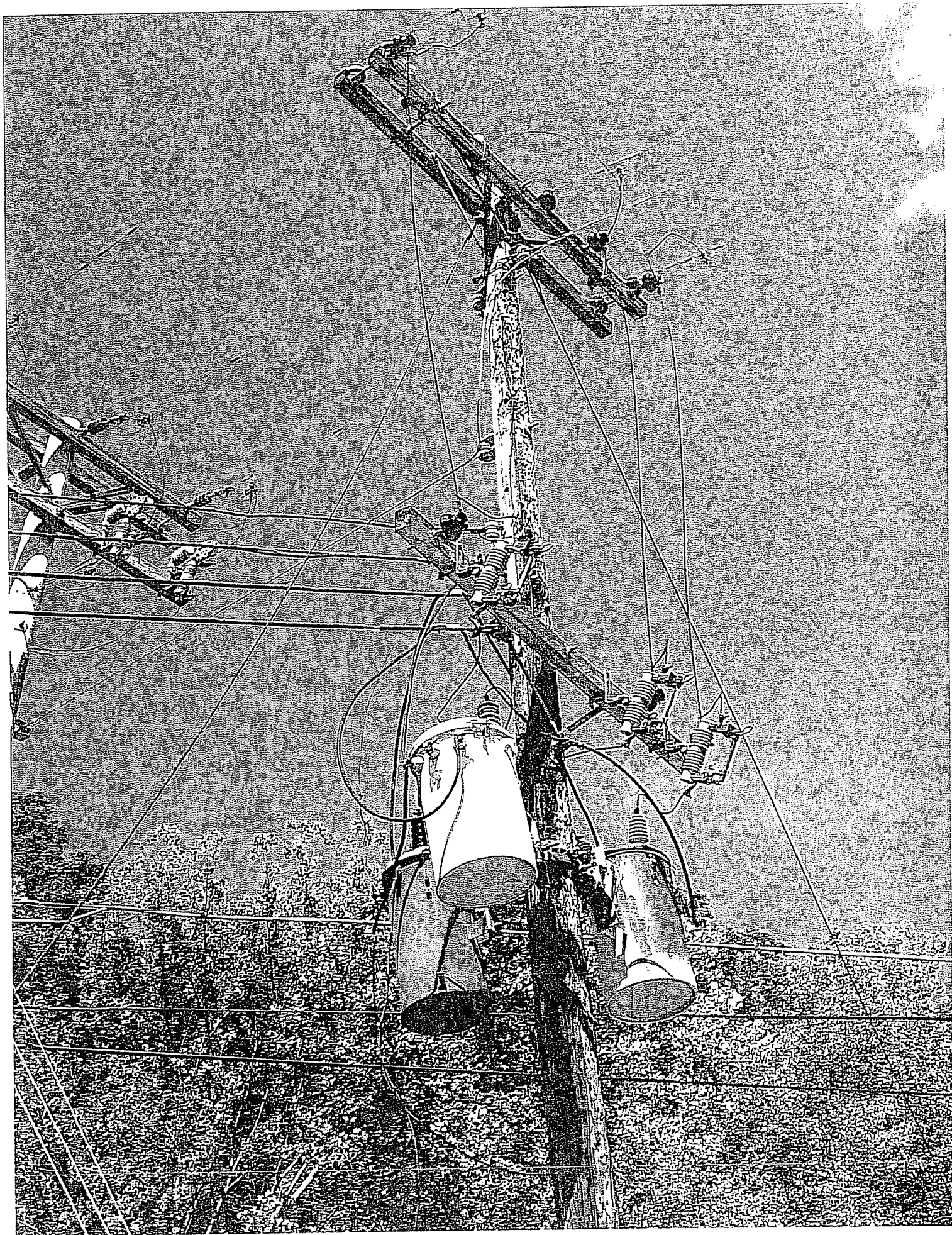


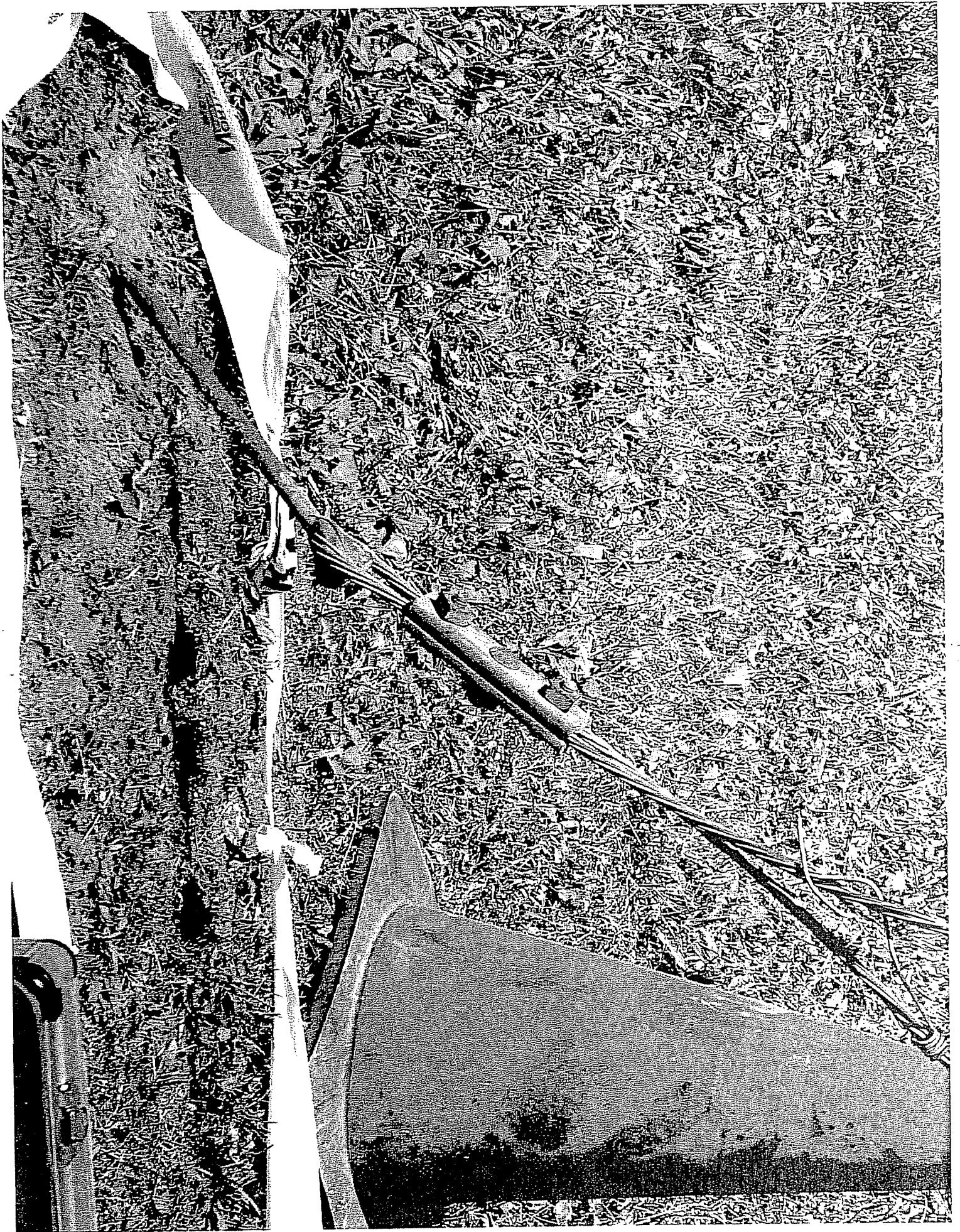


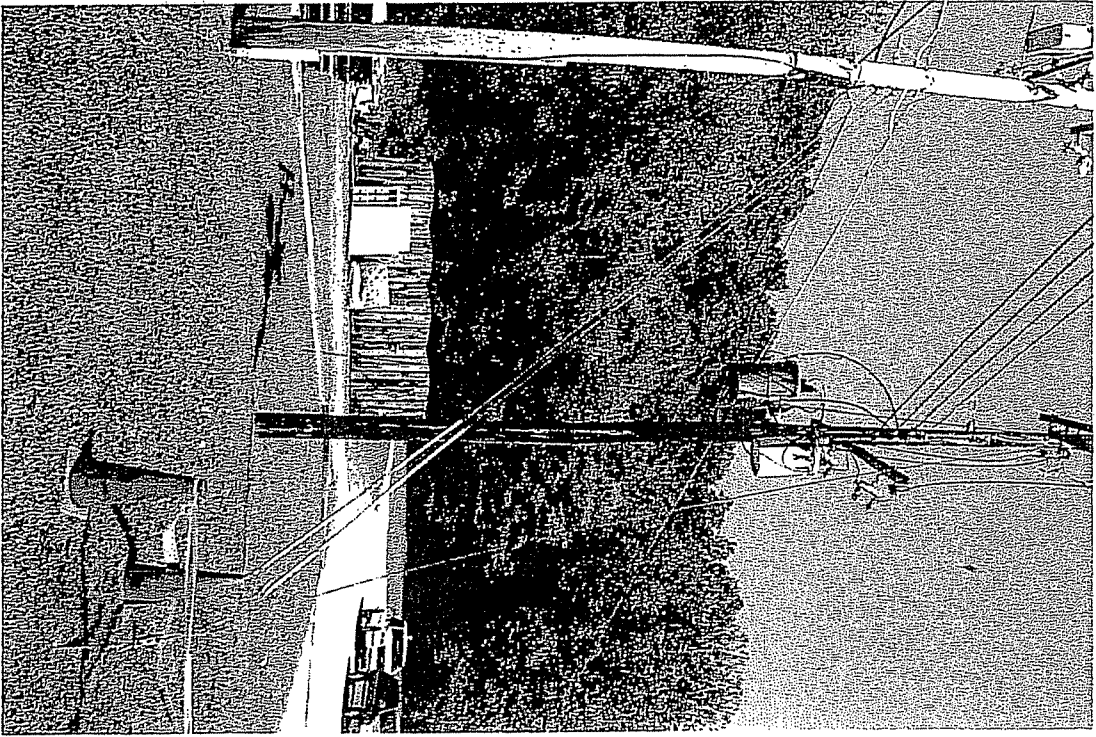
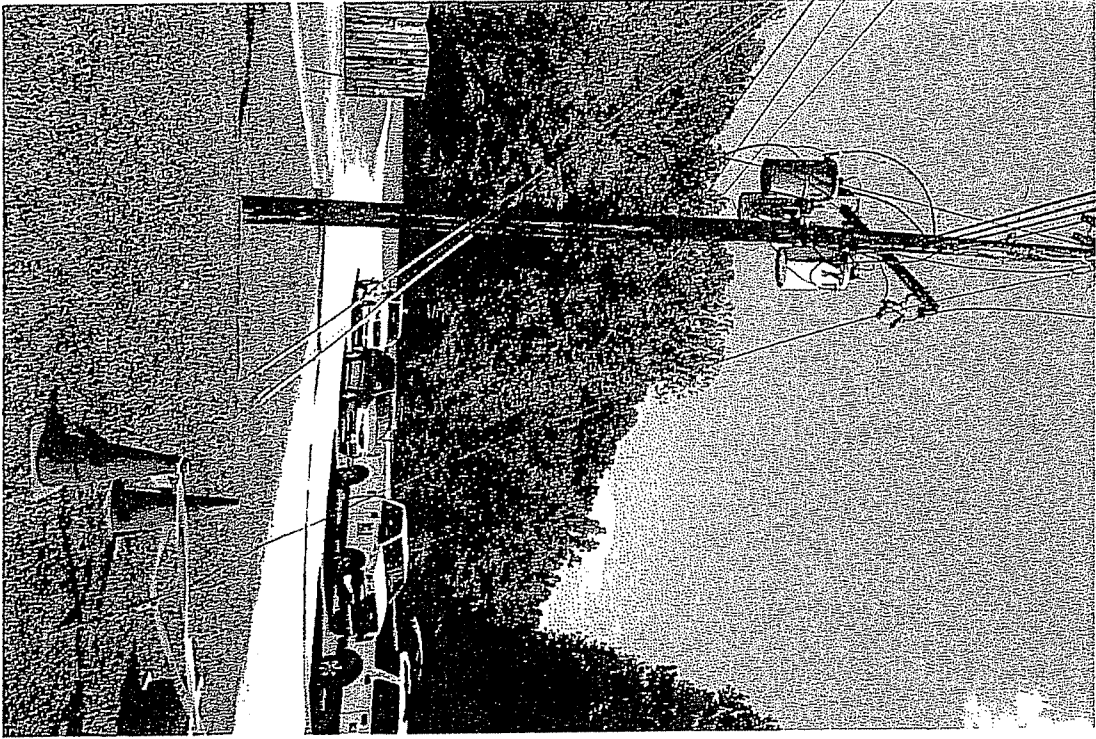


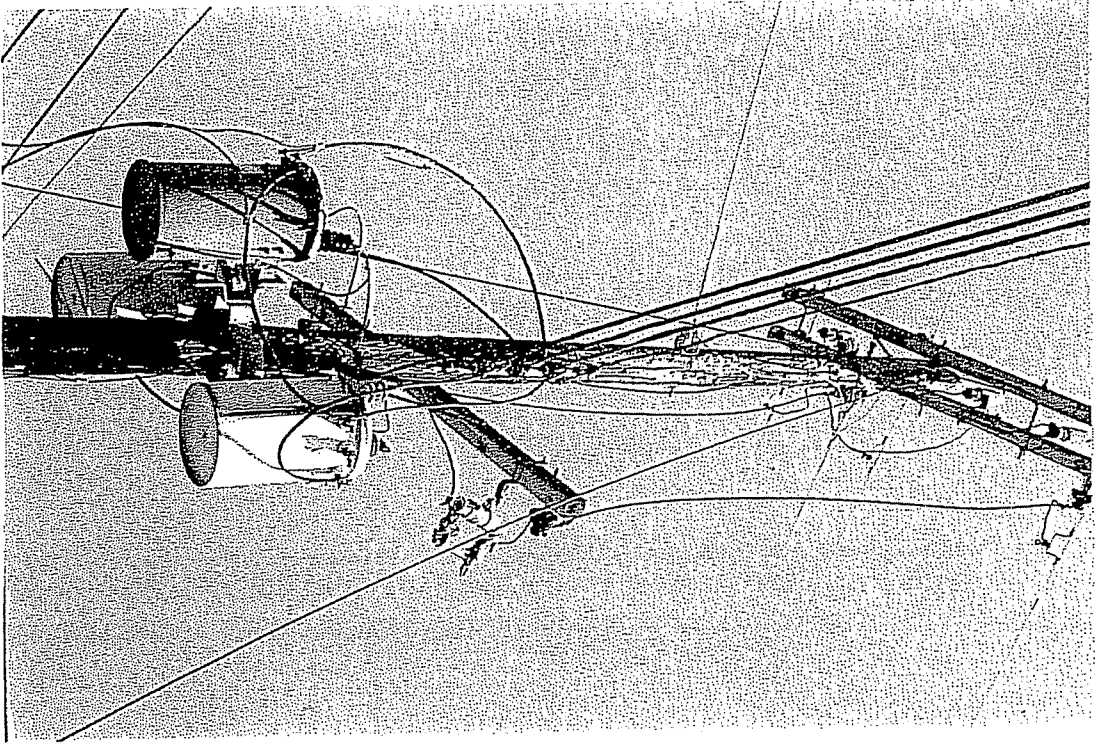


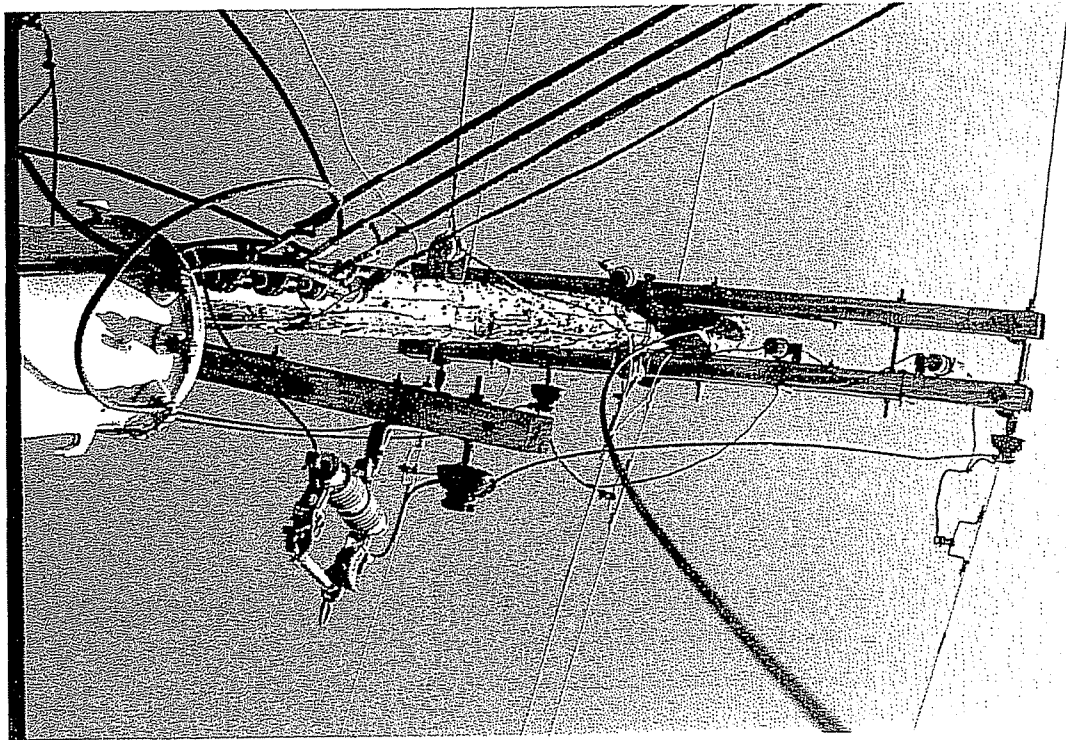
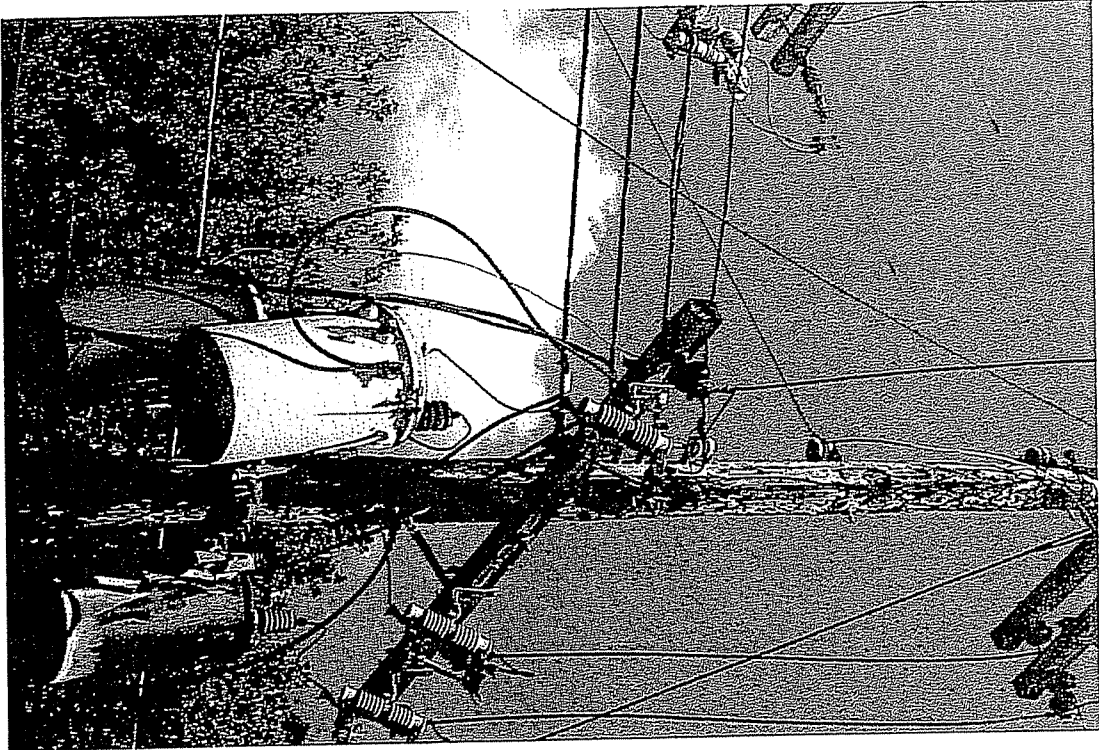


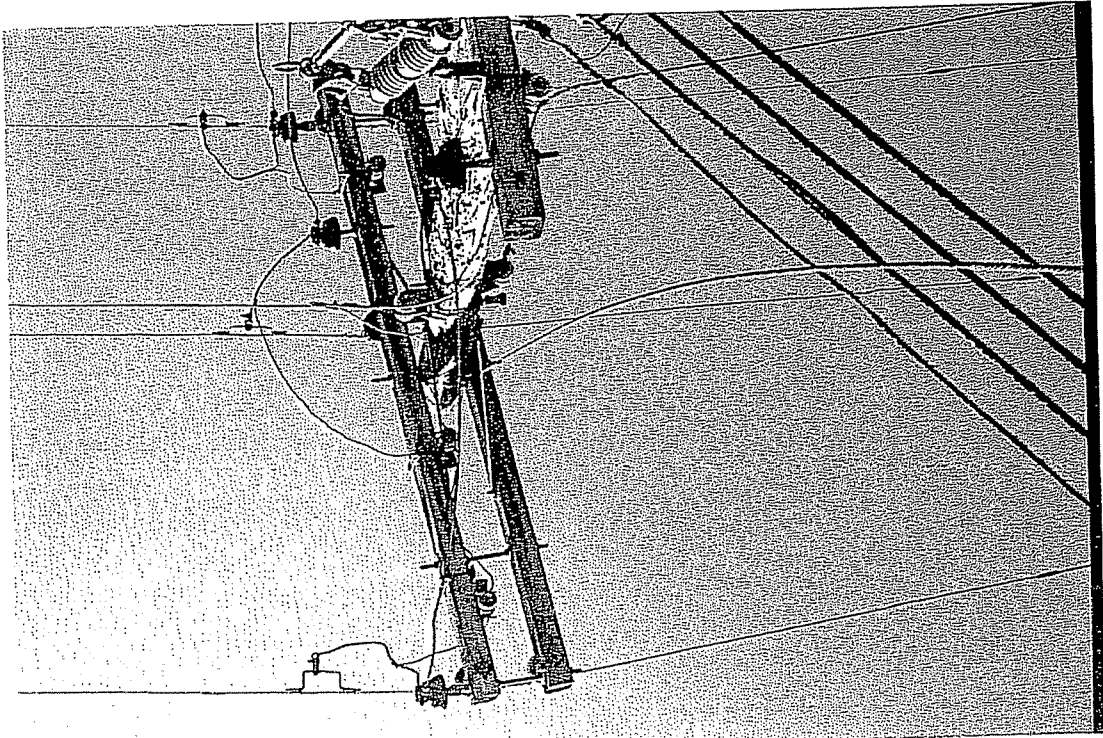
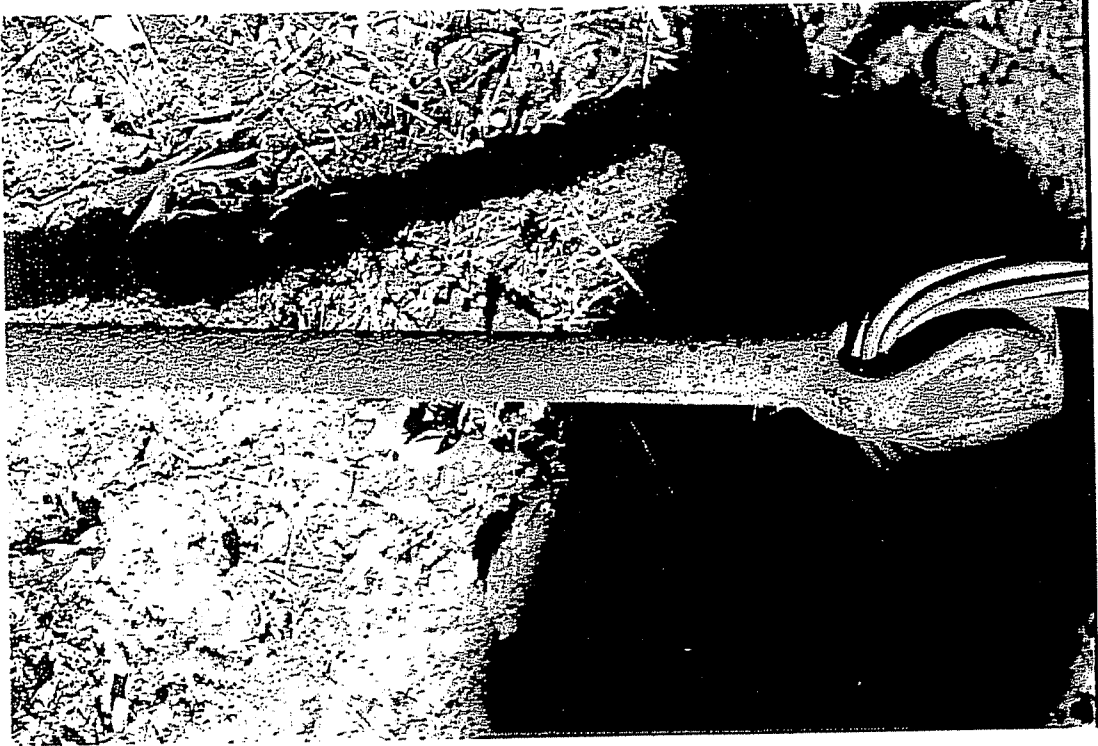


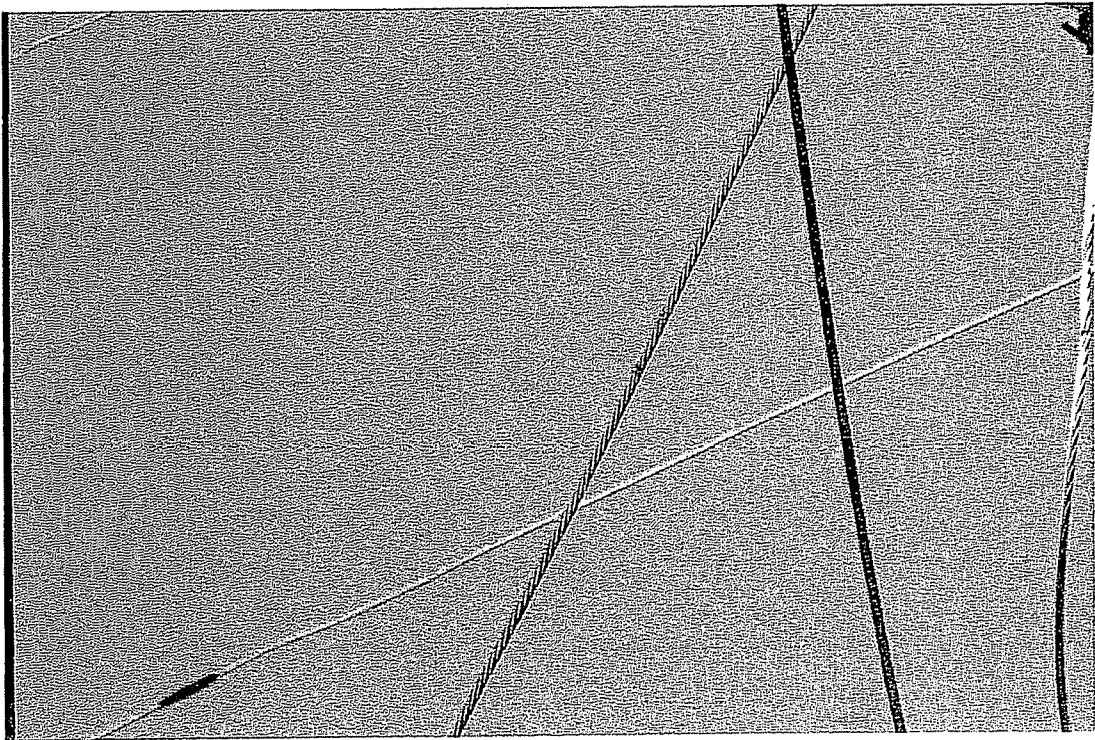


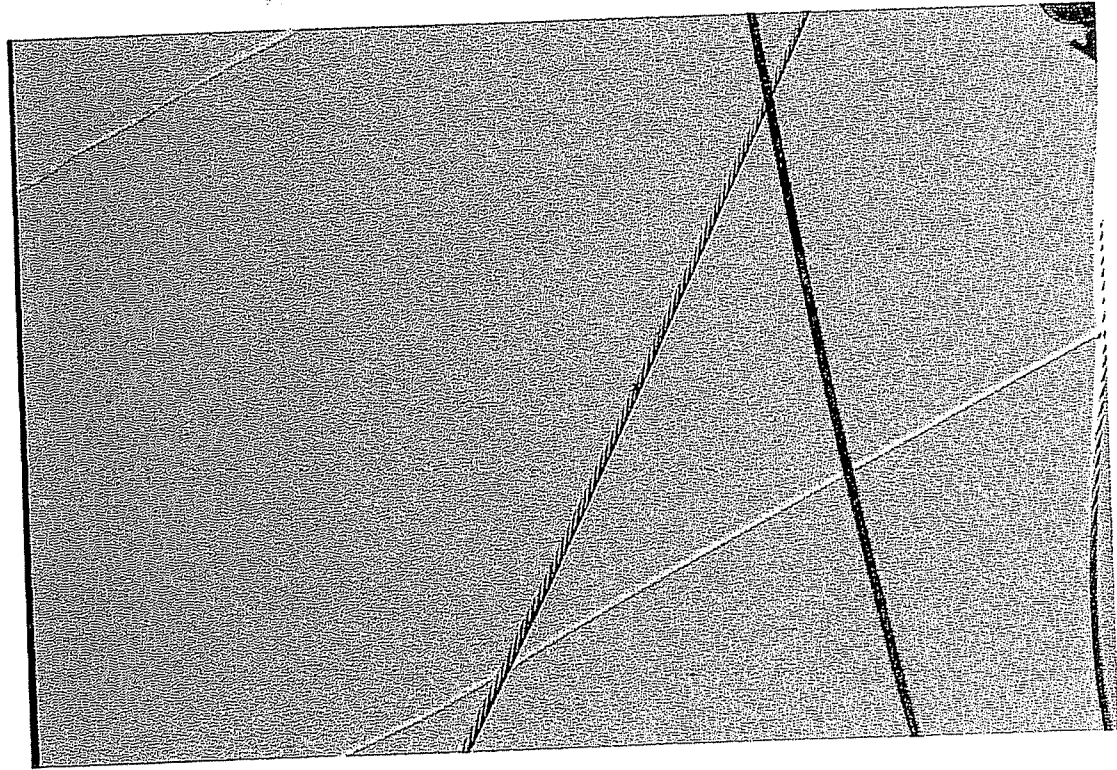
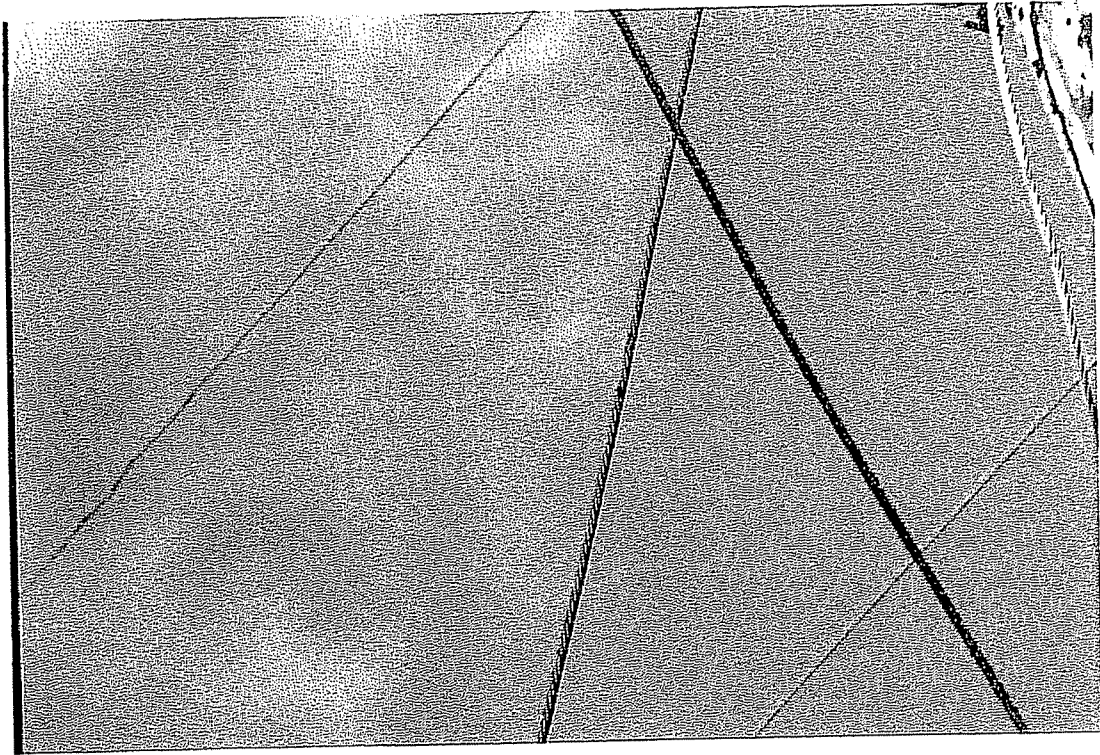


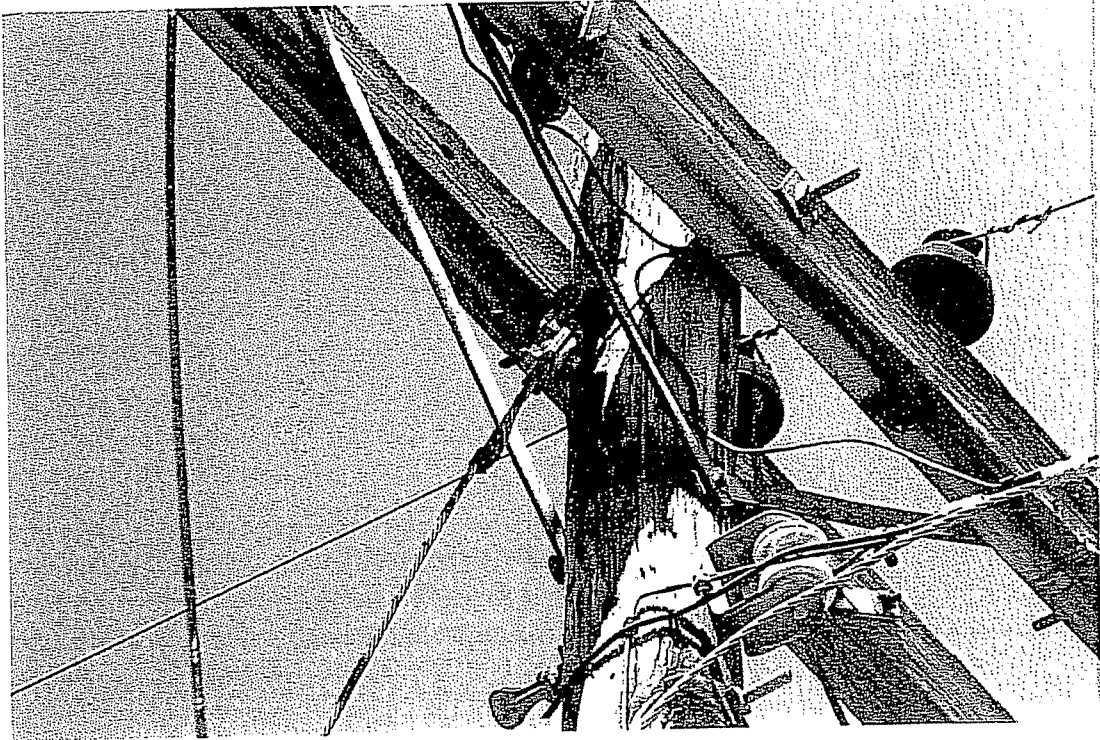
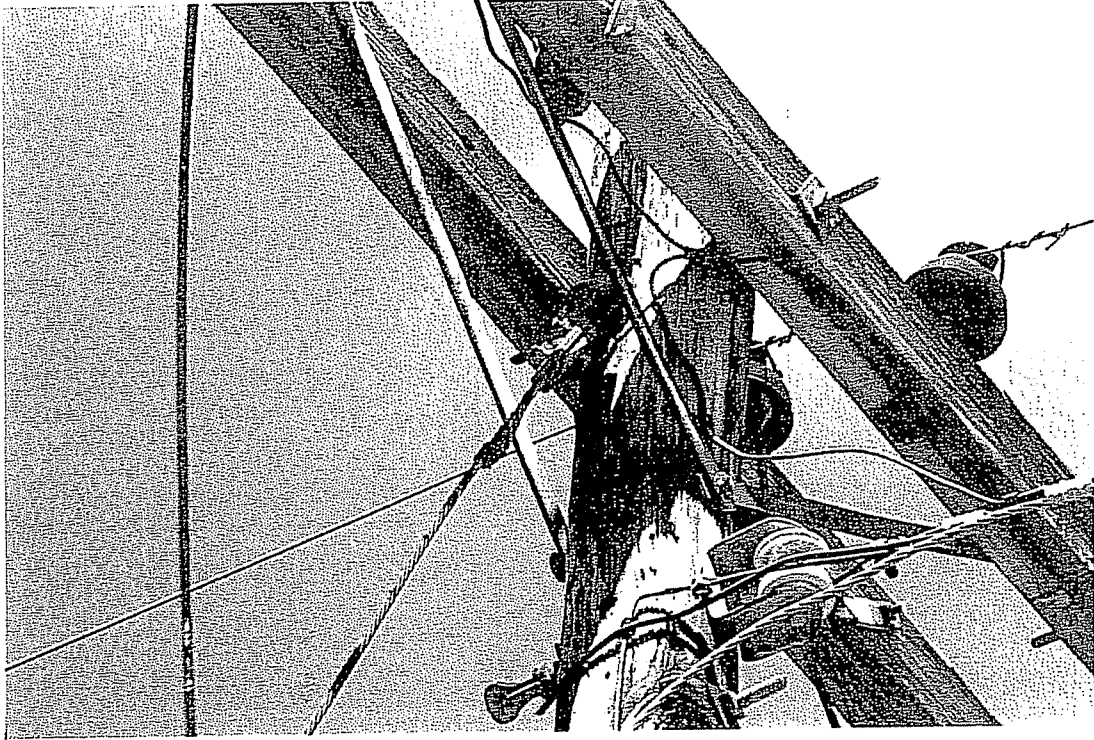


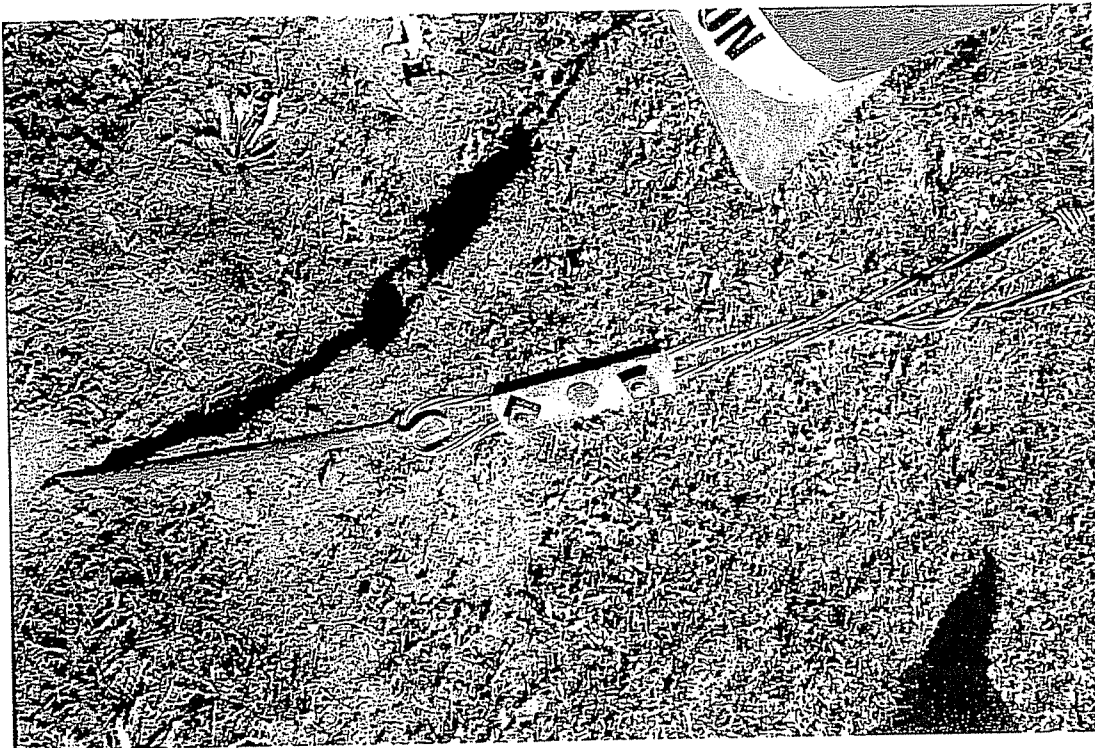
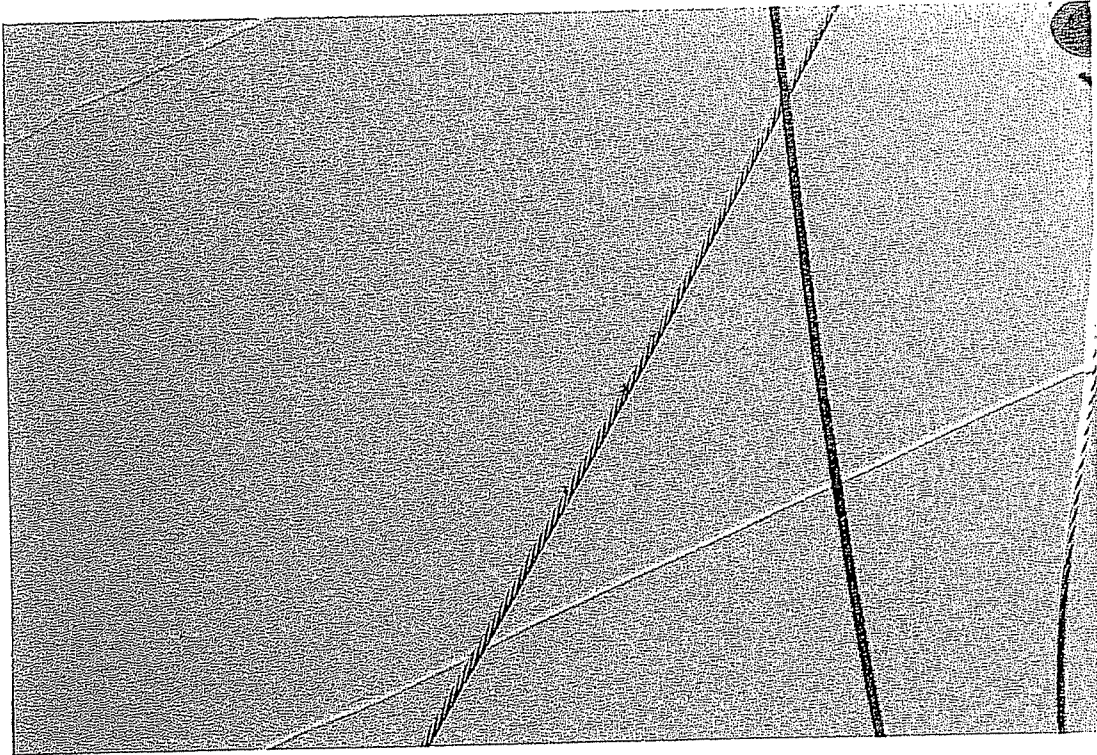


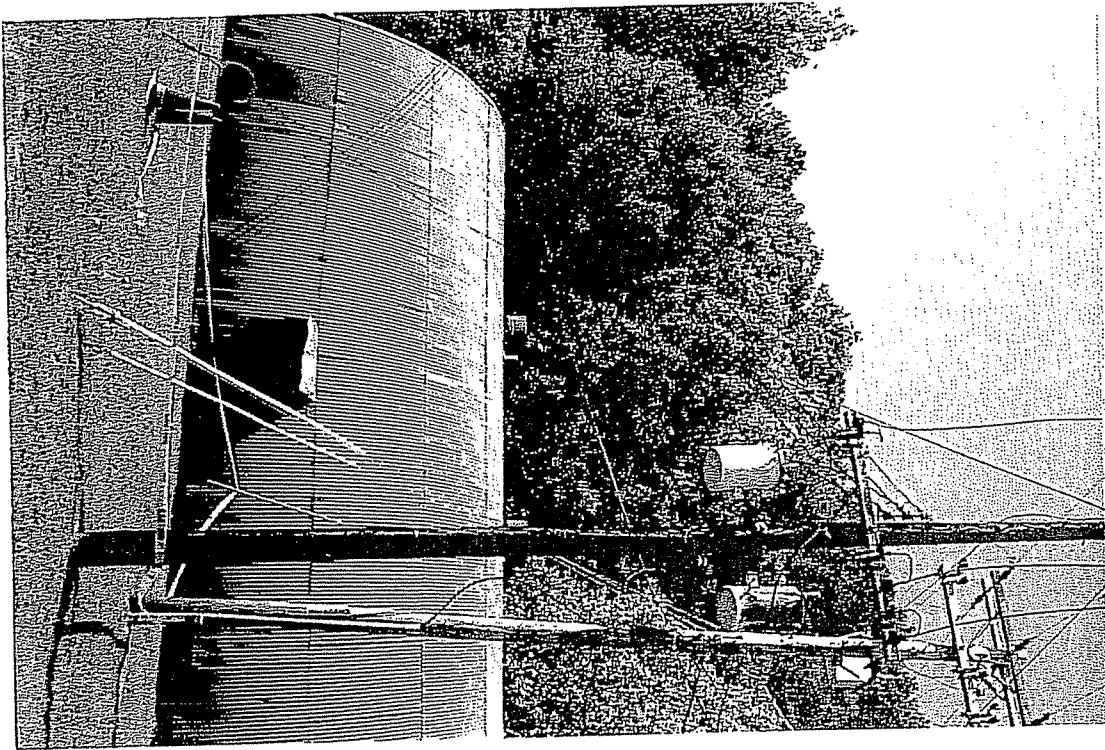
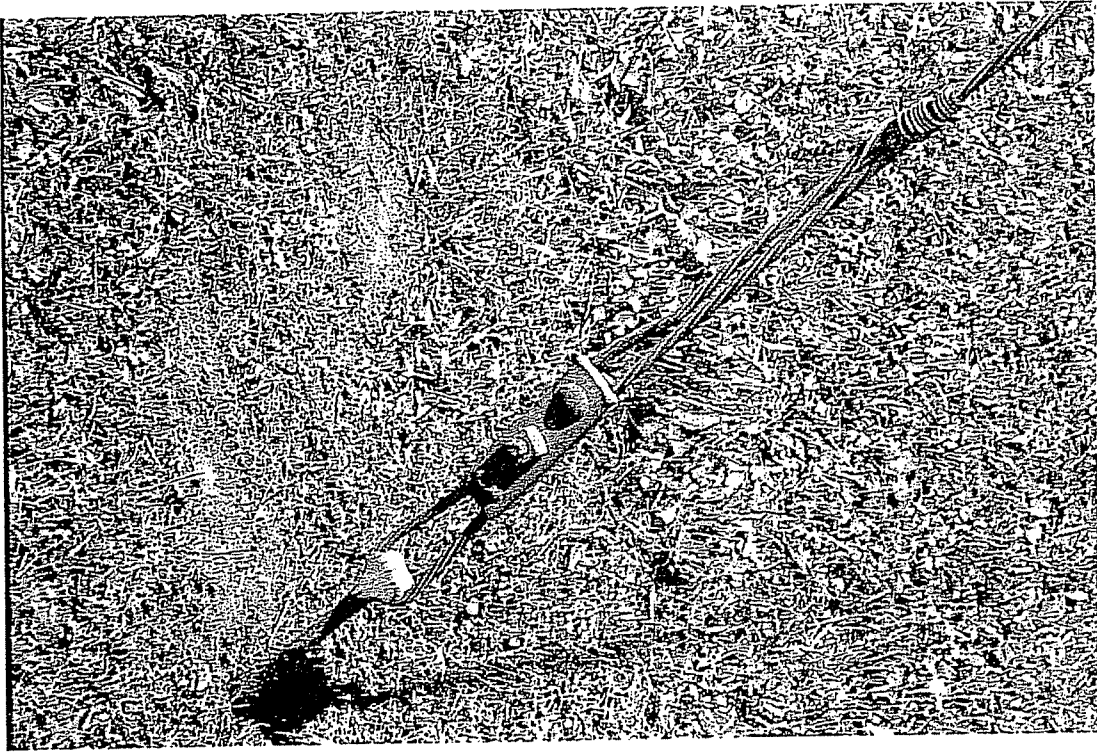


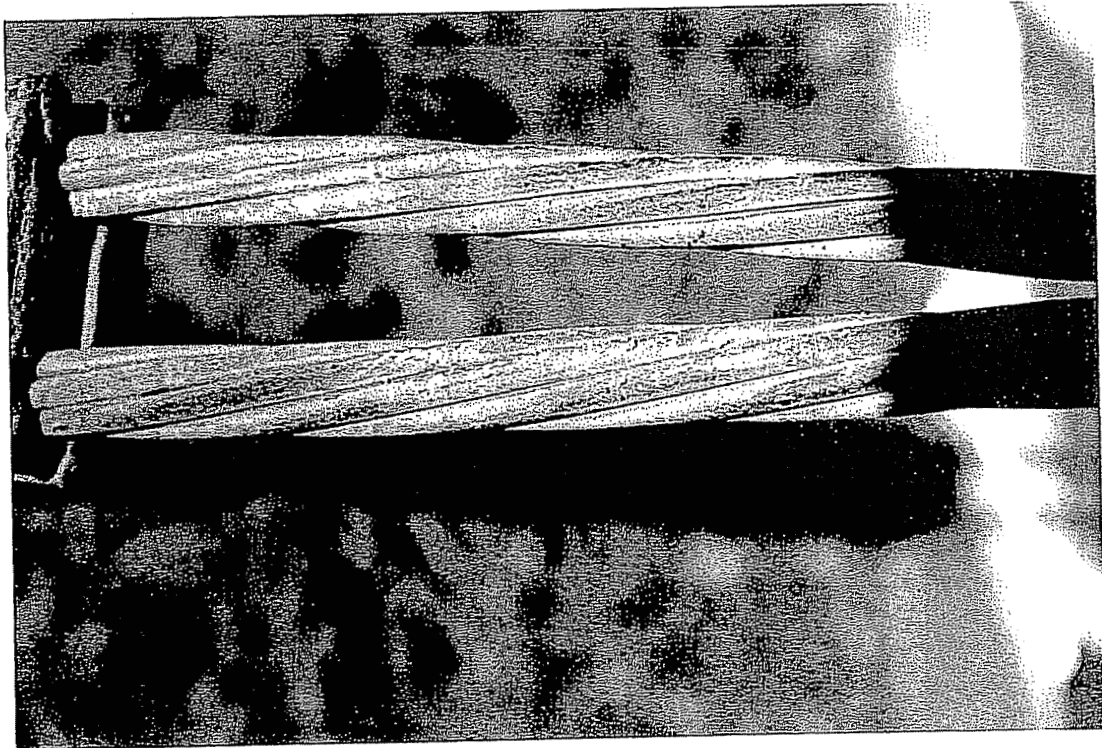
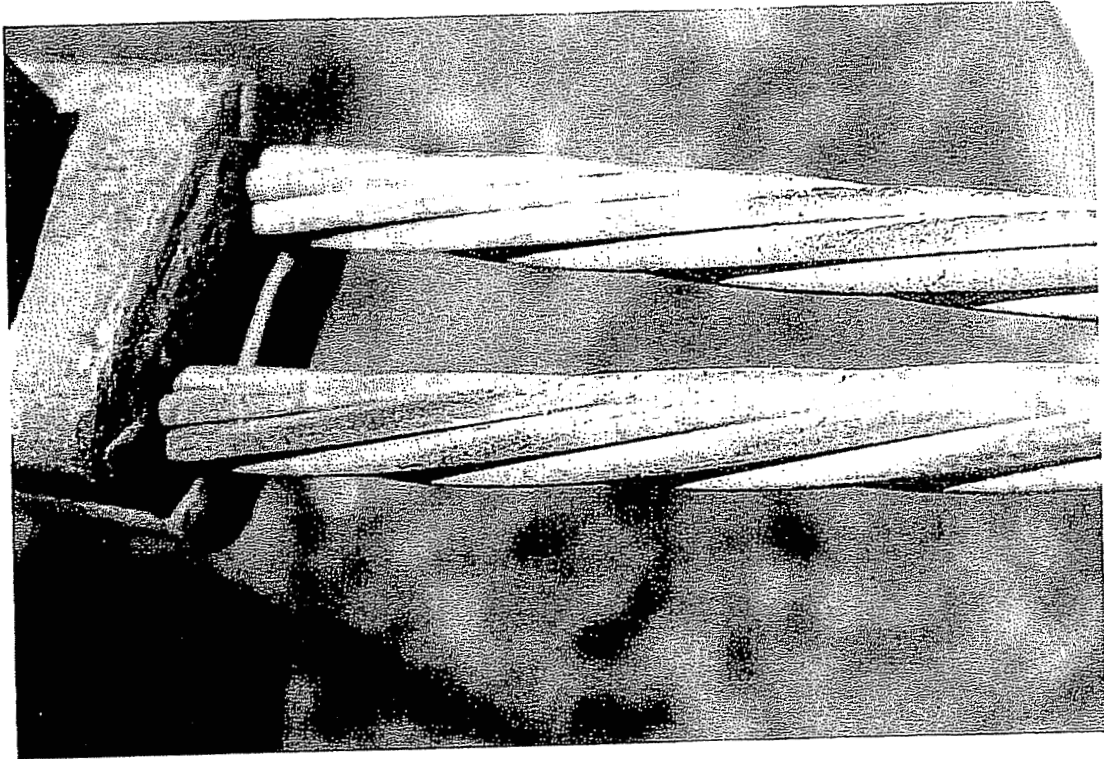


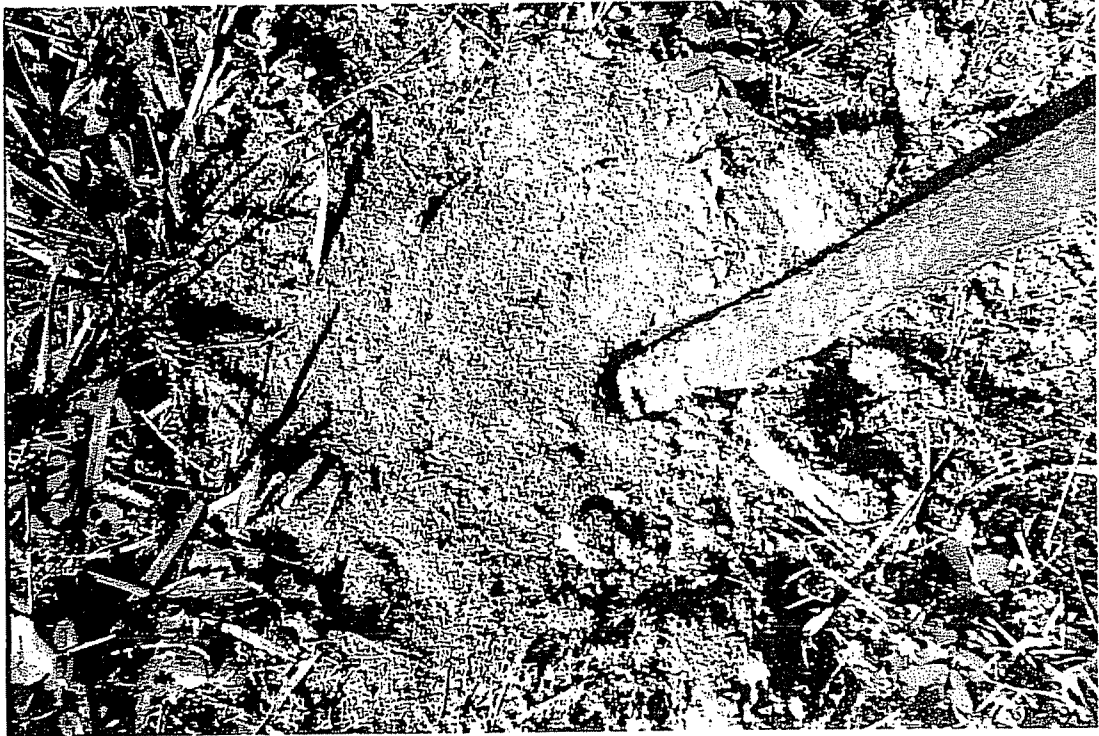
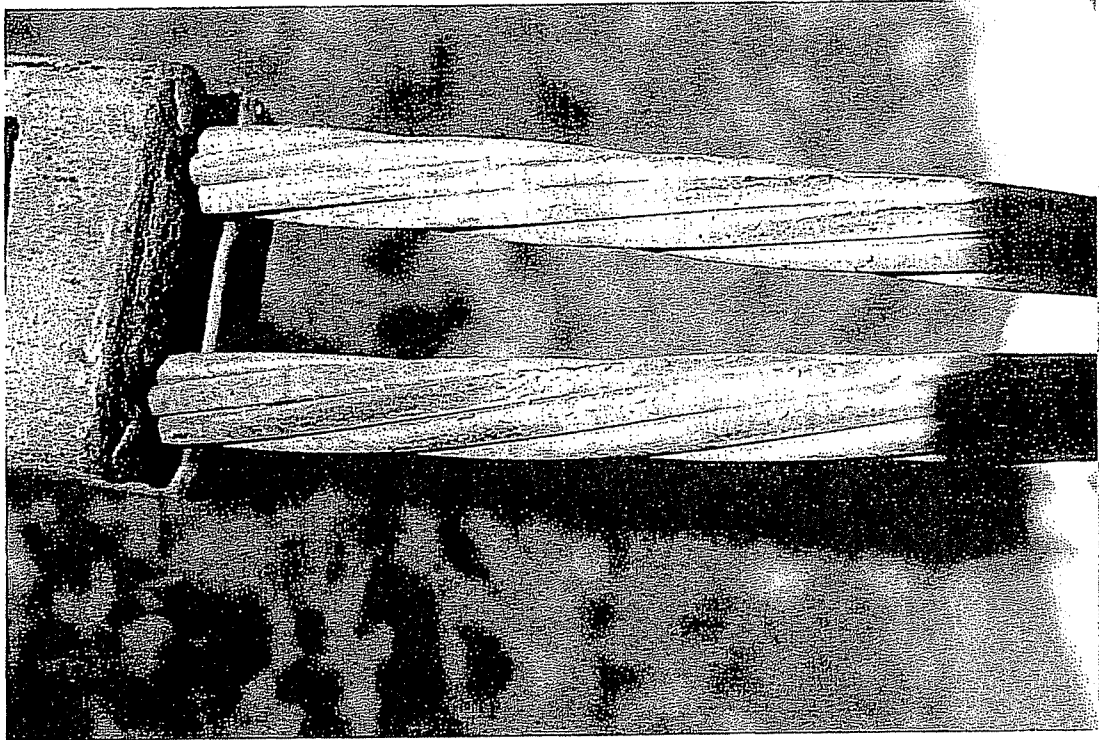


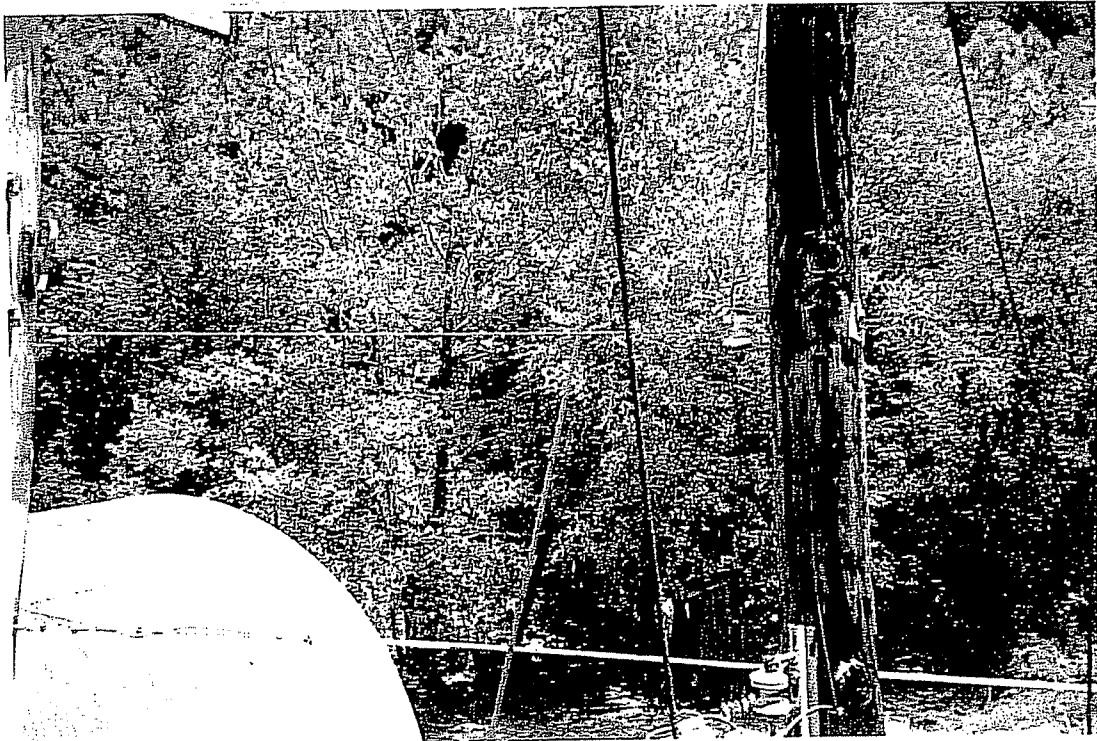
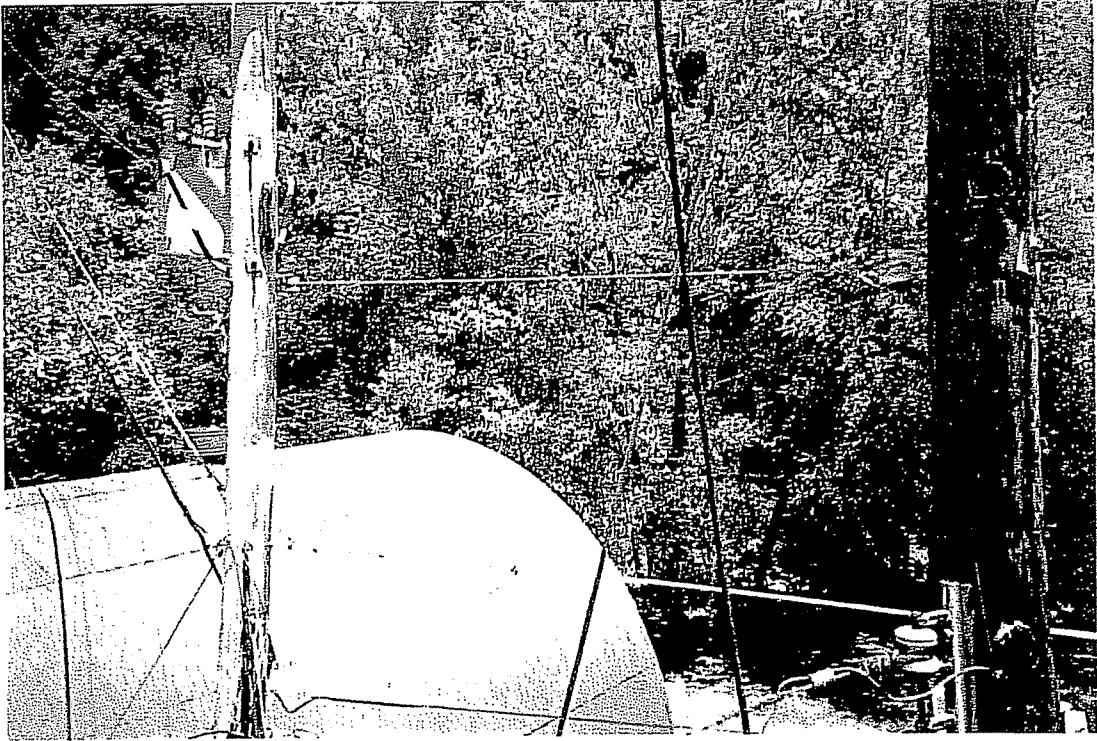


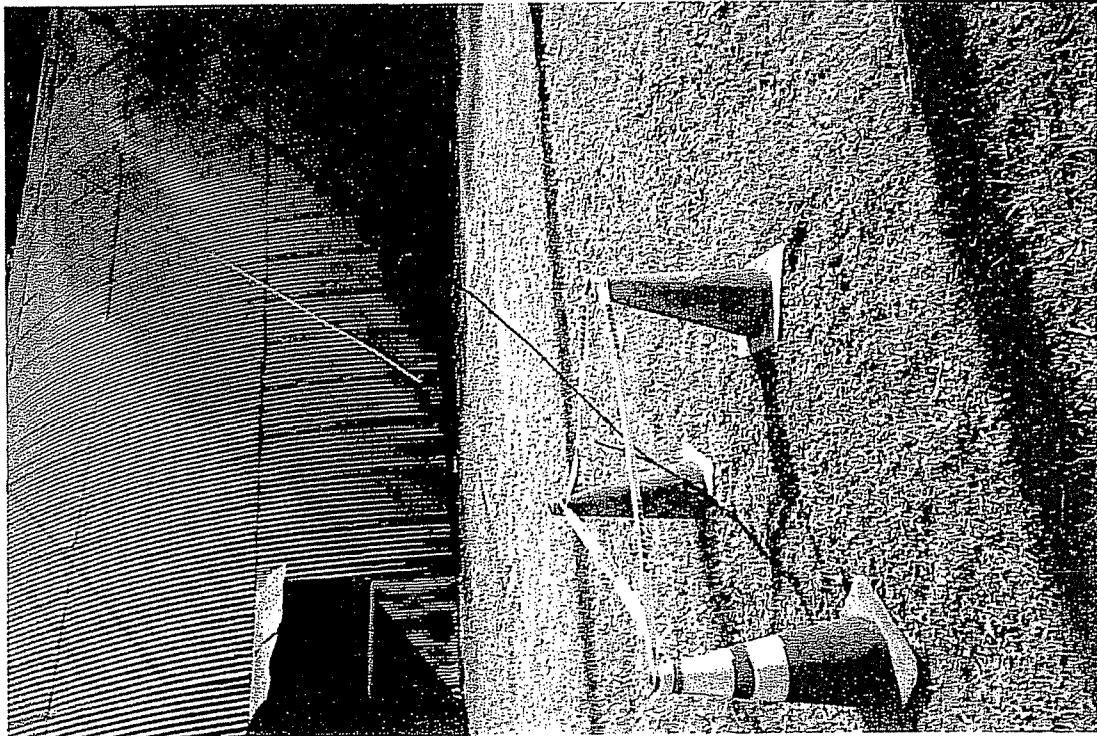


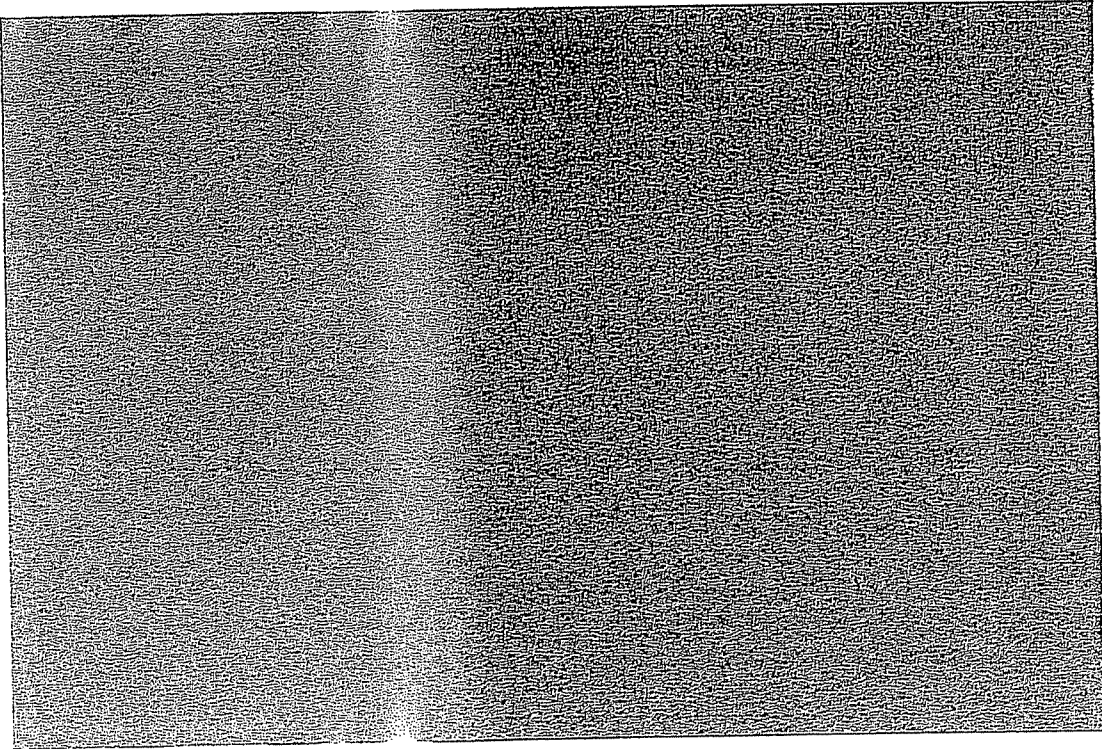


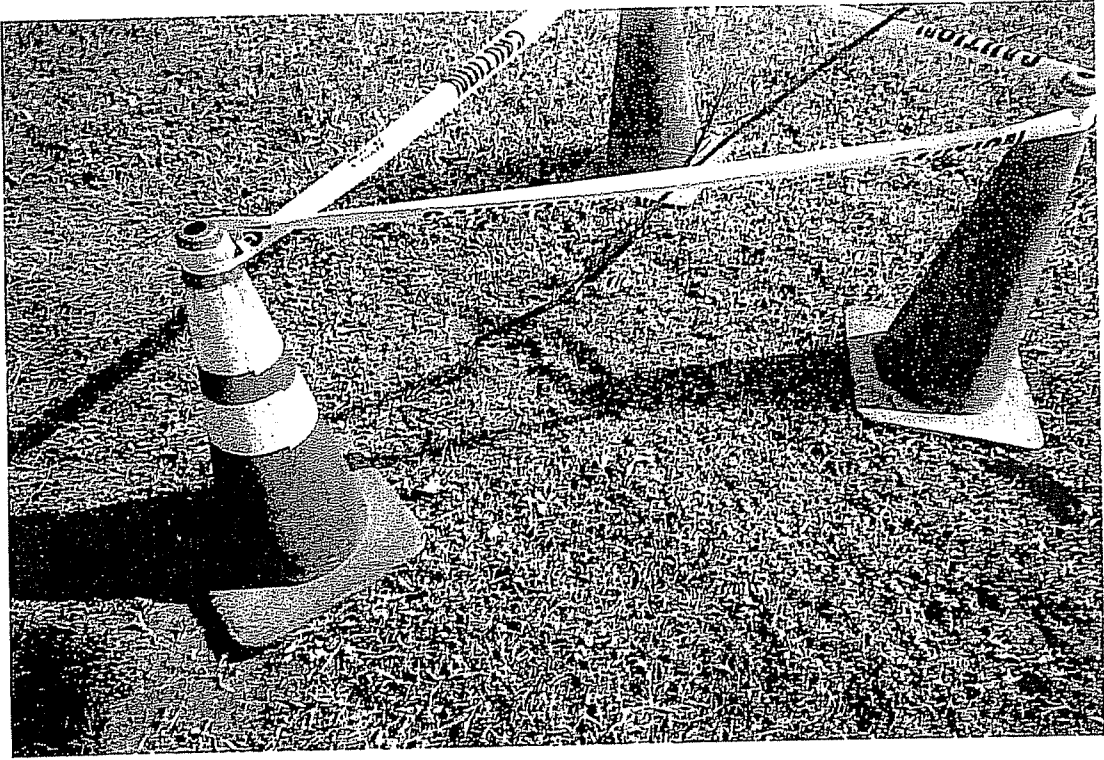


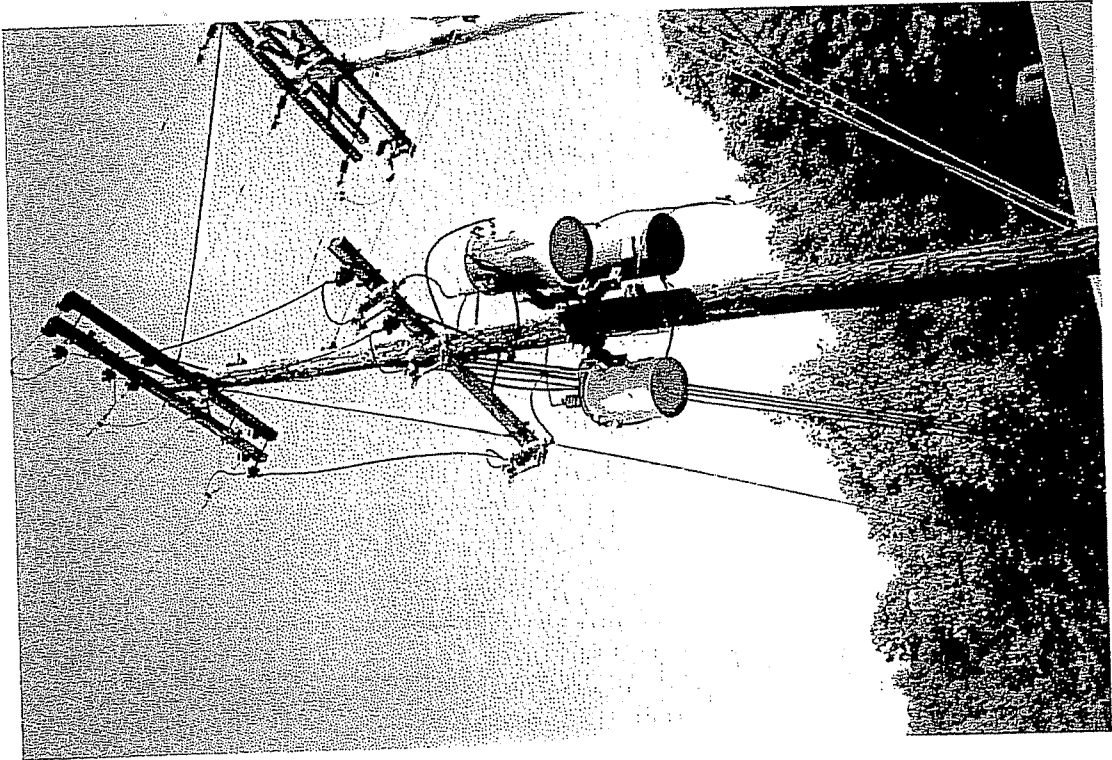
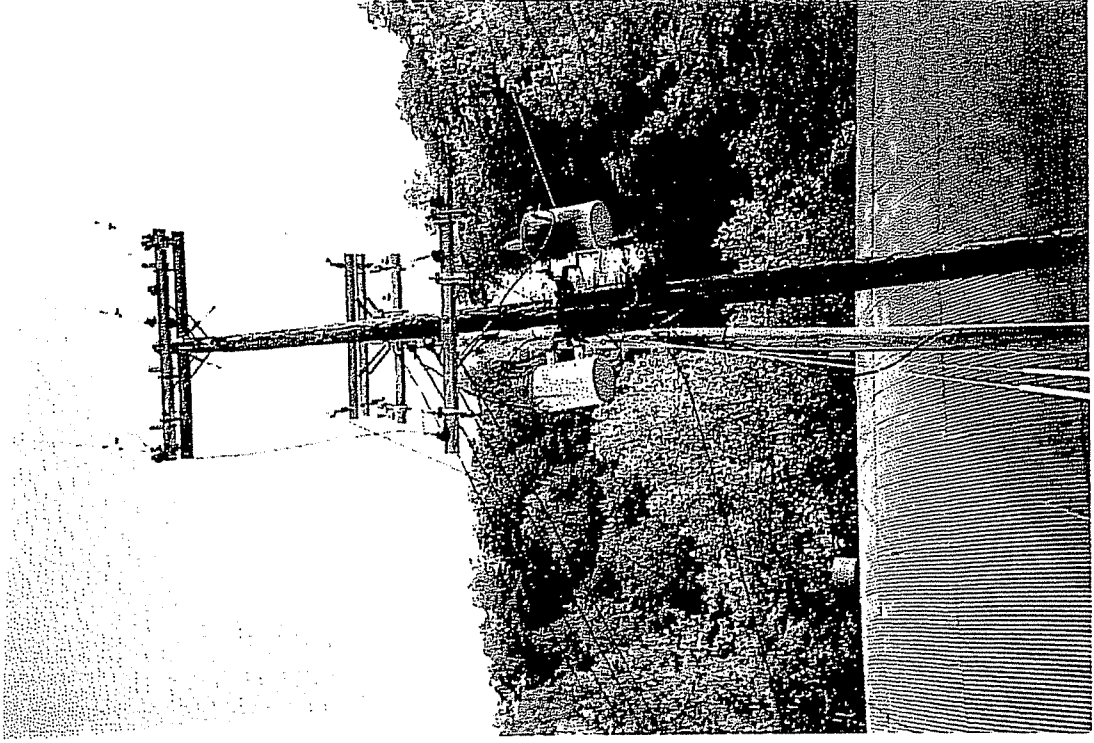


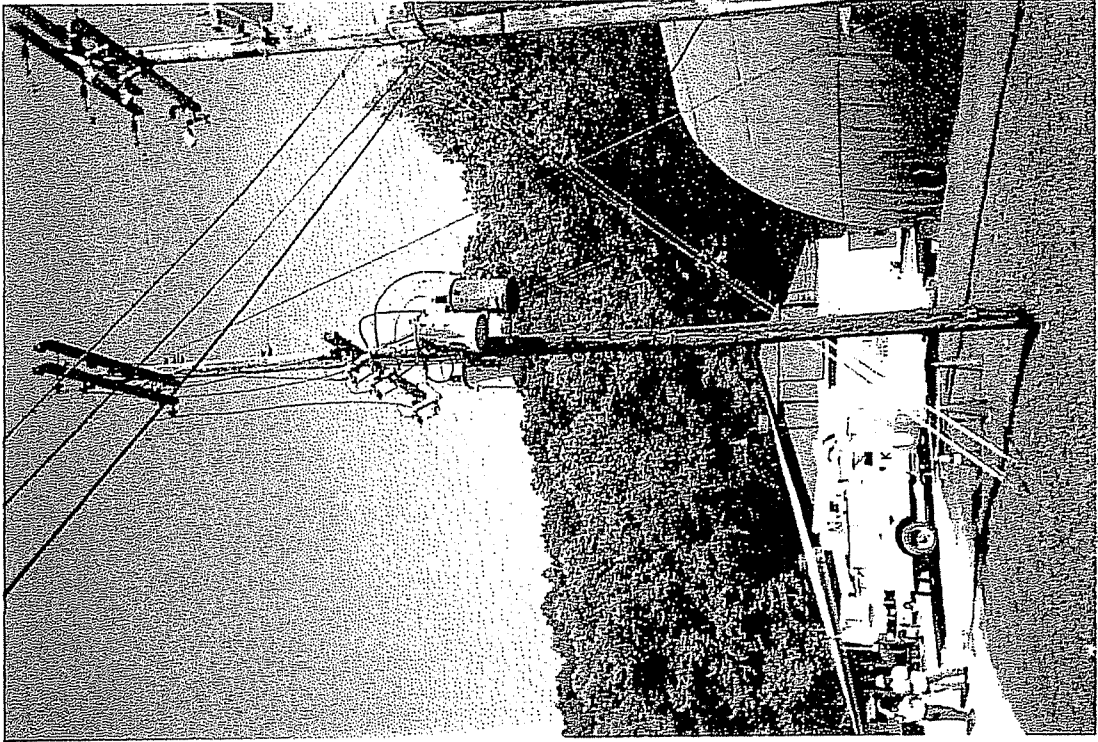


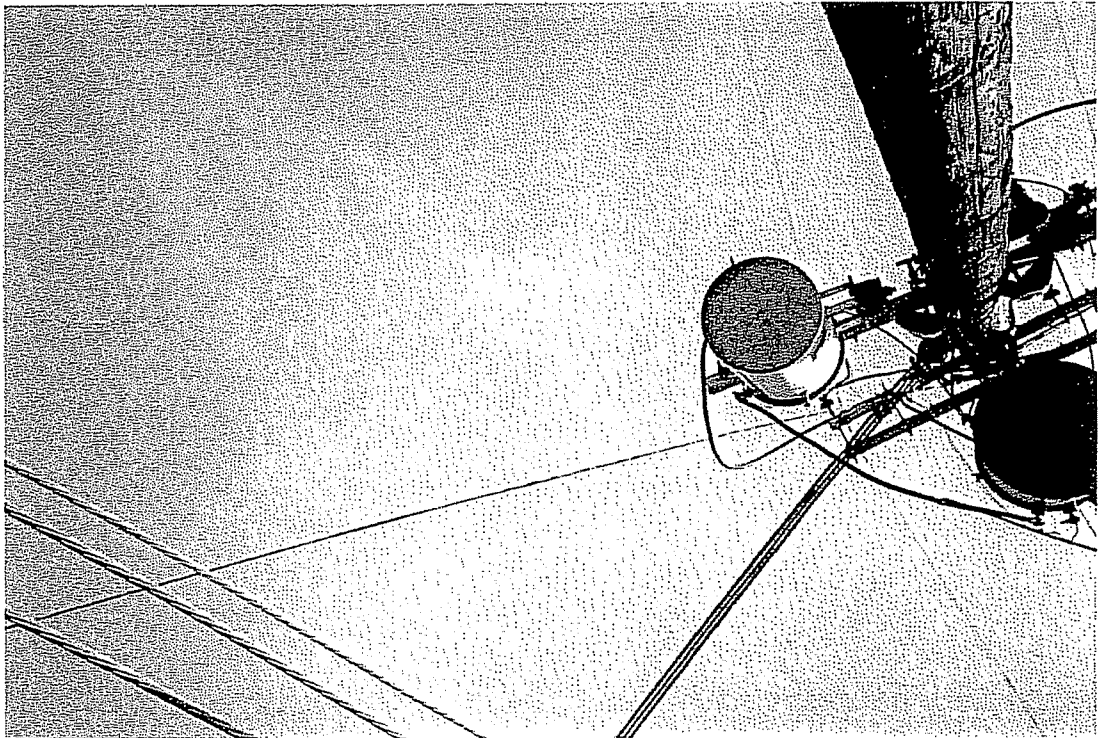
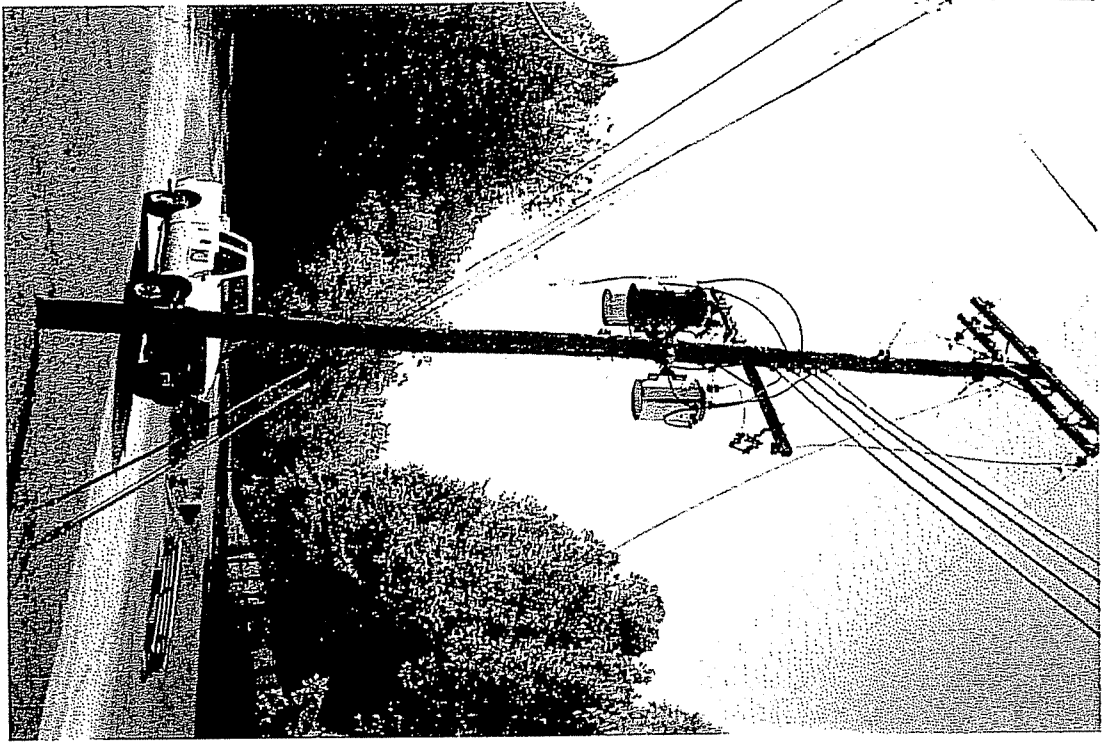


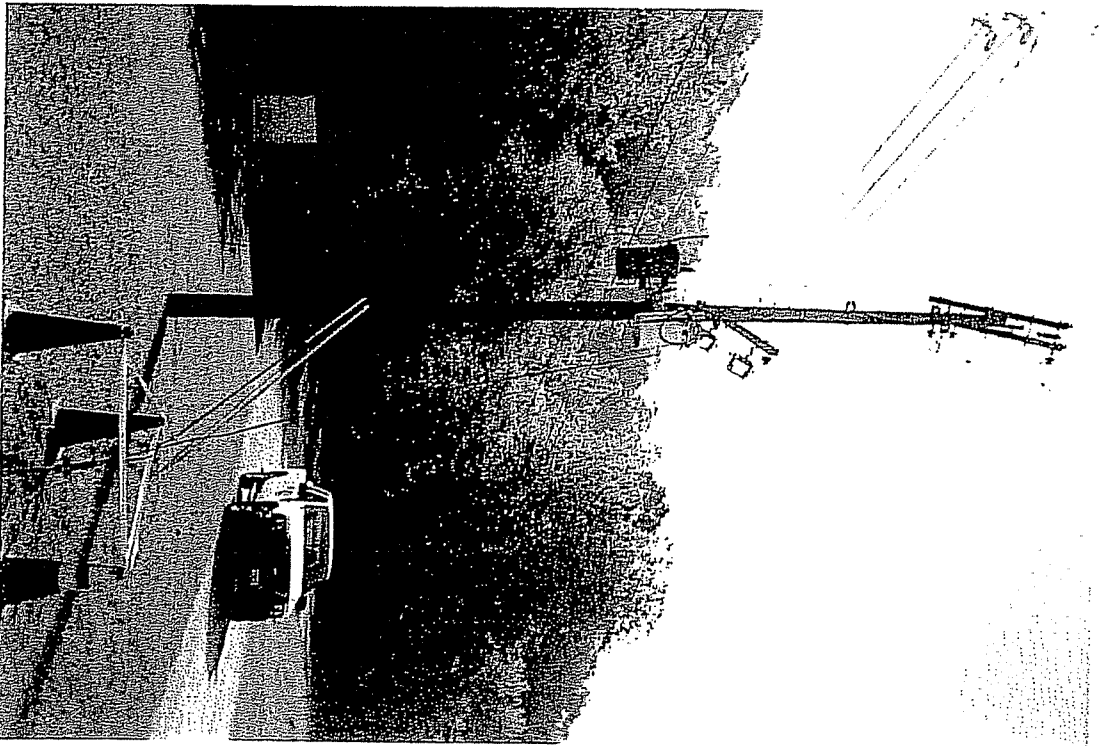
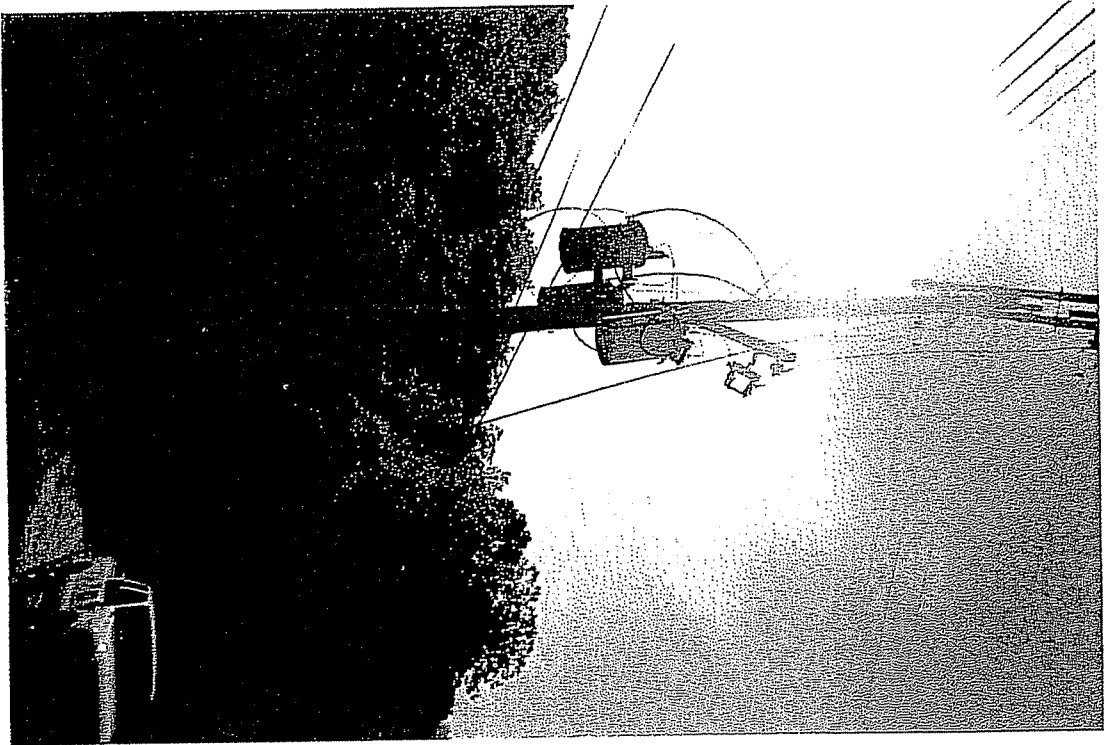




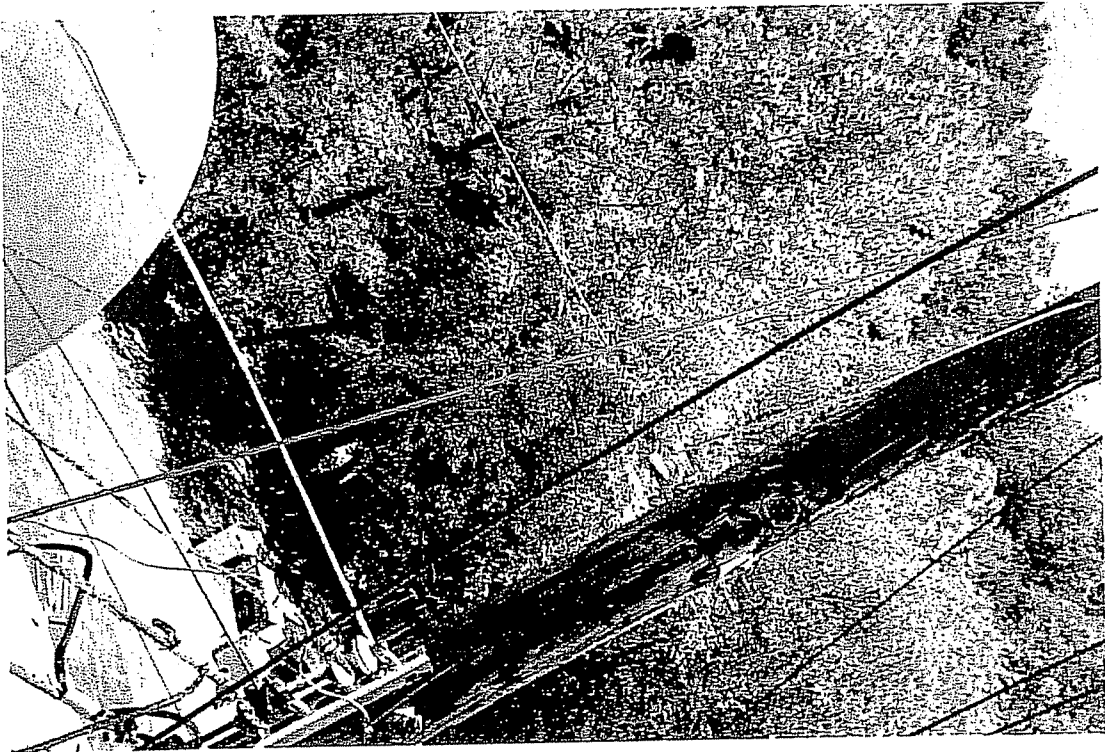


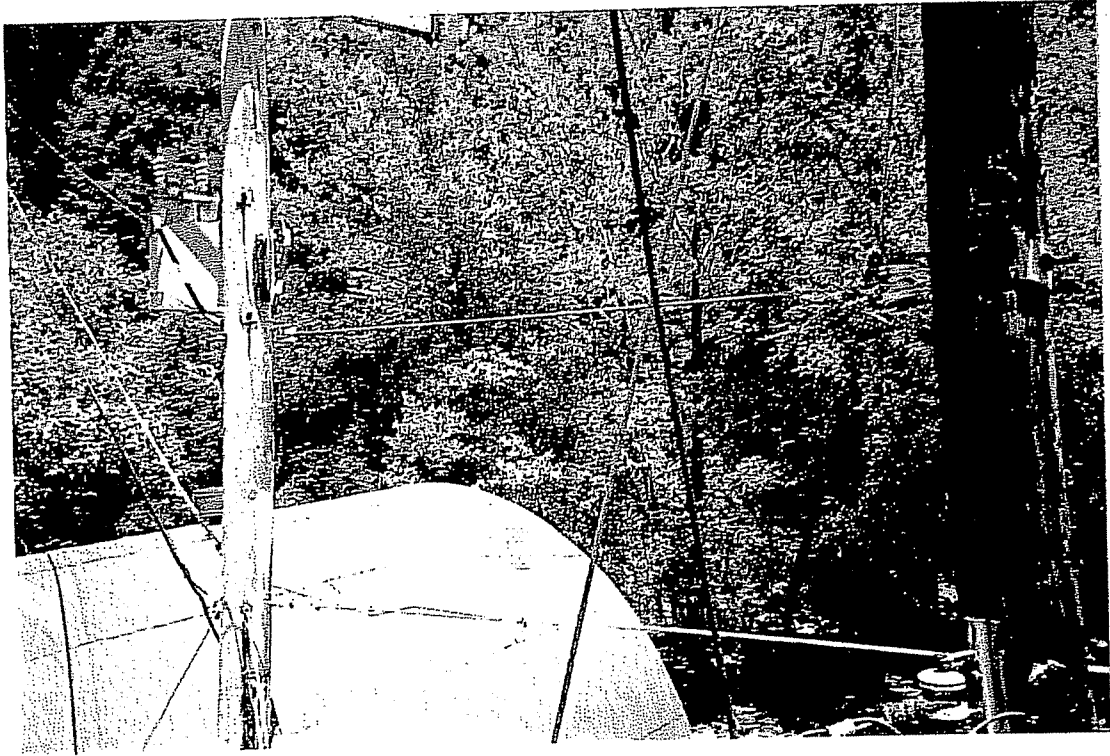


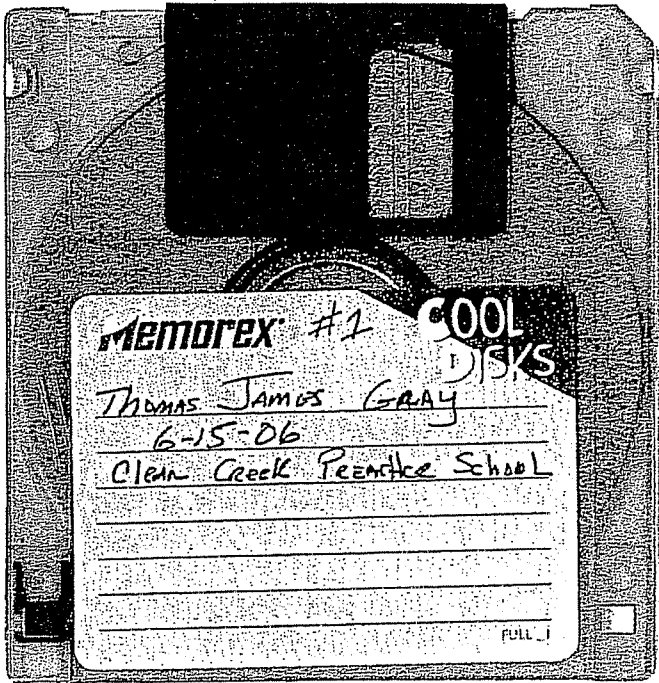






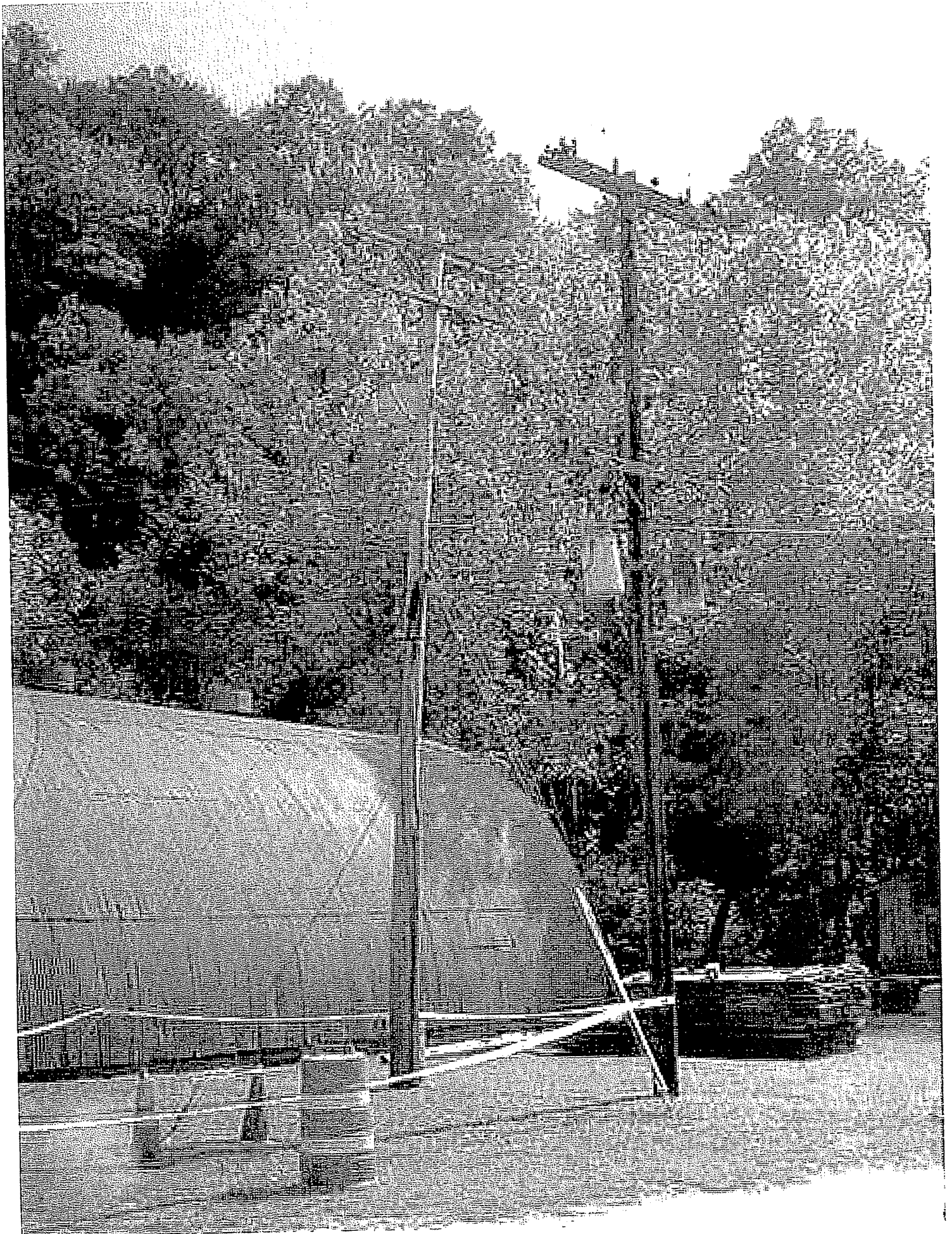




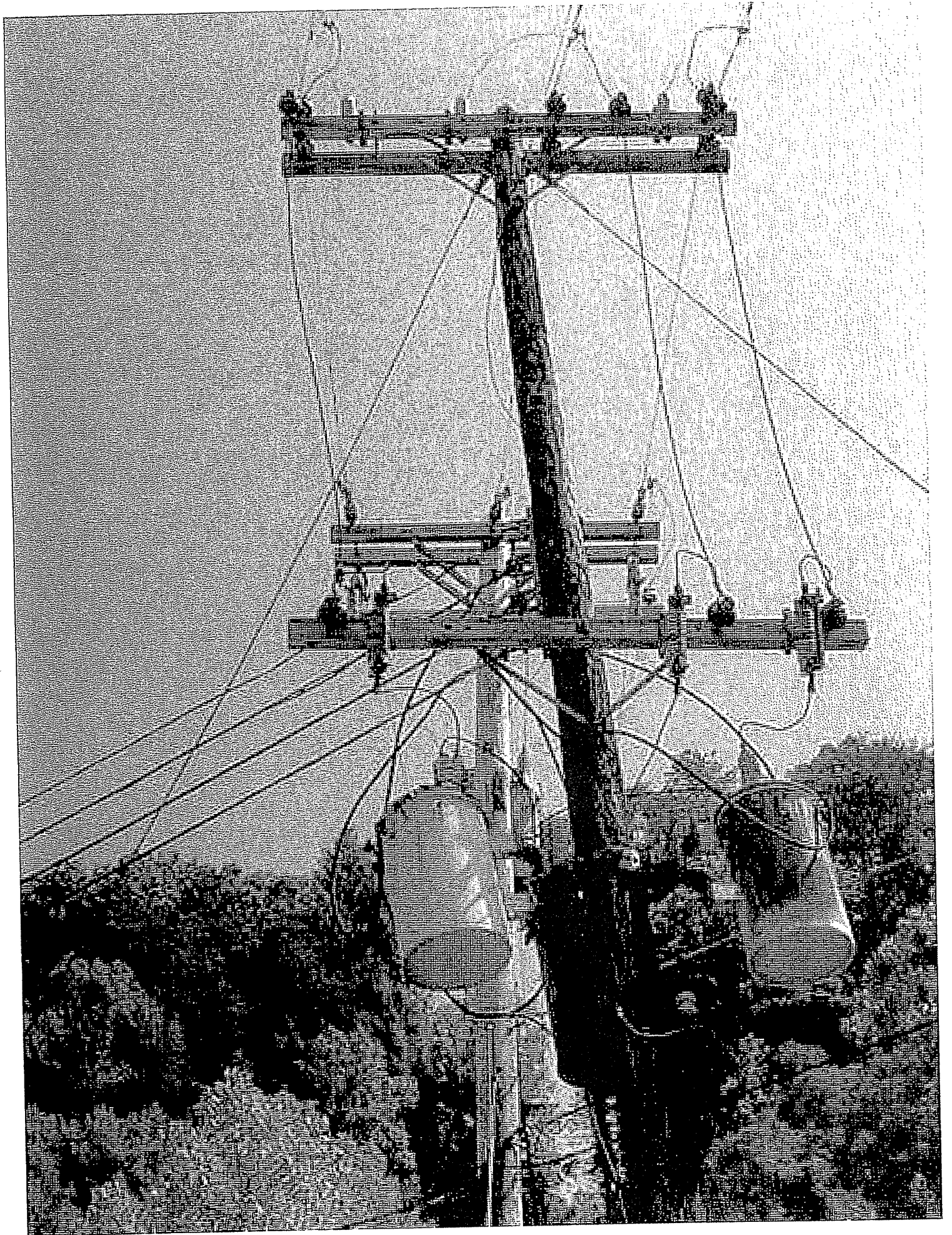


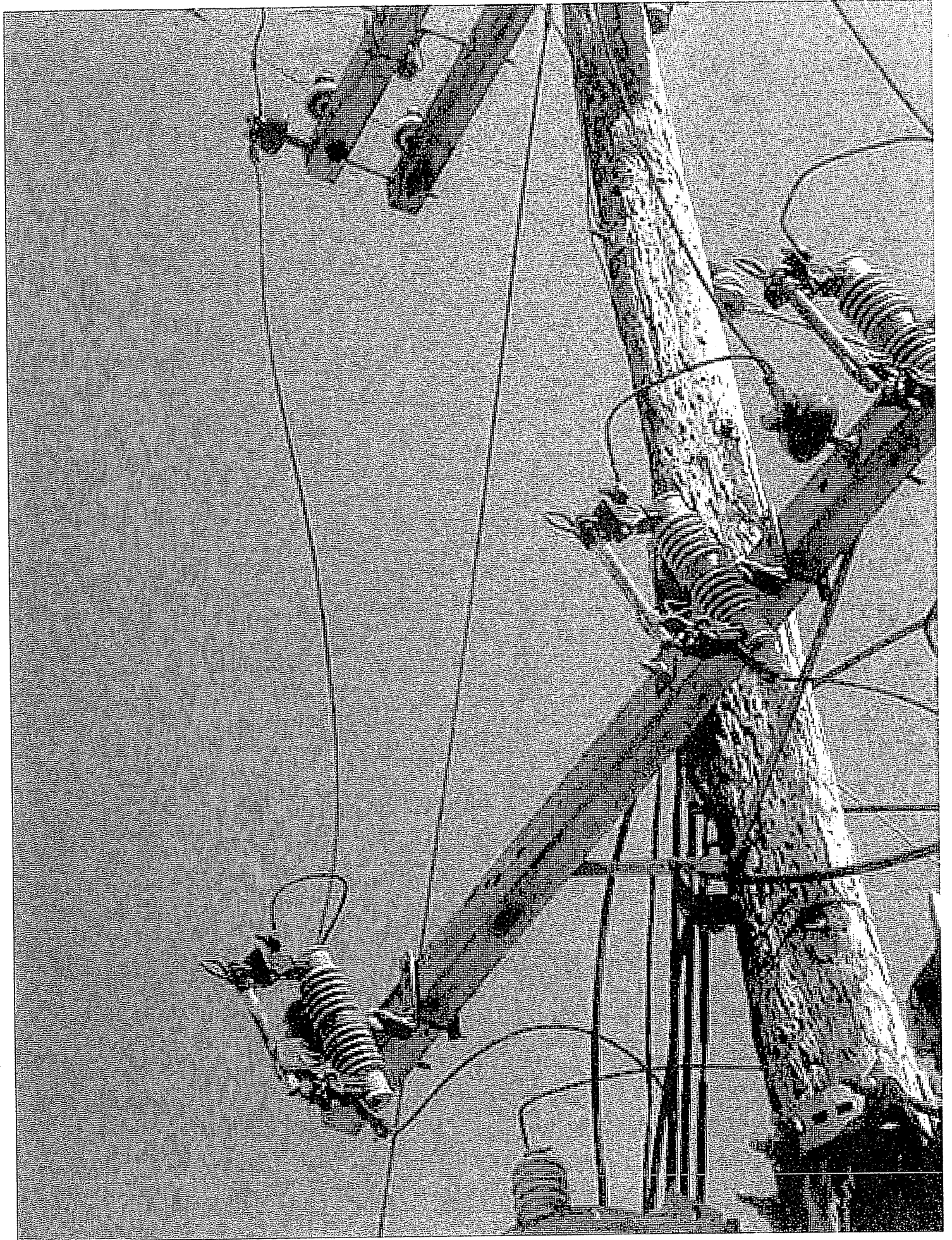
MEMOREX #1 COOL DISKS
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CLEAR CREEK PRACTICE SCHOOL

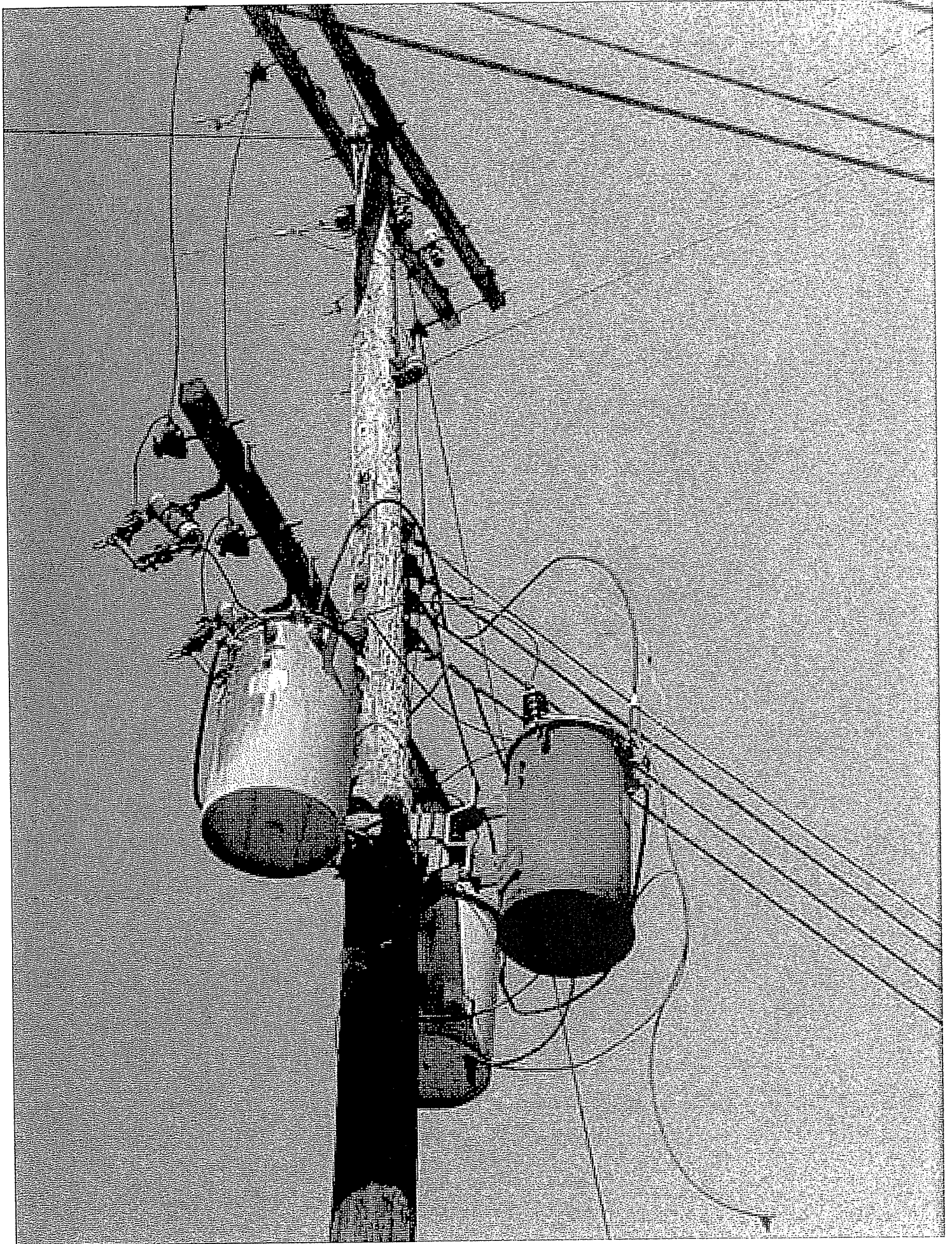
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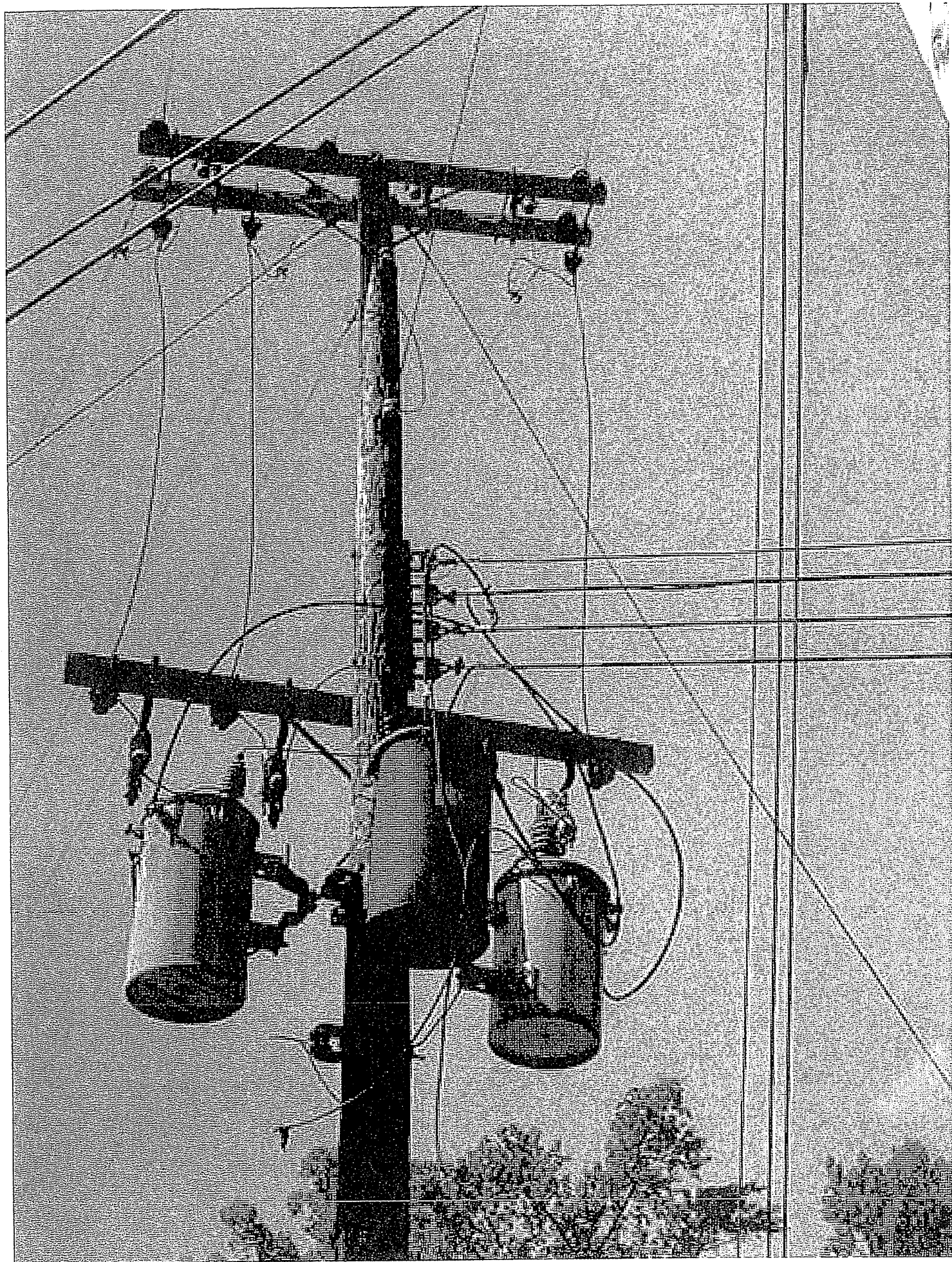


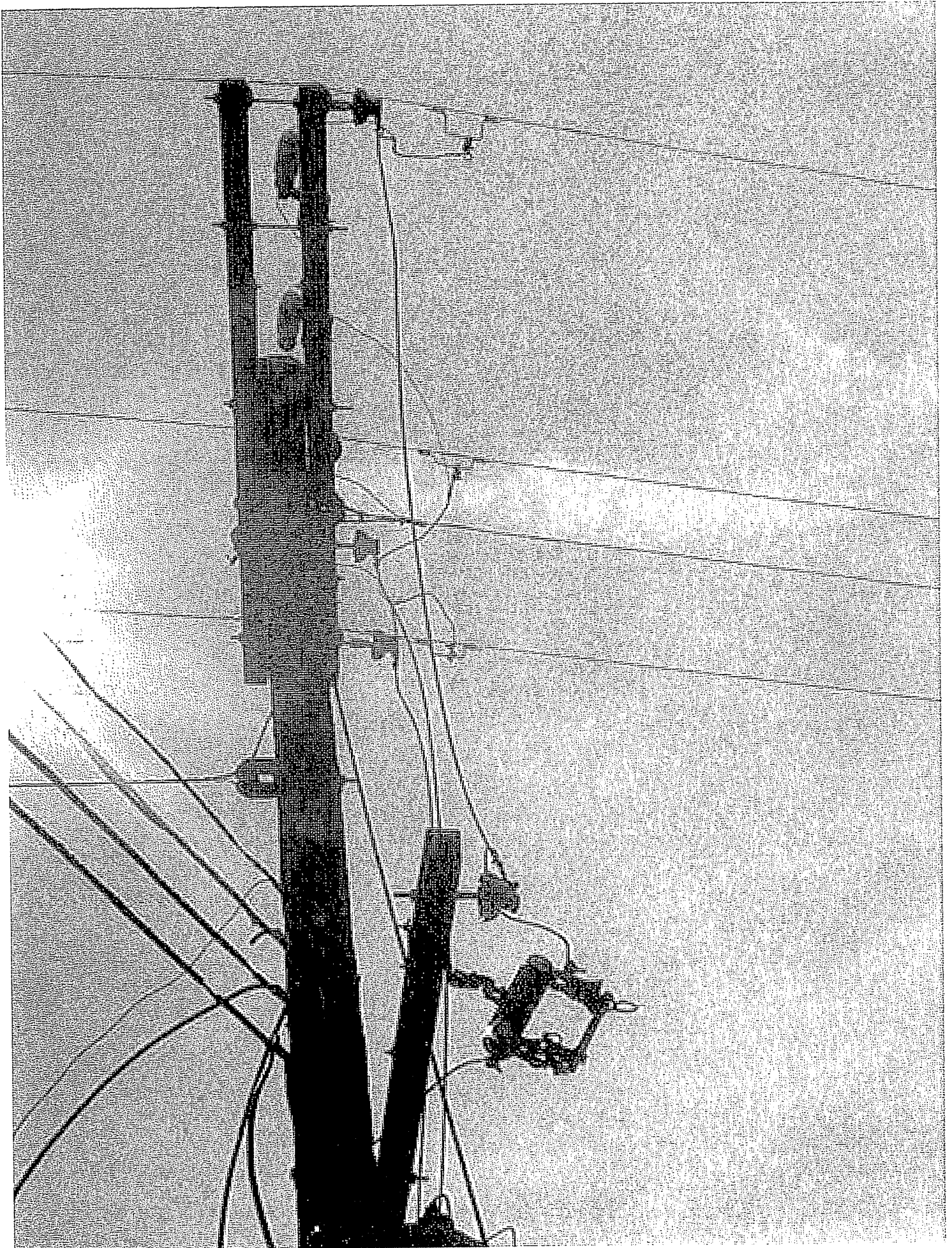


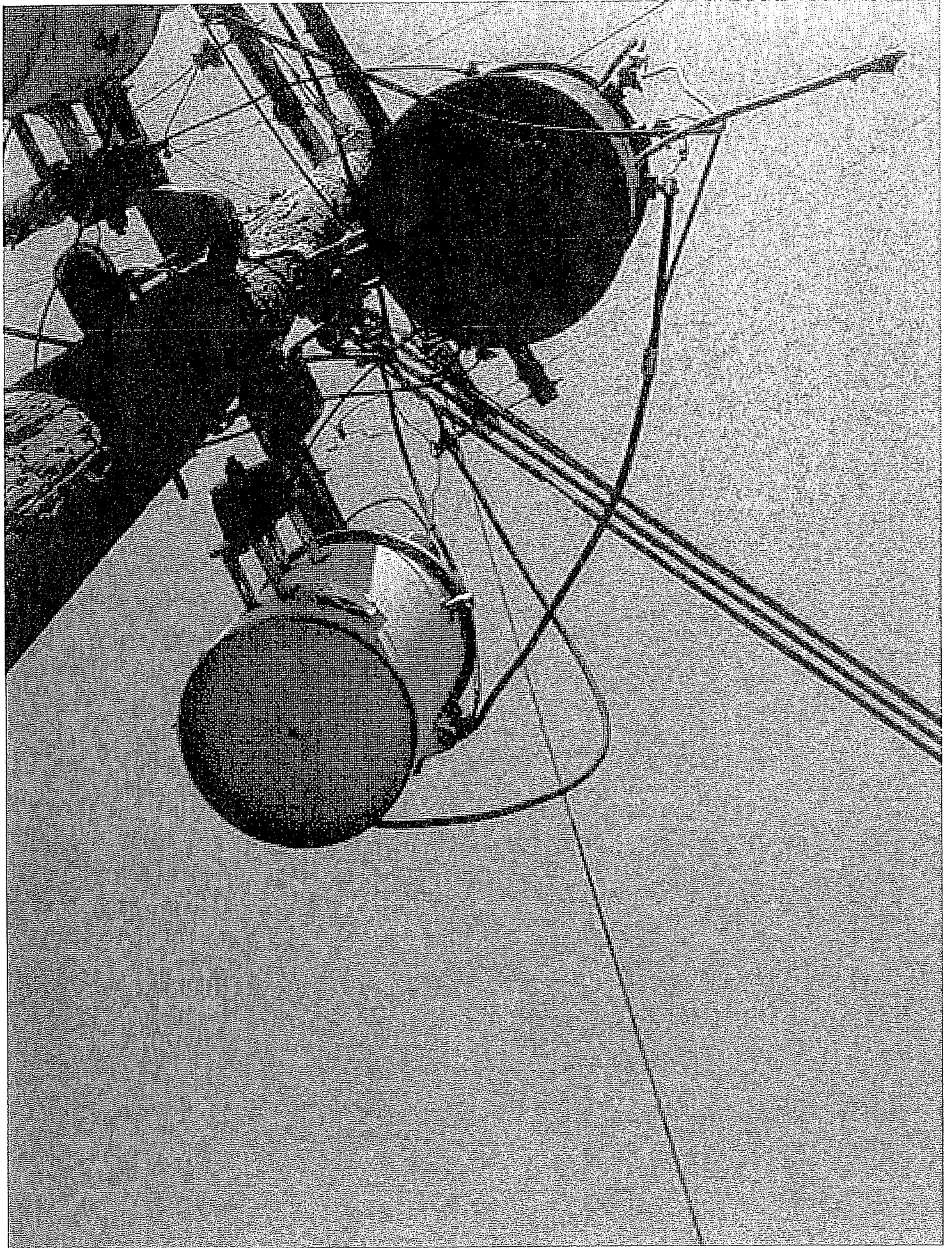




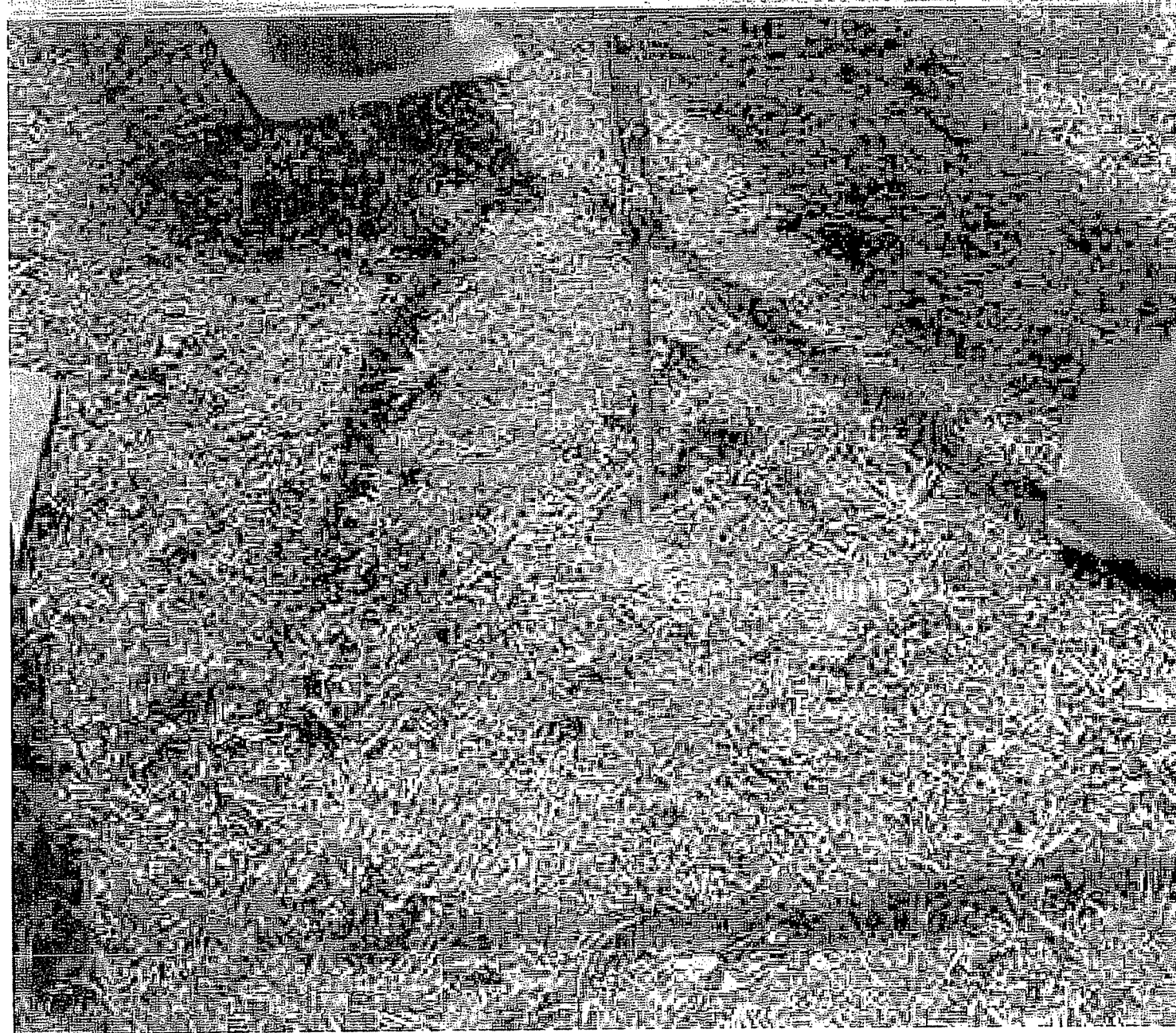
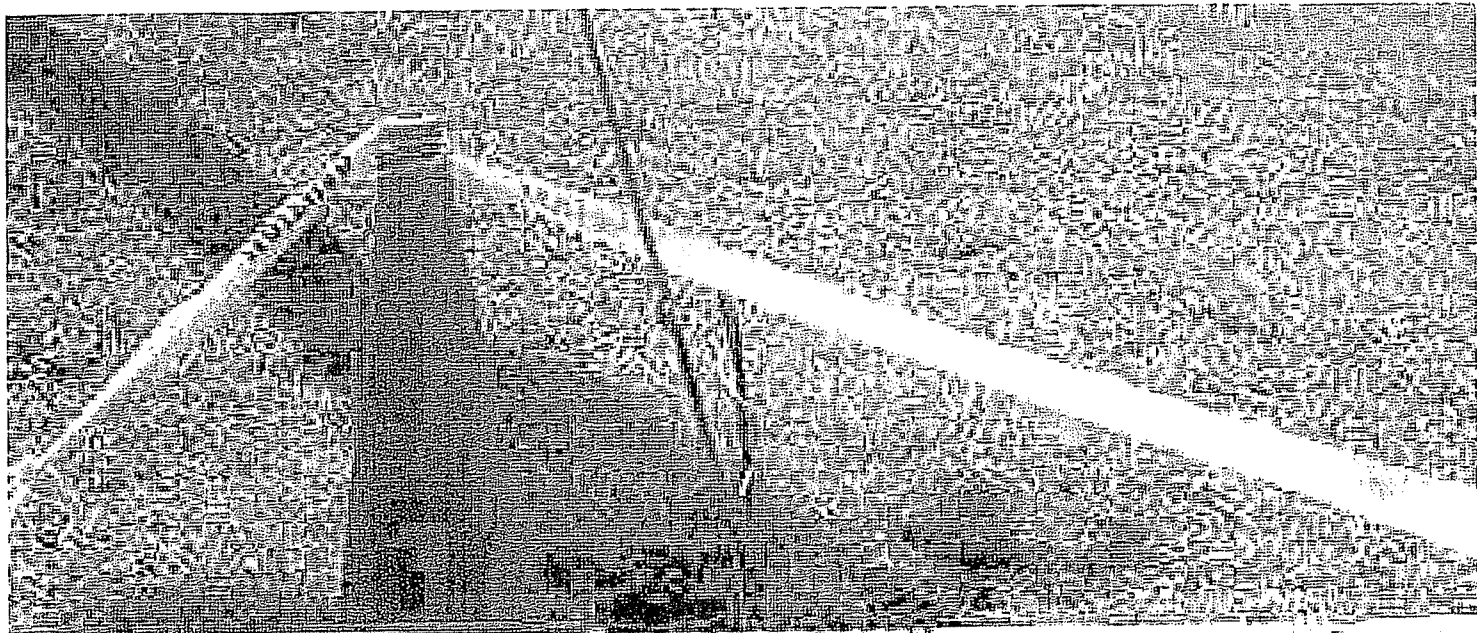


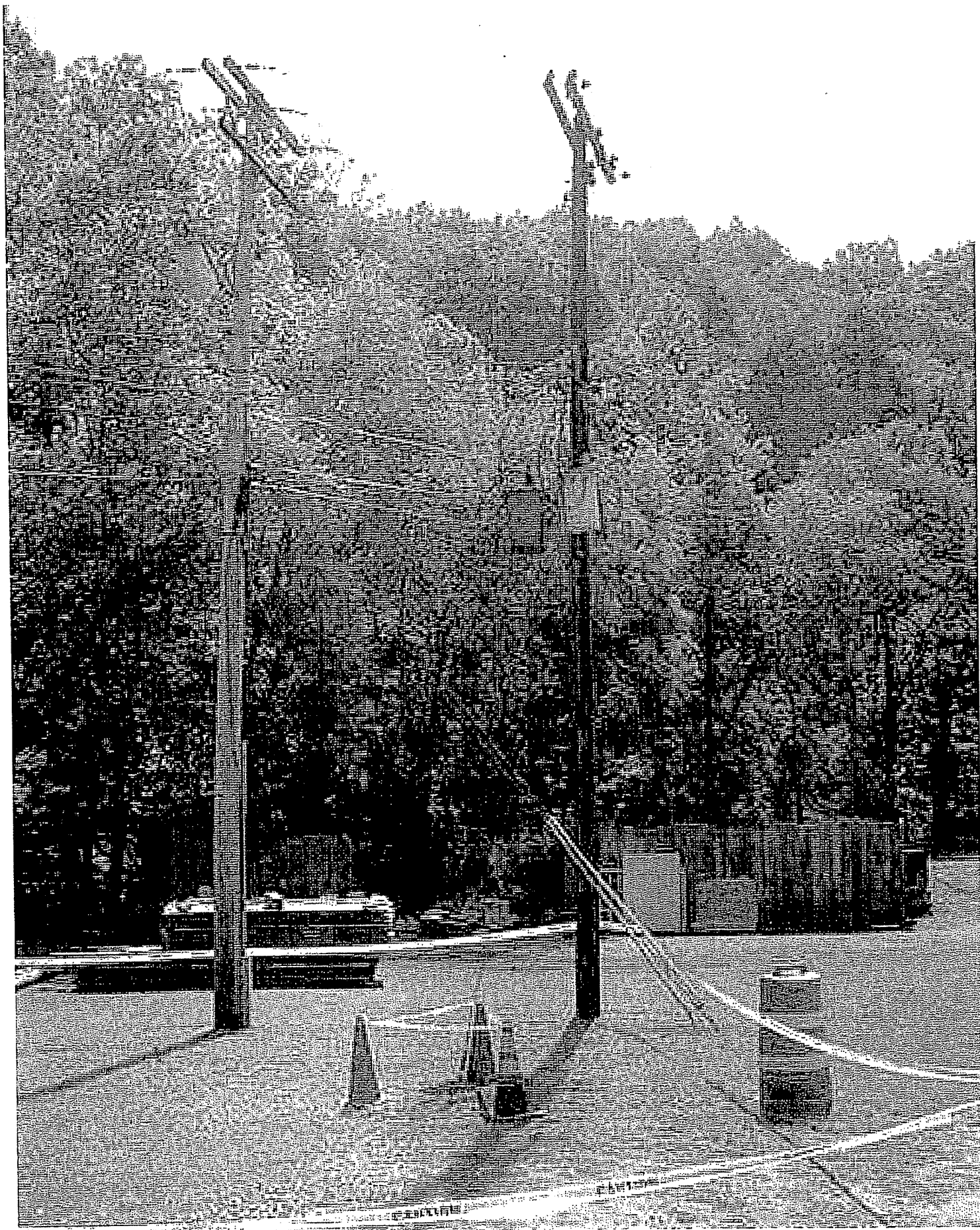


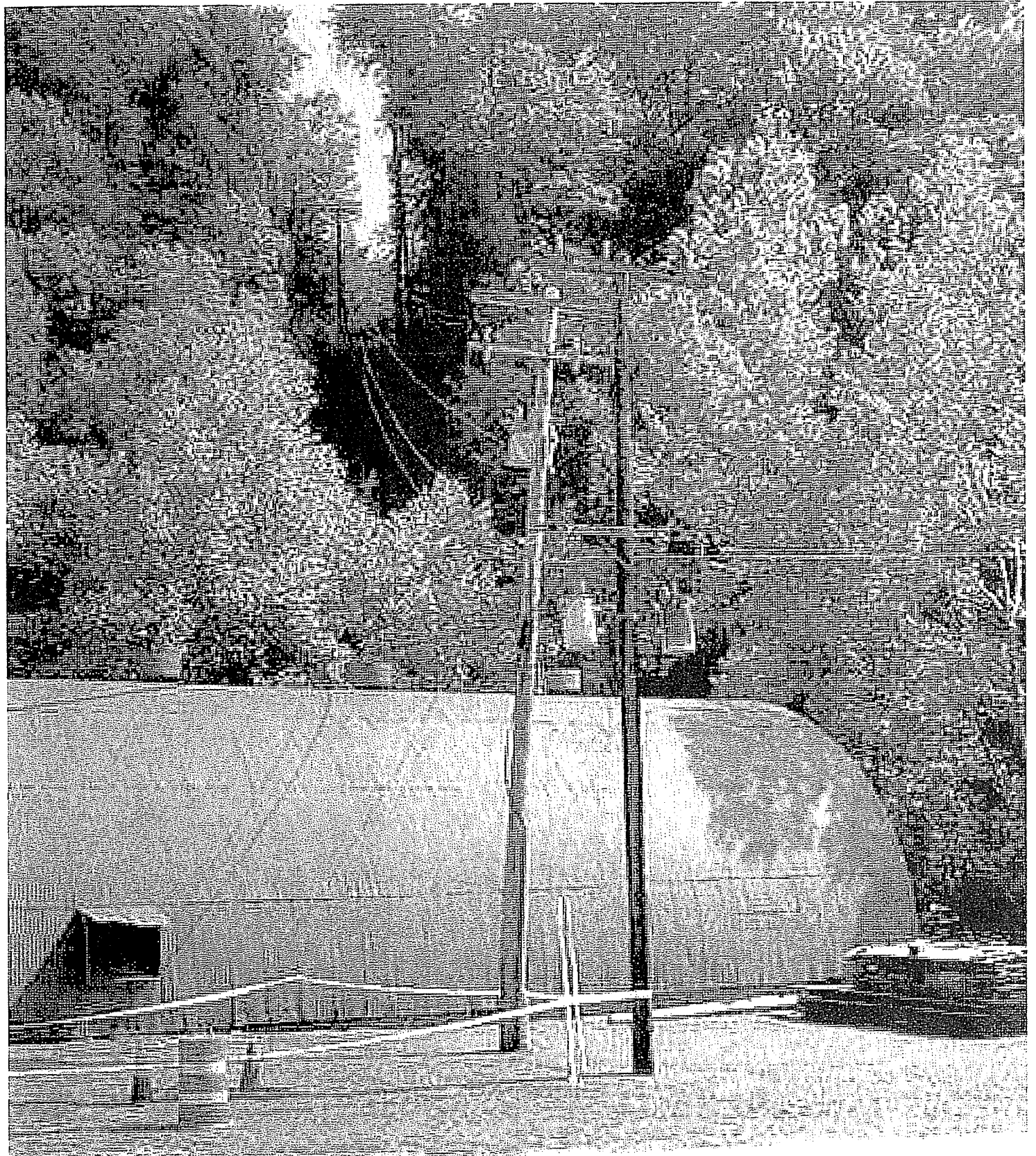


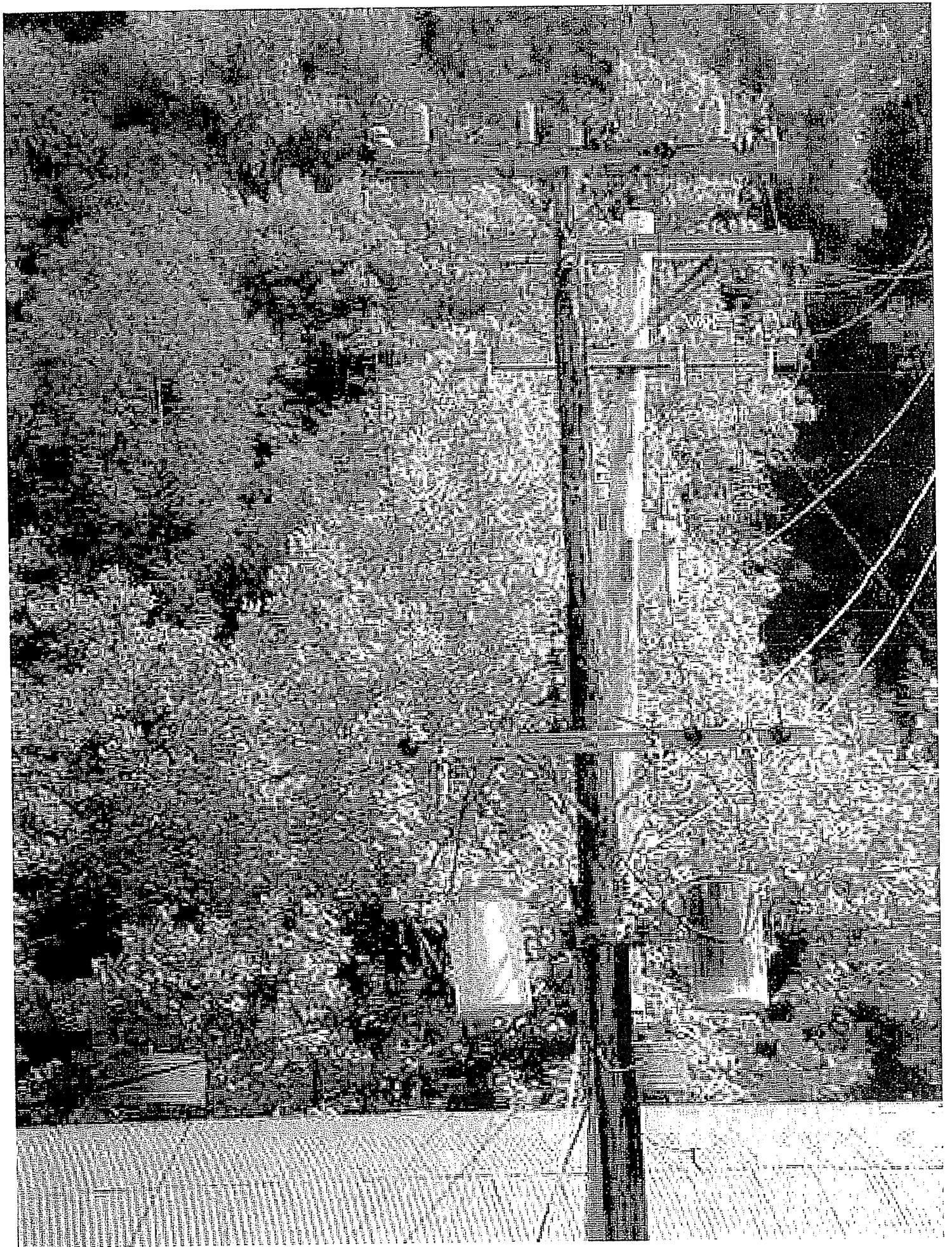


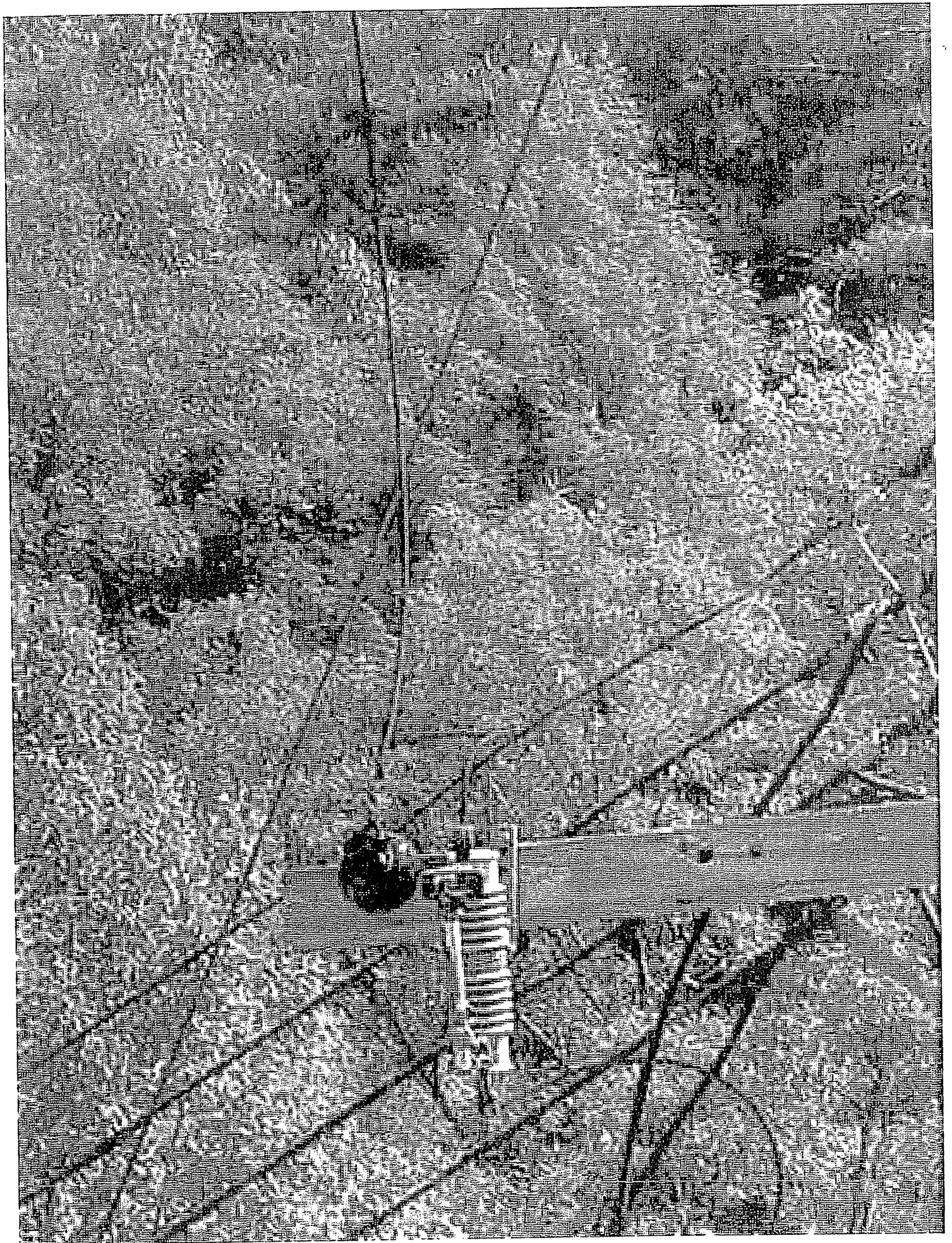


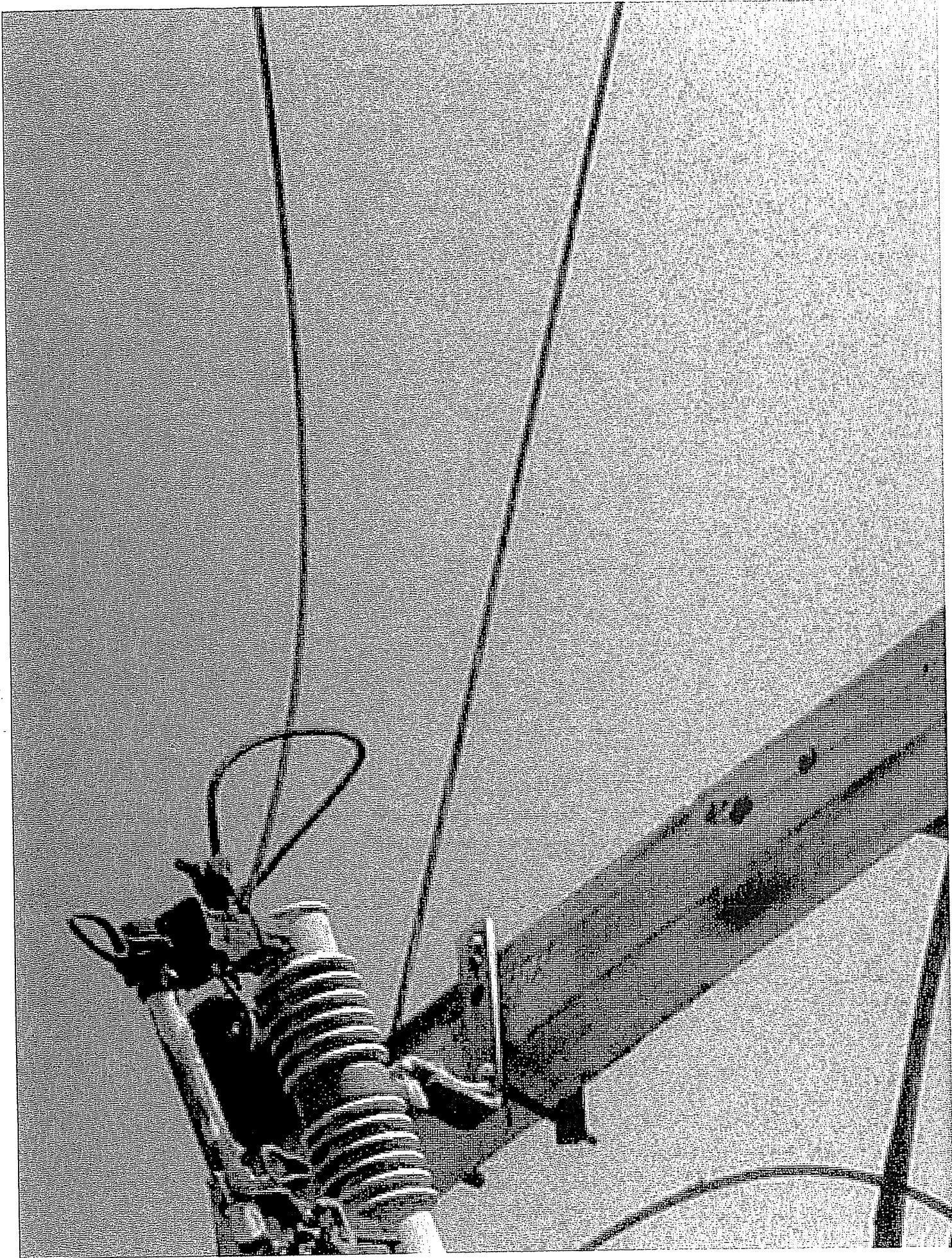


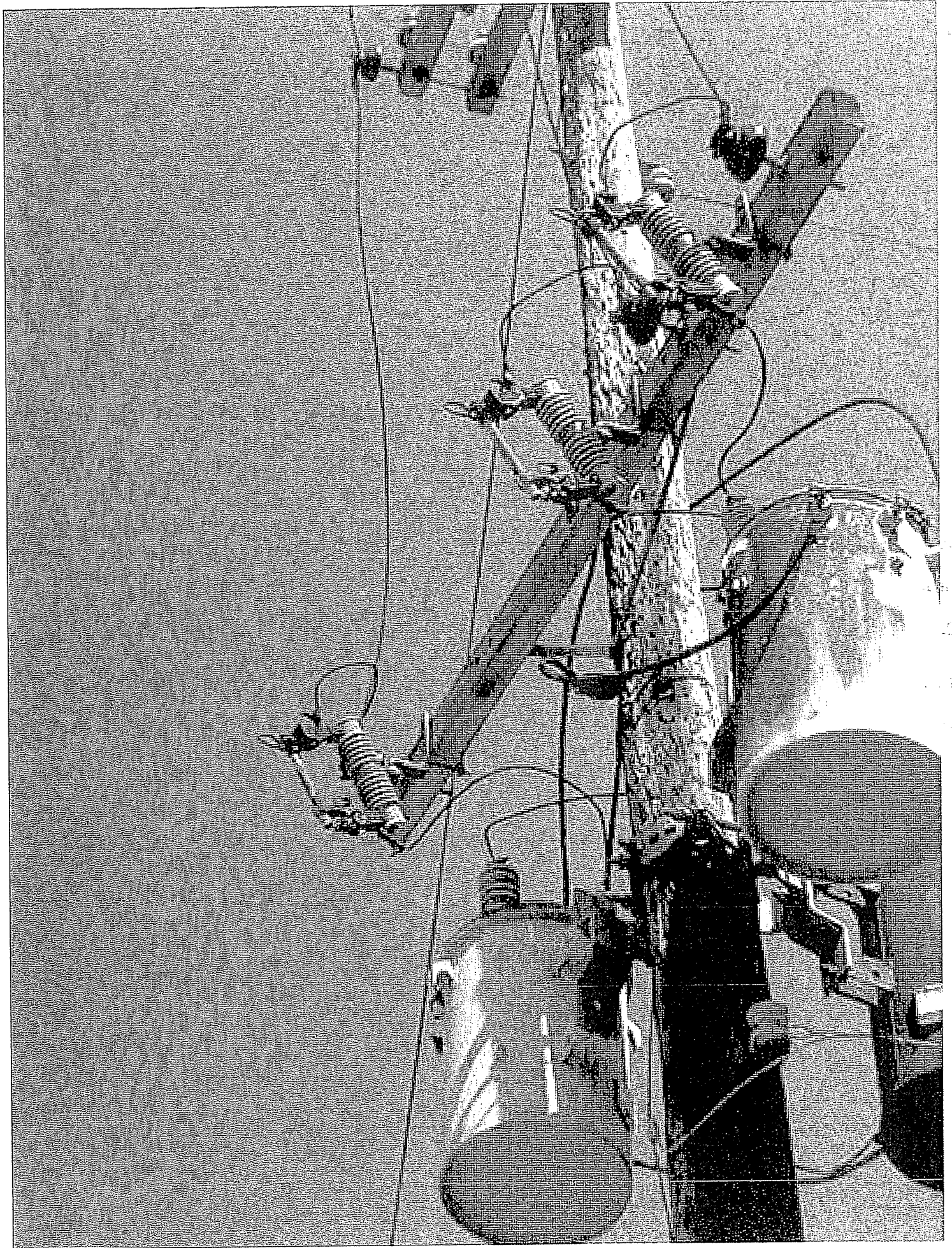


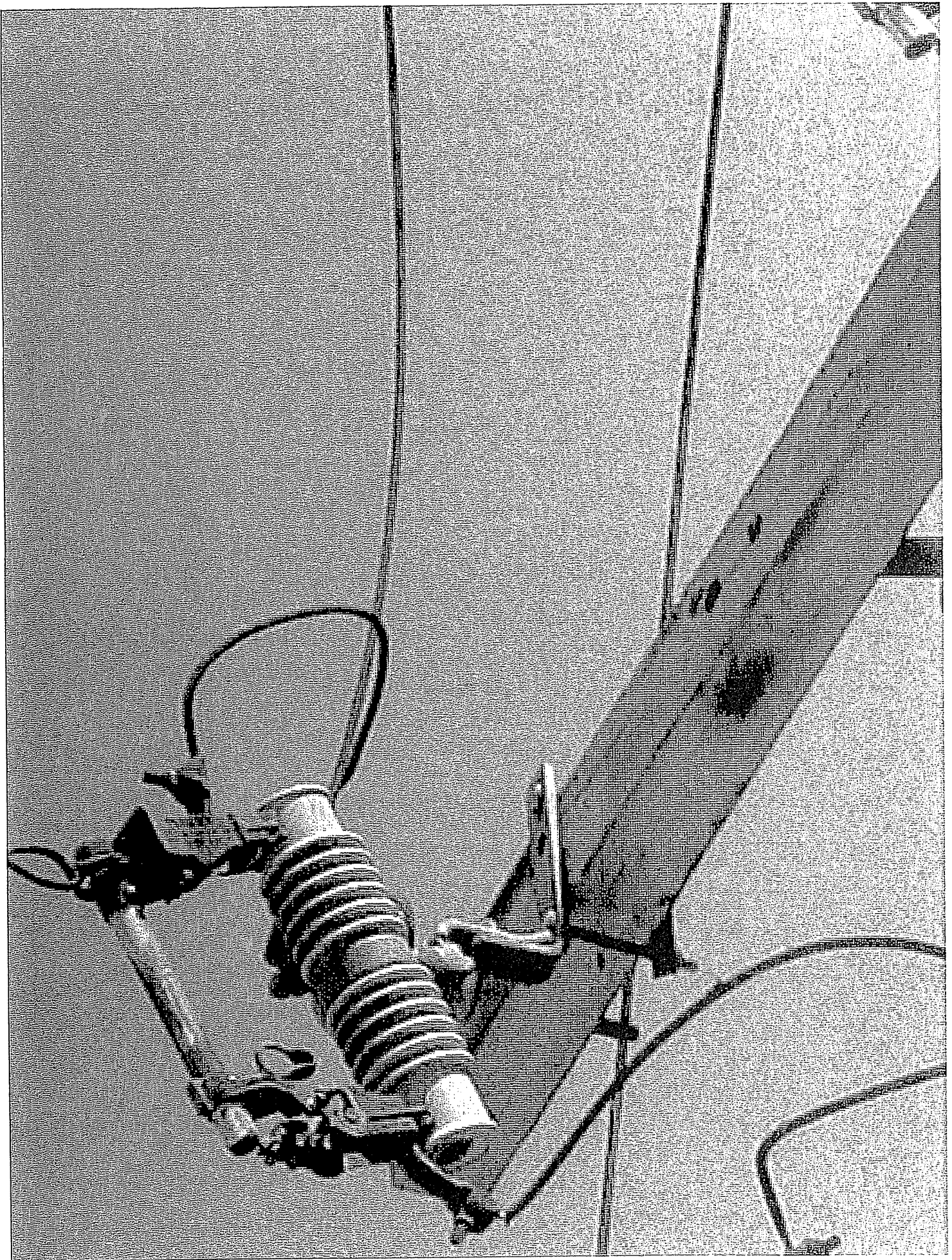


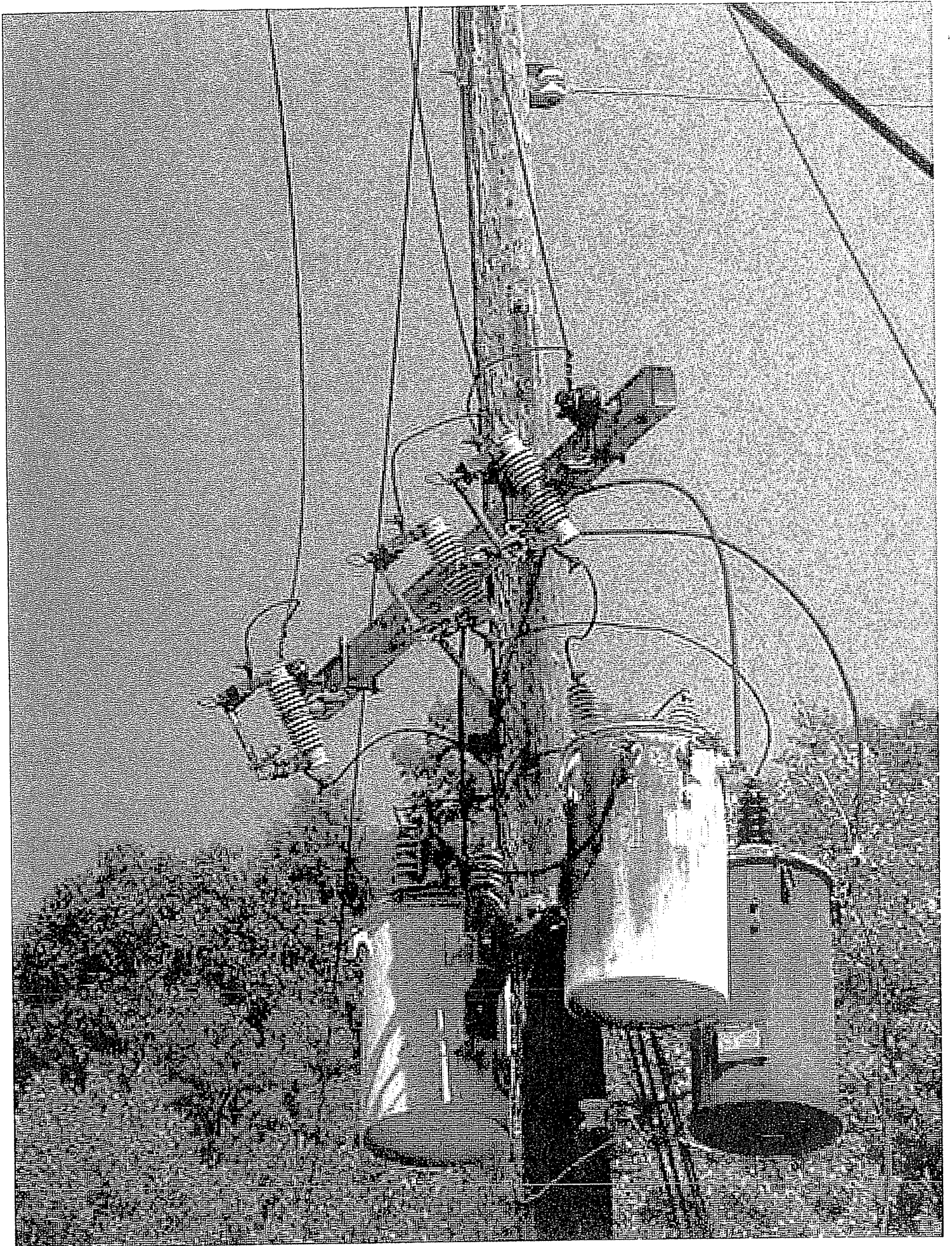


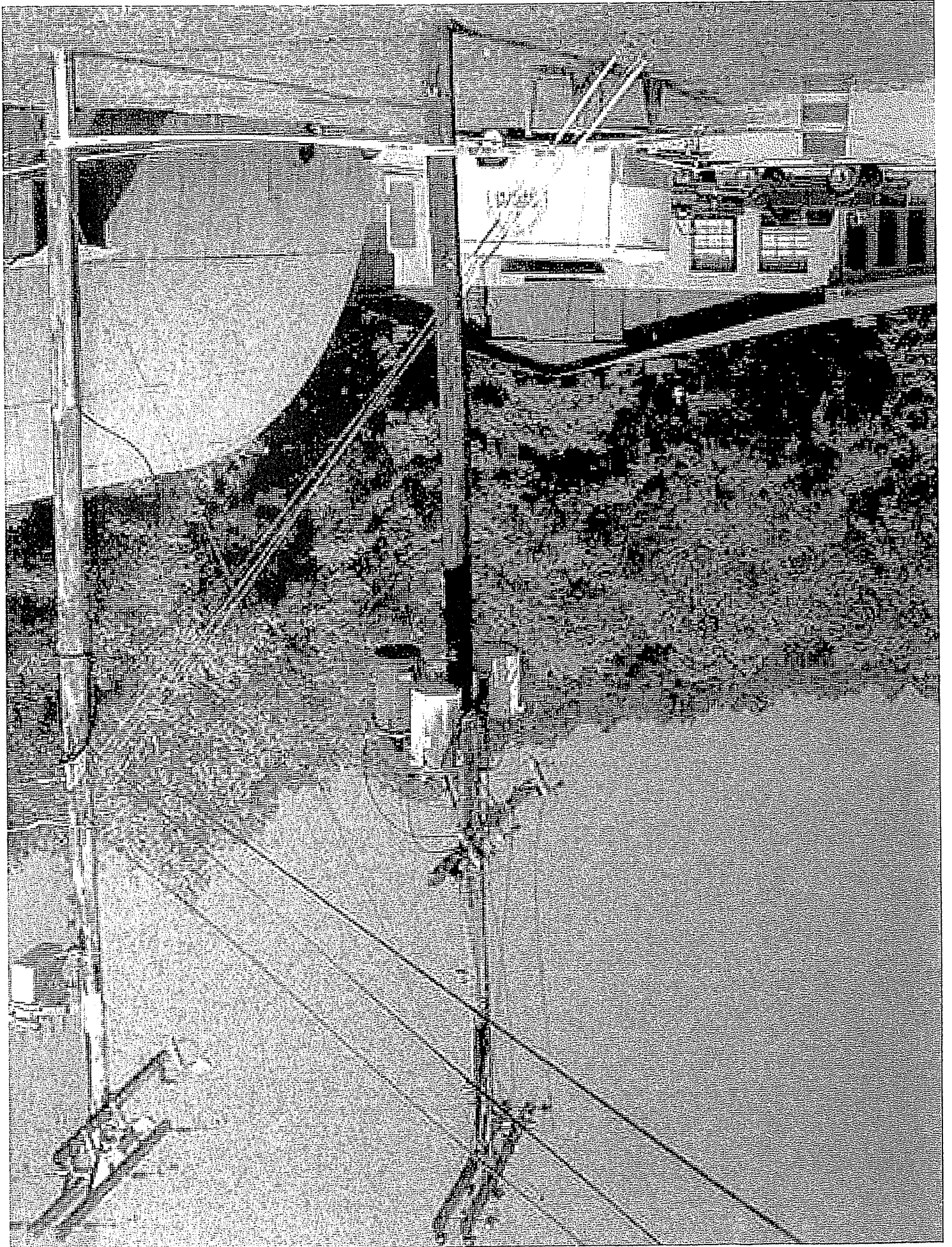


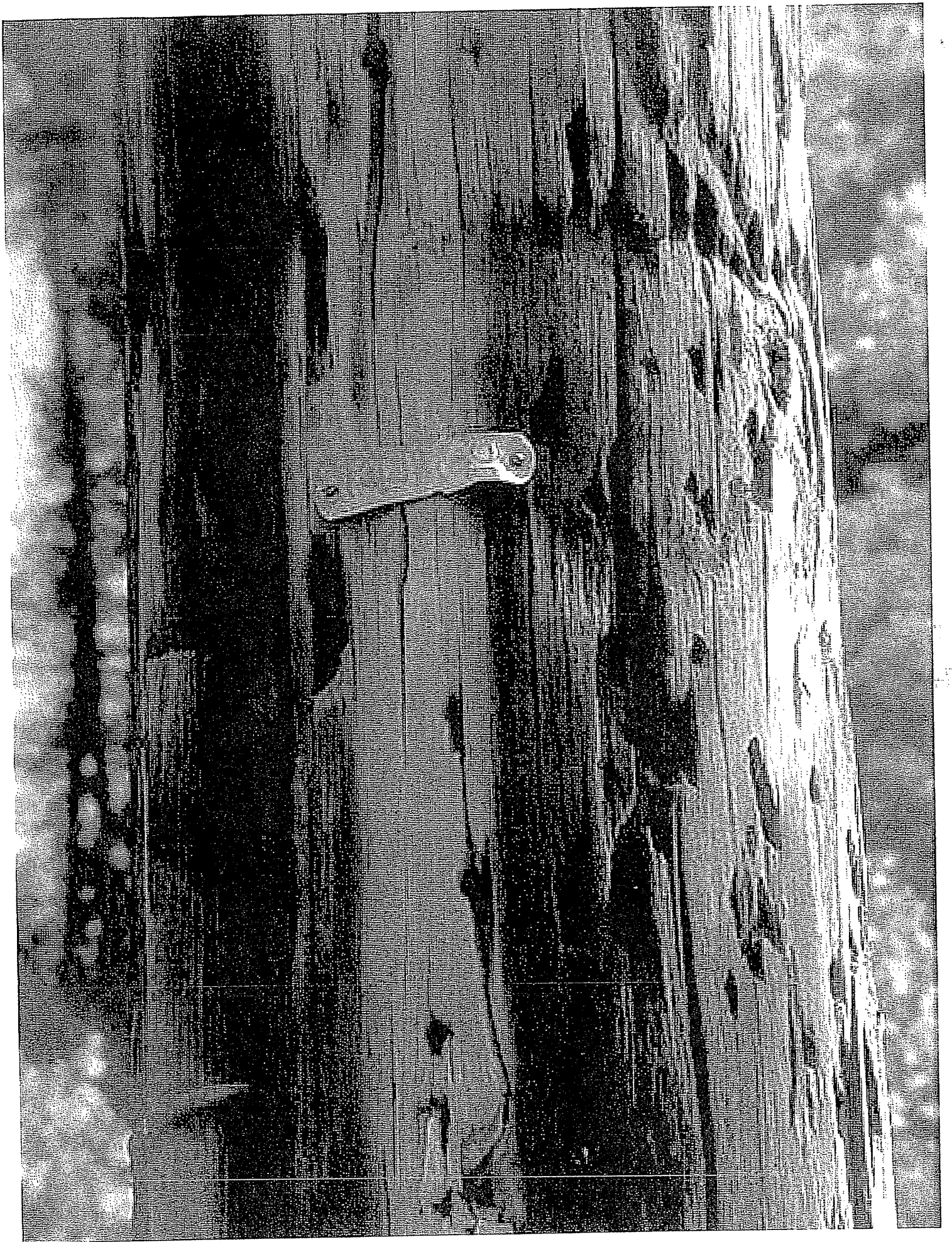


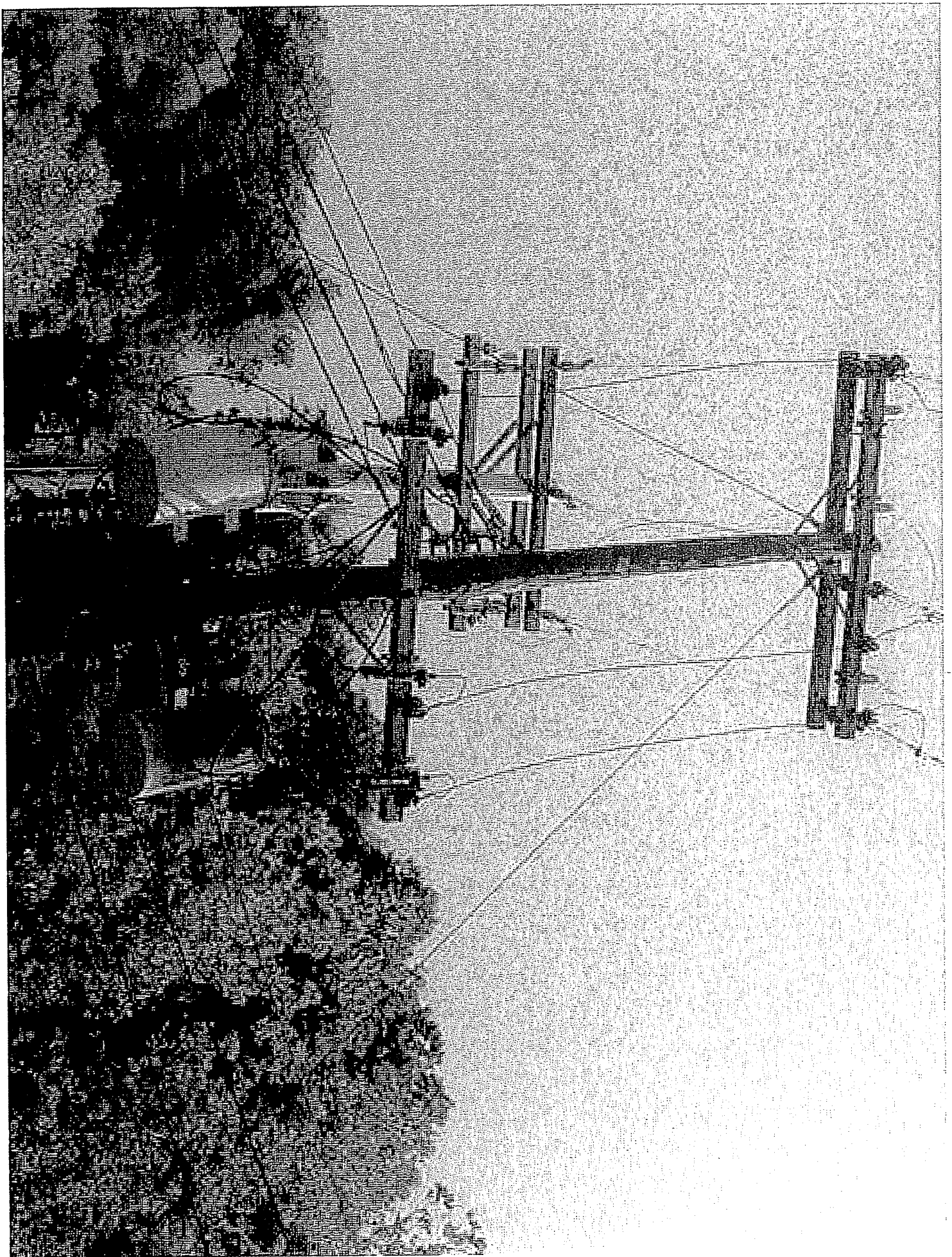


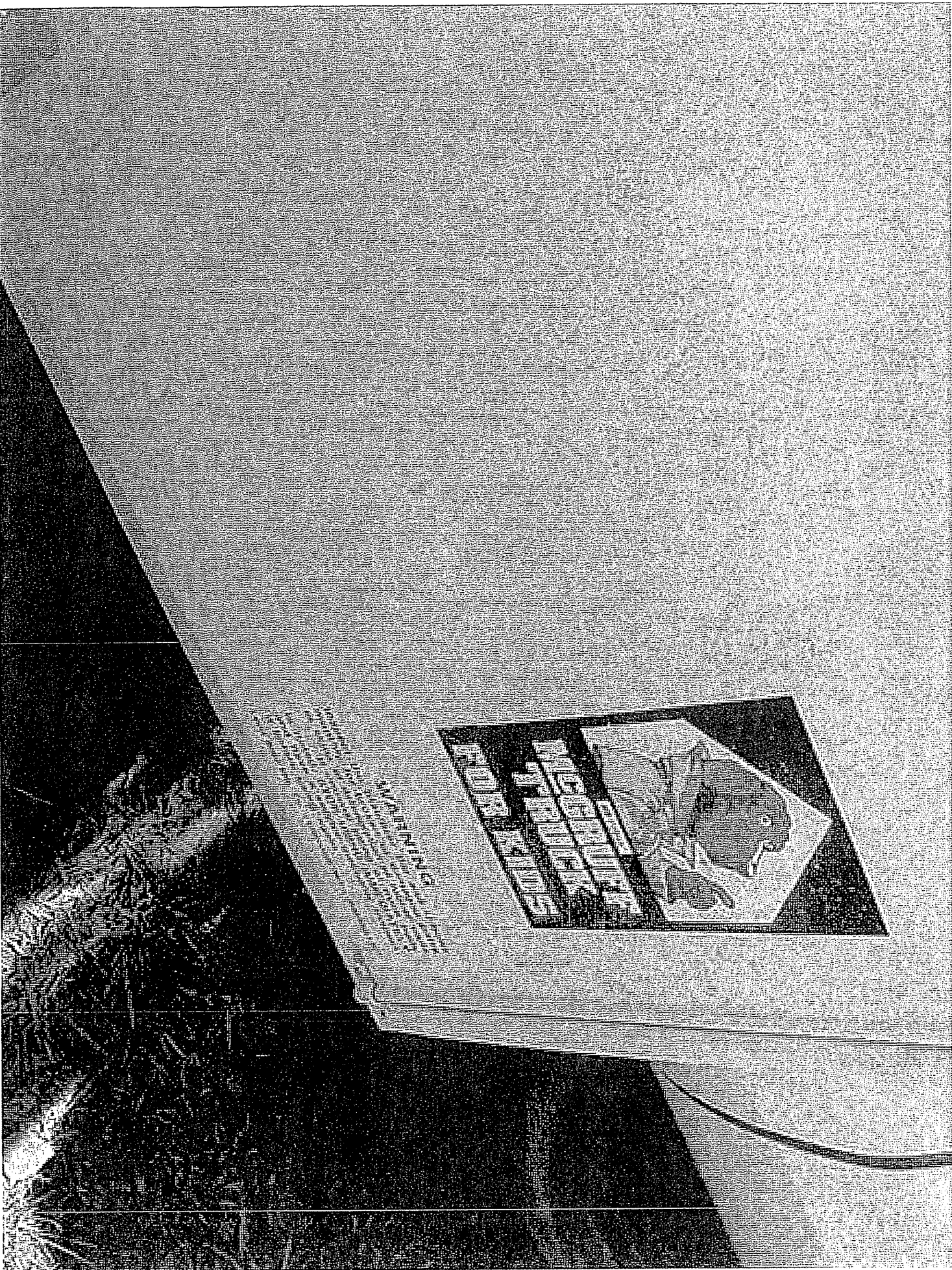












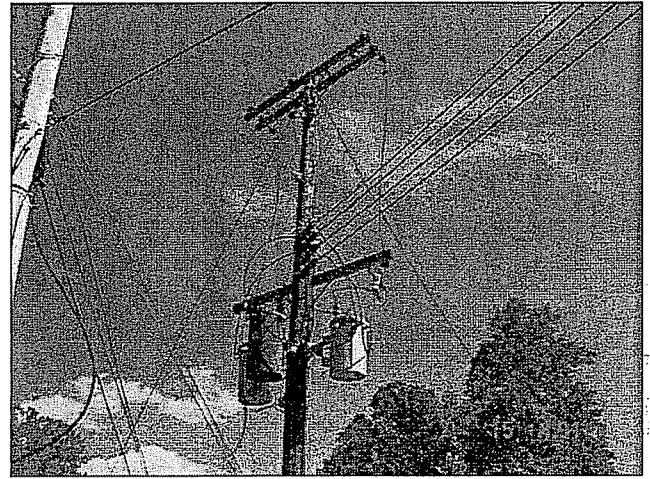
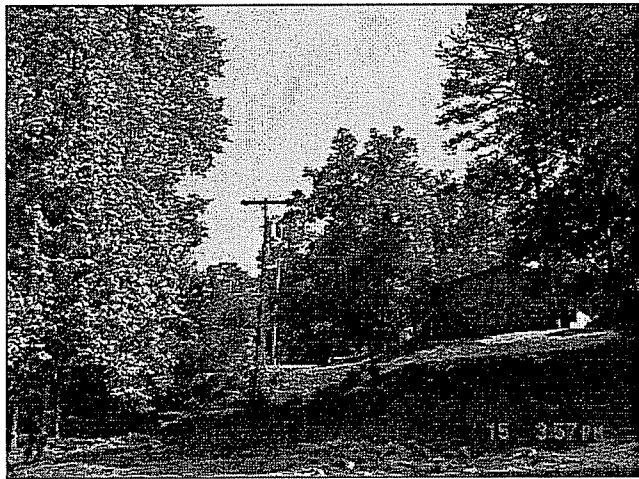
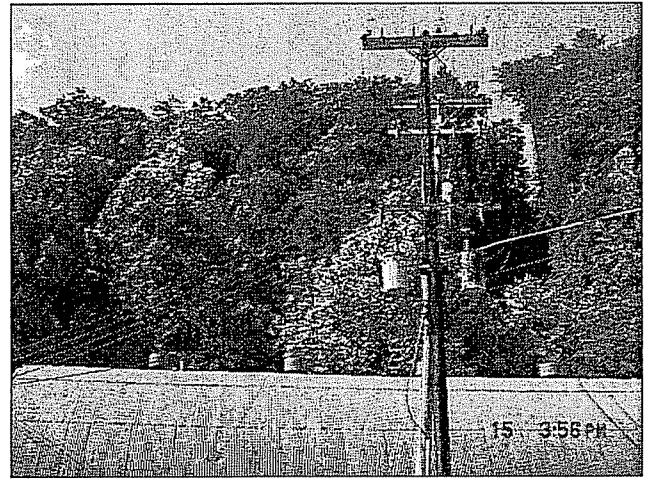
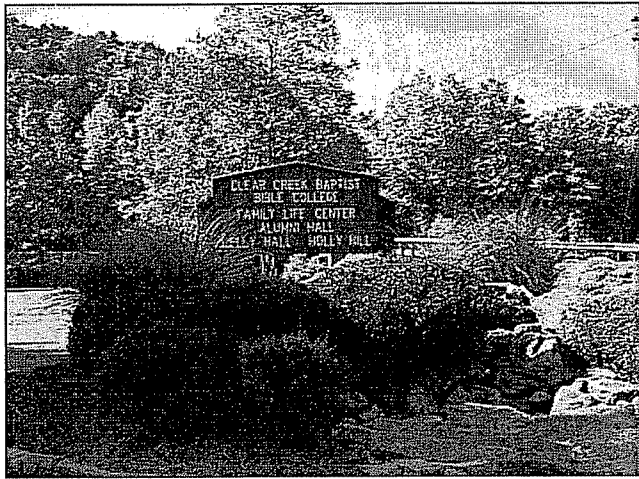


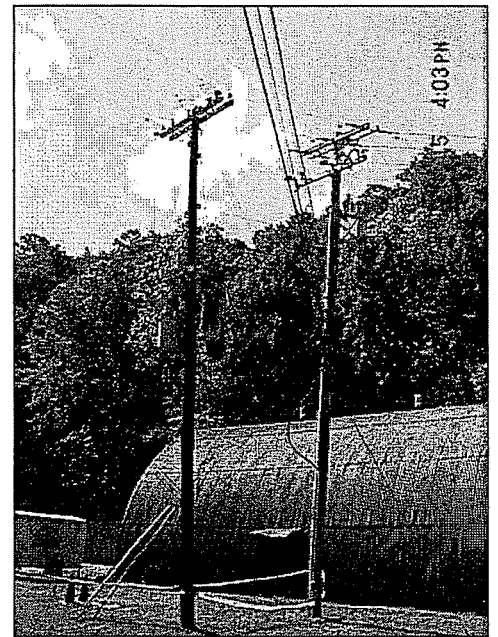
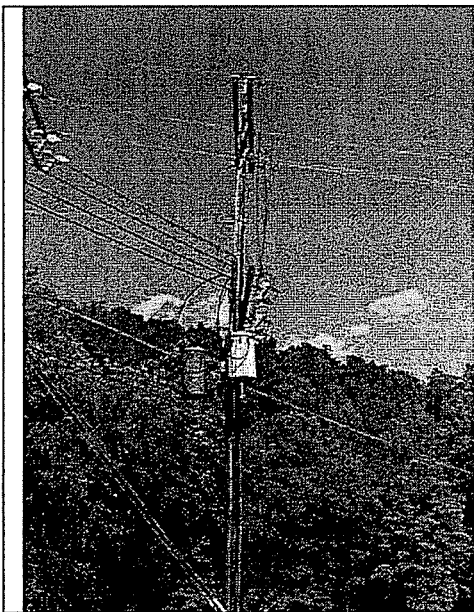
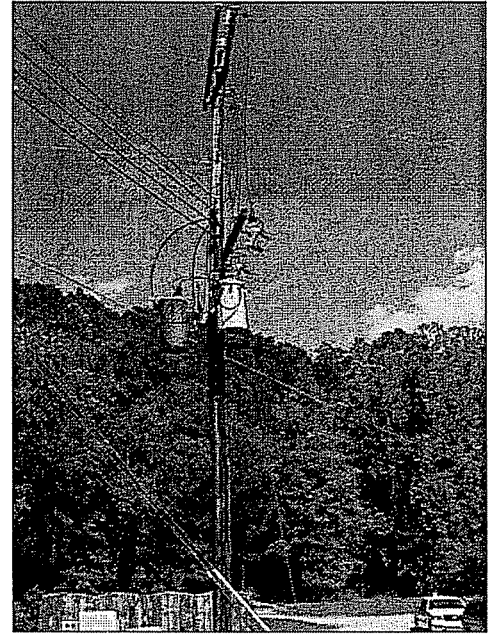
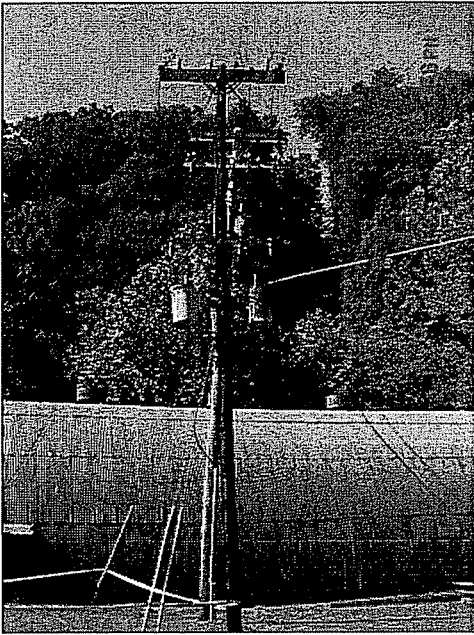
Kentucky Public Service Commission

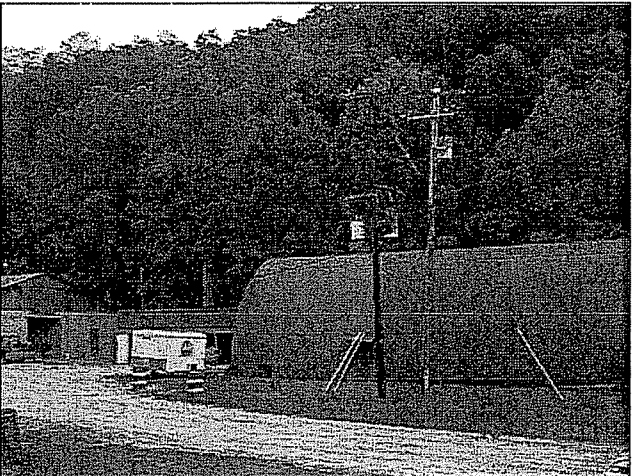
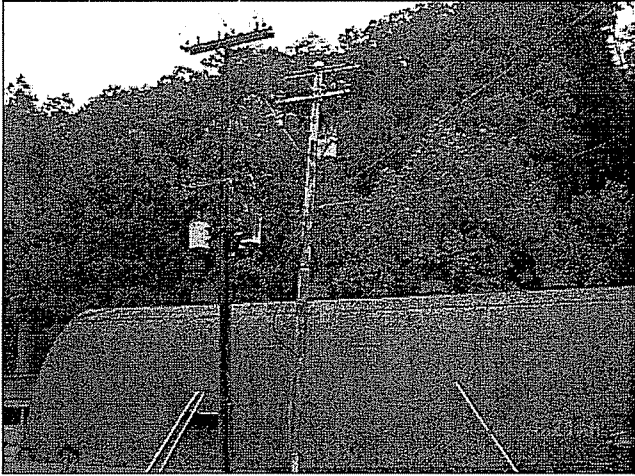
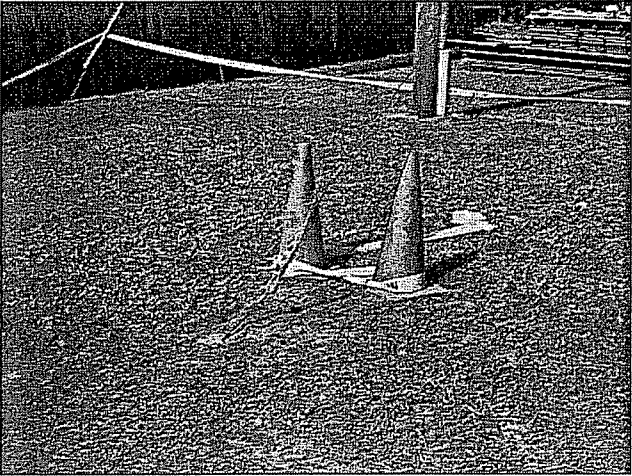
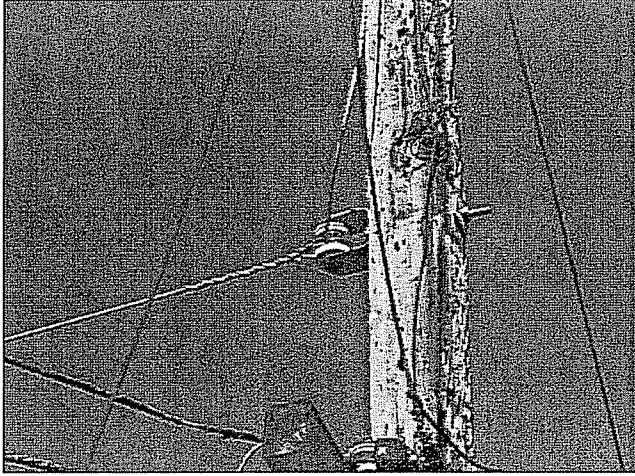
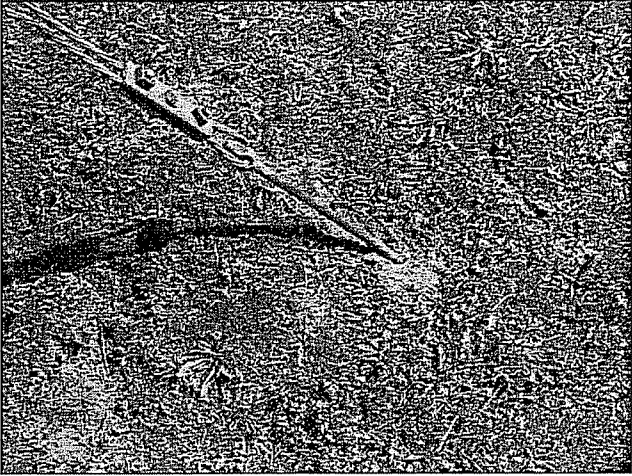
Electric Utility Personal Injury Accident Report

Attachment C

PSC Photographs of Accident Site









Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report

Attachment D
Copy of Cited Violation

B. Mechanical Requirements

1. Insulators other than spacers used to support aerial cable systems shall meet the requirements of Rule 277.
2. Insulating spacers used in spacer cable systems shall withstand the loads specified in Section 25 (except those of Rule 250C) without exceeding 50% of their rated ultimate strength.

279. Guy and Span Insulators

A. Insulators

1. Properties of Guy Insulators

a. Material

Insulators shall be made of wet-process porcelain, wood, fiberglass-reinforced plastic, or other material of suitable mechanical and electrical properties.

b. Electrical Strength

The guy insulator shall have a rated dry flashover voltage at least double, and a rated wet flashover voltage at least as high as, the nominal line voltage between conductors of the guyed circuit. A guy insulator may consist of one or more units.

c. Mechanical Strength

The rated ultimate strength of the guy insulator shall be at least equal to the required strength of the guy in which it is installed.

2. Use of Guy Insulators

- a. Ungrounded guys shall be insulated if attached to a supporting structure carrying any supply conductors of more than 300 V or if vulnerable to accidental energization by such conductors due to a slack conductor or guy.

NOTE: Guys grounded in accordance with Rule 215C2 need not be insulated.

EXCEPTION: A guy insulator is not required if the guy is attached to a supporting structure on private right-of-way if all the supply circuits exceeding 300 V meet the requirements of Rule 220B2.

- b. Insulators shall be installed as follows:

- (1) All insulators shall be located at a position that maintains the bottom of the insulator not less than 2.45 m (8 ft) above the ground if the guy is broken below the insulator.
- (2) Insulators shall be so placed that, in case any guy contacts, or is contacted by, an energized conductor or part, the voltage will not be transferred to other facilities on the structure(s).

EXCEPTION: Guy insulators are not required if both of the following conditions are fulfilled.

- (a) The supply voltage will be promptly removed by de-energization or by other means, both initially and following subsequent circuit breaker operations in the event of a contact.
- (b) The voltage and current impressed on the other facilities in the event of a contact are not in excess of the safe operating limit of the protective devices of such facility.
- (3) Insulators shall be so placed that in case any guy sags down upon another, the insulators will not become ineffective.

3. Corrosion Protection

An insulator in the guy strand used exclusively for the elimination of corrosion of metal in ground rods, anchors, anchor rods, or pipe in an effectively grounded system shall not be classified as a guy insulator and shall not reduce the mechanical strength of the guy.

B. Span-Wire Insulators

1. Properties of Span-Wire Insulators

a. Material

Insulators shall be made of wet-process porcelain, wood, fiberglass, or other material of suitable mechanical and electrical properties.

b. Insulation Level

The insulation level of span-wire insulators shall meet the requirements of Rule 274.

A hanger insulator, where used to provide single insulation as permitted by Rule 279B2, shall meet the requirements of Rule 274.