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July 1, 2013

Mark David Goss  
GOSS SAMFORD, PLLC  
2365 Harrodsburg Road, Suite B325  
Lexington, Kentucky 40504

Re: Case No. 2013-00158

Dear Mr. Goss:

Attached is a copy of a memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the memorandum concerning the June 27, 2013 Informal Conference, please do so within five days of receipt of this letter. If you have any questions, please contact Aaron Ann Cole or Jonathan Beyer, Staff Attorneys, at 502/564-3940.

Sincerely,



Jeff Derouen  
Executive Director

Attachments

**INTRA-AGENCY MEMORANDUM**  
**KENTUCKY PUBLIC SERVICE COMMISSION**

**TO:** Case File – Case No. 2013-00158

**FROM:** Jonathan Beyer, Staff Attorney

**DATE:** July 1, 2013

**RE:** Informal Conference of June 27, 2013

On June 27, 2013, pursuant to the Commission's May 6, 2013 Order, an informal conference was held in this matter to discuss the issues presented in this case. A list of attendees is attached.

Beginning the conference, Mr. Goss, counsel for South Kentucky RECC ("SKRECC"), stated that SKRECC is largely in agreement with the facts as set forth in Commission Staff's Incident Investigation Report, subject to certain factual disputes, which he outlined.

Mr. Dennis Holt, SKRECC Vice President of Engineering, followed with a detailed explanation of the remedial safety measures SKRECC has enacted consequent to the incident. The day following the incident, Mr. Holt contacted the relevant office managers and employees to inform them that vines needed to be treated as possible conductors. He instructed SKRECC's Right-Of-Way department to begin cutting gaps in vines where they may be in contact with energized conductors. He instructed a map be compiled to identify known poles with creeping vines. Three employee meetings, for separate shifts, were also held to explicate the hazards and proper procedure for safely interacting with vines.

Several methods of vine removal were detailed by Mr. Holt. First, SKRECC explored the viability of a "deviner" tool to mechanically remove vines. However, the device purportedly caused damage to telephone wires in addition to vines and its use was therefore discontinued. Second, SKRECC purchased additional vine cutters. Third, SKRECC has commenced spraying herbicides to control vines, however, its use is limited to poles outside of the Daniel Boone National Forest and on non-residential property. A new herbicide that will not kill grass, for use around residential poles, is presently being explored.

Mr. Holt stated that SKRECC policy has been revised so that, if possible, circuits are de-energized before work commences or, in the alternative, personal protective equipment ("PPE") is utilized earlier when working on energized equipment. To effectuate the latter rule, SKRECC has adopted the "cradle to cradle" protocol to supplant its former "five foot rule." The five foot rule required the use of PPE when an employee was within five feet of an energized conductor. The revised cradle to cradle rule requires the use of PPE prior to an employee's ascent in a bucket and mandates

their continued use of the equipment until the bucket is lowered back into the truck cradle. Mr. Holt stated that additional voltage detection equipment has also been purchased to meet supply needs and provide an ample quantity for spares.

Commission Staff requested SKRECC provide specific and detailed documentation addressing its corrective actions, revised safety policies and training programs. Staff requested explicit information pertaining to the policies and procedures SKRECC has or will enact pertaining to a vine management program. Staff further requested SKRECC identify the itemized monetary costs incurred by the institution of the training programs, safety policies, vine management methods, and the purchase of related equipment and material. Finally, Staff requested that SKRECC identify, with particularity, the material factual issues contained in the Incident Report to which it does and does not agree. The parties agreed SKRECC would provide the requested information on or before July 18, 2013.

Finding that no party had any further questions, the conference was adjourned.

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SOUTH KENTUCKY RECC

CASE NO.  
2013-00158

ALLEGED FAILURE TO COMPLY WITH KRS  
278.042

June 27, 2013

Please sign in:

NAME

REPRESENTING

AAnn Ann Cole	PSC - legal
Helen Hoff	PSC
Jff Mon	PSC
Eric Roman	PSC
Kyle Willard	PSC - Engineering
Dennis Holt	South KY RECC
Bruce Parker	S.K. RECC
Edward Blad	S. KY RECC
Mark D. Gorn	GOVS SAMFORD PUC FOR SKRECC
Allen Anderson	South Kentucky RECC
Jonathan Bayer	PSC