

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

Kentucky Power Company )  
\_\_\_\_\_) )  
Alleged Failure To Comply ) Case No. 2016-00279  
With KRS 278.042 )

**Response Of Kentucky Power Company To  
Commission's August 9, 2016 Order**

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The Public Service Commission of Kentucky on August 9, 2016 issued an Order requiring Kentucky Power Company to file a written response to the allegations contained in the February 6, 2015 "Incident Investigation Staff Report" involving a contact incident allegedly occurring in a vacant lot located near the intersection of Route 40 and Stafford Cemetery Road in Johnson County Kentucky on July 12, 2014. Kentucky Power states for its response:

1. Kentucky Power admits the statements contained in the "PSC Investigators," "Serving Utility," "Utility," "Incident Location," "Victim Name," "Witness Name," "Received By (E-Mail)," and "Information From" sections of the report.

2. With respect to the statements contained in the "Reported By" section of the report, Kentucky Power admits that Messrs. Massey and Shurtleff reported the incident, and further states that the Company's Distribution Dispatch Center reported the incident to Mr. Moore by voice mail message left at 7:54 p.m. on July 12, 2014 and Mr. Kingsolver by voice mail message left at 7:58 p.m. on July 12, 2014.

3. With respect to the “Incident Occurred” section of the report, Kentucky Power admits that it is informed the incident occurred at approximately 4:00 p.m. on July 12, 2014.

4. Kentucky Power denies the statement contained in the “Utility Discovered” Section of the report. Kentucky Power received at 4:51 p.m. on July 12, 2014 a report of an alleged public contact with a Company conductor at the incident site. A Company employee, Tommy Goble, was dispatched to the site at 4:54 p.m. Upon arrival at the site at approximately 5:30 p.m. on July 12, 2014, Mr. Goble was advised of the alleged contact incident. Mr. Goble’s supervisor, Dennis Massey, arrived at the site at 6:50 p.m. on July 12, 2014.

5. With respect to the “PSC Notified By Phone Call” section of the report, Kentucky Power admits that the Commission was notified at 8:03 p.m. on July 12, 2014. The Company further states it reported the incident to Mr. Moore by voice mail message left at 7:54 p.m. on July 12, 2014 and Mr. Kingsolver by voice mail message left at 7:58 p.m. on July 12, 2014.

6. With respect to the “Report Received (Mail)” section of the report, the Company states Bob Shurtleff, Pikeville Customer & Distribution Manager, Kentucky Power Company, mailed a written follow-up report dated July 24, 2014 to the Commission. Kentucky Power is without information sufficient to admit or deny the statement the report was received by the Commission on July 28, 2014.

7. With respect to the “Inspections By (E-Mail)” section of the report, the Company is without information sufficient to admit or deny the statements contained in the section.

8. Kentucky Power is without information sufficient to admit or deny the statements contained in the first paragraph on page 3 of the Staff Report, except that

(a) Kentucky Power admits that a Commission investigator was not present at the site on July 12, 2014 during the period Company personnel were present; and

(b) Kentucky Power admits that despite requests to the W.R. Castle Fire Department the Company to date it has not been provided by the department a copy of the department's run report regarding the incident.

9. With respect to the "Incident Description" section of the Staff Report, Kentucky Power admits the information it has received to date in its investigation and in the legal action styled *Jason Grace v. Kentucky Power Company, et al.*, Civil Action No. 15-CI-00246, pending in Johnson Circuit Court, is consistent with the statements contained in the first three sentences of the section. With respect to the final sentence of the section, Kentucky Power states that the Company's employee, Dennis R. Massey, was told that Mr. Grace was taken to Paul B. Hall Medical Center for treatment of possible flash burns to his hands. The Company has received Mr. Grace's medical records as part of the discovery in the civil case, but the records are subject to a protective order that limits the use of the records to the civil case. Independent of Mr. Grace's medical records produced in discovery in the civil action, Kentucky Power is unable to admit or deny in this proceeding any additional statements concerning Mr. Grace's alleged injuries, if any, or treatment.

10. With respect to the statements contained in the first paragraph of the section of the Staff Report entitled "Discussion," Kentucky Power states:

(a) Kentucky Power admits the statements contained in the first sentence of the paragraph, except that it states that July 12, 2014 was a Saturday.<sup>1</sup> Kentucky Power further states that at 4:51 p.m. on July 12, 2014 the Company received a report of an alleged public contact with a Company conductor at the incident site.

(b) With respect to the statements contained in the second sentence of the first paragraph of the section of the Staff Report entitled “Discussion,” Kentucky Power states that Mr. Grace was still present at the site when the Company’s employee, Tommy Goble, arrived at the site of the incident at 5:30 p.m. on July 12, 2014. Mr. Goble encouraged Mr. Grace to seek medical treatment if Mr. Grace believed it was necessary to do so. When Mr. Goble’s supervisor, Dennis Massey, arrived at the site at 6:50 p.m. on July 12, 2014, he was informed that Mr. Grace was no longer present at the site and had traveled to Paul B. Hall Medical Center.

(c) The Company admits that with respect to the statements contained in the third sentence of the first paragraph of the section of the Staff Report entitled “Discussion,” that “Attachment B” to the Staff Report indicates the Company notified Mr. Moore at approximately 8:00 p.m. on July 12, 2014 of the incident. Kentucky Power further states it also reported the incident to Mr. Moore by voice mail message left at 7:54 p.m. on July 12, 2014 and Mr. Kingsolver by voice mail message left at 7:58 p.m. on July 12, 2014.

(d) Kentucky Power admits the fourth, fifth, and sixth sentences of the first paragraph of the section of the Staff Report entitled “Discussion.”

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<sup>1</sup> The Company’s July 24, 2014 follow-up summary erroneously described the incident occurring on *Friday*, July 14, 2014.

11. Kentucky Power admits the statements contained in the second paragraph of the section of the Staff Report entitled “Discussion,” and admits that Attachment A contains the records of the last two system inspections of the relevant circuit.

12. In response to the third paragraph of the section of the Staff Report entitled “Discussion,” Kentucky Power admits that by letter dated July 15, 2014, and stamped “Received July 18, 2014 Public Service Commission” it requested an extension until July 26, 2014 in which to file its seven-day report. The extension was granted by Jeff R. Derouen, Executive Director of the Commission, by letter dated July 18, 2014. The Company further admits that it provided on July 30, 2014 a four-page document entitled “AEP–Kentucky Overhead/Underground Circuit Facilities Inspection And Maintenance” at the request of Commission Staff. Kentucky Power admits that Attachments “D” and “E” to the Staff Report are true, accurate, and complete copies of the July 15, 2014 letter and July 30, 2014 four-page submission.

13. Kentucky Power admits the statements contained in the first sentence of the fourth paragraph of the section of the Staff Report entitled “Discussion.” In response to the second sentence of the fourth paragraph of the section of the Staff Report entitled “Discussion,” Kentucky Power admits there were no structures located within 47.5 feet of the transformer pole at the time of the alleged contact incident. Kentucky Power denies that it disconnected and removed the energized triplex conductor from the transformer pole and placed it on the ground. The evidence currently known to Kentucky Power indicates that a third-party, acting without Kentucky Power’s consent or knowledge, disconnected the service from the customer-owned secondary pole used to provide service to the manufactured housing unit located near the incident site. Specifically, while investigating the incident Kentucky Power discovered a “house knob” attached to the triplex conductor. If Kentucky Power personnel had disconnected service

to the customer-owned secondary pole it would have been standard practice to leave the “house knob” attached to the pole and not to remove it from the customer-owned secondary pole but leaving it attached to the conductor as it was found. Leaving the “house knob” attached to the customer-owned secondary pole aids in the removal of the conductor and requires fewer actions and less climbing by Kentucky Power’s employees.

14. Kentucky Power admits the statements contained in the fifth paragraph of the section of the Staff Report entitled “Discussion Kentucky Power further states that although the statement “this property had been vacant for 10 to 15 years,” appeared in the Company’s “Utility Incident Investigation Information,” Kentucky Power has been unable to confirm how long the property was vacant prior to July 12, 2014.

15. With respect to the first sentence of the fifth paragraph of the section of the Staff Report entitled “Discussion, Kentucky Power further states that subsequent to the issuance of the August 9, 2016 Show Cause Order, the Company has been able to locate records indicating the following information:

- (a) The last known meter (Serial No. 76947655) at this location was removed on March 20, 2006;
- (b) The last customer associated with the meter at this location was Ms. Freda Bell;
- (c) The Company’s records indicate the last meter at this location was used in connection with the provision of service to a manufactured housing unit by means of a customer-owned pole.

16. Kentucky Power admits the statements contained in sixth paragraph of the section of the Staff Report entitled "Discussion."

17. In response to the section of the Staff Reported entitled "Findings," Kentucky Power denies that it knowingly or willfully violated the identified section of the National Electrical Safety Code.

18. Kentucky Power admits the statements contained in the initial clause of the first sentence of the section of the Staff Reported entitled "Investigator Comments." Kentucky Power states in response to the remainder of the first sentence, as well as the second sentence in its entirety, there is no evidence concerning when the triplex conductor was placed on the ground, whether it was on the ground prior to the Company's 2012 and 2014 inspections, or whether "a closer inspection could have enabled the discovery of the issue." In response to the final sentence of the section of the Staff Reported entitled "Investigator Comments," Kentucky Power states that it currently is re-evaluating its procedures for inspecting the Company's distribution system.

19. Kentucky Power admits the authenticity of Attachments "A," "D," "E," and "F" of the Staff Report. Kentucky Power further admits the authenticity of Attachment "C" to the Staff Report, except for that portion of the attachment comprising the July 14, 2014 e-mail message from Jeffrey C. Moore to Kyle Willard and others at the beginning of the attachment, for which it has no basis to admit or deny.

Wherefore, Kentucky Power Company respectfully requests that this case be dismissed, and that it be accorded all relief to which it may be entitled.

Respectfully submitted,



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