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RECEIVED
FEB 22 2017
PUBLIC SERVICE
COMMISSION

February 21, 2017

Ms. Talina R. Mathews
Executive Director
Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

**In the Matter Of: Inter-County Energy Cooperative Corporation
Alleged Failure to Comply with KRS 278.042, Case No. 2017-00065**

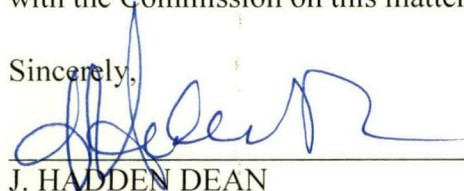
Dear Ms. Mathews:

Enclosed is an original and ten (10) copies of a Motion for an Informal Conference in this matter.

Also enclosed is an original and ten (10) copies of the Responses as required under the Order entered in this matter.

If you have any questions, please advise. On behalf of Inter-County, I look forward to working with the Commission on this matter.

Sincerely,



J. HADDEN DEAN
JHD

Enclosures
CC: Jim Jacobus
David Phelps

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

FEB 22 2017

PUBLIC SERVICE
COMMISSION

In the Matter of:

INTER-COUNTY ENERGY)
COOPERATIVE CORPORATION)
_____) CASE NO. 2017-00065
)
ALLEGED FAILURE TO COMPLY)
WITH KRS 278.042)

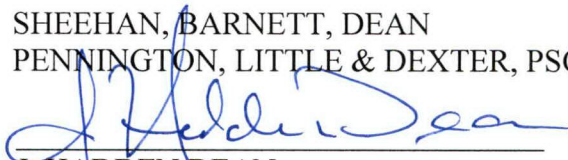
MOTION FOR INFORMAL CONFERENCE

Comes now Inter-County Energy Cooperative Corporation (“Inter-County”), by counsel, and moves the Kentucky Public Service Commission (“Commission”) for an Order scheduling an Informal Conference in this case. In support of this Motion, Inter-County states that contemporaneous with the filing of this motion, it is tendering responses to the Commission’s requests, dated February 9, 2017. Inter-County believes an Informal Conference in this matter would be beneficial for narrowing and clarifying the issues in this proceeding.

WHEREFORE, Inter-County respectfully requests that the Commission enter an Order scheduling this matter for an Informal Conference.

This 21st day of February, 2017.

SHEEHAN, BARNETT, DEAN
PENNINGTON, LITTLE & DEXTER, PSC

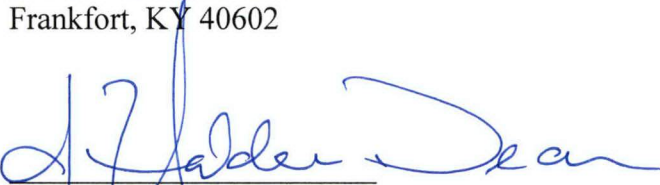


J. HADDEN DEAN
114 South Fourth Street
P.O. Box 1517
Danville, KY 40423-1517
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ATTORNEYS FOR INTER-COUNTY
ENERGY COOPERATIVE CORPORATION

CERTIFICATE OF SERVICE:

This is to certify that a true and correct copy the foregoing Request for Informal Conference was mailed postage pre-paid on this the 21st day of February, 2017 to:

Ms. Talina R. Mathews
Executive Director
Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602



J. HADDEN DEAN

RECEIVED

FEB 22 2017

PUBLIC SERVICE
COMMISSION



A Touchstone Energy Cooperative 

CASE NO. 2017-00065

**In The Matter Of
Inter-County Energy Cooperative
Corporation Alleged Failure to Comply With
KRS 278.042**

February 21, 2017

P. O. Box 87 • Danville, KY 40423-0087 • (859) 236-4561

INTER-COUNTY ENERGY COOPERATIVE

P. O. Box 87 • Danville, KY 40423-0087

Case No. 2017-00065

CONTENT

	<u>Pages</u>
Certificate	1
Facts	2 - 3
Response No. 1	4 - 5
Response No. 2	6 - 7
Response No. 3	8
Response No. 4	9
Response No. 5	10
Response No. 6	11

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

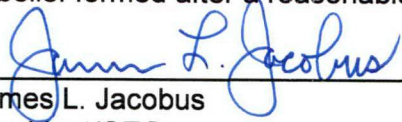
In the Matter of:

INTER-COUNTY COOPERATIVE CORPORATION)	
_____)	CASE NO. 2017-00065
)	
ALLEGED FAILURE TO COMPLY WITH KRS 278.042)	

INTER-COUNTY ENERGY COOPERATIVE RESPONSE TO COMMISSION STAFF'S REQUEST FOR INFORMATION OF ALLEGED FAILURE TO COMPLY WITH KRS 278.042

CERTIFICATION

James L. Jacobus, President/CEO, being duly sworn, states that he has prepared the responses to the questions from the Commission Staff to Inter-County Energy Cooperative in Case No. 2017-00065 dated February 9, 2017, and that the response is true and accurate to the best of his knowledge, information and belief formed after a reasonable inquiry.



James L. Jacobus
President/CEO
Inter-County Energy Cooperative Corporation

STATE OF KENTUCKY
COUNTY OF BOYLE

Subscribed and sworn to before me by James L. Jacobus as President/CEO of Inter-County Energy Cooperative Corporation this 21 st day of February 2017.





Notary Public – ID 494777

My Commission Expires: August 24, 2017

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INTER-COUNTY COOPERATIVE)	
CORPORATION)	
_____)	CASE NO. 2017-00065
)	
ALLEGED FAILURE TO COMPLY)	
WITH KRS 278.042)	

RESPONSE TO ORDER

Comes now Inter-County Energy Cooperative Corporation (hereinafter "Inter-County"), and in response to the Order entered by the Public Service Commission (hereinafter "Commission") does hereby file the following Response.

FACTS

In the early morning of November 23, 2015, Colby Grider, a maintenance technician with Inter-County, sustained injuries as a result of responding to an outage. At the time of the incident, Mr. Grider was located at Patsy Riffe Ridge Road just off of KY 127 north of Liberty, Kentucky, in Casey County. Mr. Grider was by himself and was in the process of performing a preliminary inspection of the outage in a cornfield on the south side of Patsy Riffe Ridge Road. Mr. Grider contacted another Inter-County employee, Bo McGuffey, to assist with the outage. As Mr.

McGuffey was en route to the outage site, Mr. Grider contacted Mr. McGuffey informing him that he had been burned while walking in the cornfield. It has never been determined that Mr. Grider actually touched an energized primary line. All Mr. Grider saw was a flash. He entered the field to conduct an investigation of the conductor size and breaker status. After Mr. McGuffey arrived at the accident scene, he was able to locate Mr. Grider walking in the field and called emergency services. Mr. Grider sustained splatter-type burns over his body, with the most significant, a burn injury to his right hand. Mr. Grider was transported to Ephraim McDowell Regional Medical Center in Danville, Kentucky. After treatment at Ephraim McDowell Regional Medical Center and the University of Louisville Burn Center, Mr. Grider returned to work under full duty with no restrictions on August 30, 2016.

1. NESC Part 4, Section 42, Rule 420.C.4- Work Rules for the Operation of Electric Supply and Communications Lines and Equipment - General Rules for Employees - Safeguarding Oneself and Others: Employees who work on or in the vicinity of energized lines shall consider all of the effects of their actions, taking into account their own safety as well as the safety of other employees on the job site, or on some other part of the affected electric system, the property of others, and the public in general.

RESPONSE:

Inter County would like to reference NESC Part 4, Section 42, Rule 420.D.- “Energized or unknown conditions – Employees shall consider electric supply equipment and lines to be energized, unless they are positively known to be de-energized. Before starting work, employees shall perform preliminary inspections or tests to determine existing conditions. Operating voltages of equipment and lines should be known before working on or in the vicinity of energized parts”. Inter-County believes that this is relevant to the allegation in the fact that the employee had no intentions of work prior to the contact. The purpose for his position in the corn field was to perform the preliminary inspection as stated above.

Inter County understands the relevance of this allegation, although there was no intent of “working on” or “working in” the vicinity of energized lines. Notwithstanding the fact a burn occurred, the employee had no intention in working on or in the minimum

approach distance of the downed line at the time of the contact. The purpose for his position in the corn field was to perform the preliminary inspection as stated above.

2. NESC Part 4, Section 42, Rule 420.H- Work Rules for the Operation of Electric Supply and Communications Lines and Equipment - General Rules for Employees – Tools and Protective Equipment: Employees shall use the personal protective equipment, the protective devices, and the special tools provided for their work. Before starting work, these devices and tools shall be carefully inspected to make sure that they are in good condition.

RESPONSE:

This employee was in the process of performing a preliminary inspection and had not intended to perform any work in the area of the downed line.

Inter-County and this employee are well aware of the minimum approach distance which would require a variety of different Personal Protection Equipment to be utilized before performing work.

At the time of the incident, Inter County had no rule or policy written concerning the use of the V-Watch during the preliminary inspection stage after an outage. After the incident, the following language was added to Inter-County Policy 315, Attachment B, “Arc Flash/Blast Protection”:

D. Personal Voltage Detectors

1. Employees involved in troubleshooting of outages, when there is a potential of downed power lines, shall actively wear a company approved and provided personal voltage detector (V-Watch).

2. The personal voltage detector shall be worn on the front of the body to ensure the earliest detection of energized lines in the path of the wearer's travel.

3. NESC Part 4, Section 44, Rule 441 .A.1 –Work Rules - Additional Rules for Supply Employees – Energized Conductors and Parts - Minimum Approach Distance

to Energized Lines or Parts: Employees shall not approach or bring conductive objects within the minimum approach distance listed in Table 441-1 or Table 441 -4.

Table 441-1 AC Live Work Minimum Approach Distance

7.2 kV-(Working Voltage)

0.750 Volts to 15 kV - Phase to Ground: 2'2"

RESPONSE:

It has never been determined that the employee actually touched an energized primary line. At no time, did the employee intend or was aware of any issue of being within the minimum approach distance to an energized conductor as was referenced Table 441-1 or Table 441-4. Inter-County acknowledges that there was a burn while the employee was performing the preliminary inspection in non-typical conditions and terrain.

4. NESC Part 2, Section 23, Table 232-1 –Safety Rules for the Installation and Maintenance of Overhead Electric and Communication Lines - Clearances – Vertical Clearance of Wires, Conductors, Cables, and Equipment Above Ground, Roadways, Rail, or Water Surfaces: Open supply conductors, over 750 Volts to 22 KV: 18.5'.

RESPONSE:

Inter-County does not believe the scope of this rule applies to fallen wires resulting from acts of God or inadvertent equipment failure as alleged in this particular violation. As NESC Rule 230.A.1 states, “The clearances of section 23 are required for permanent and temporary installations.” For this rule to apply, Inter-County argues that the conductor would have had to be intentionally installed where it was found - broken and on the ground. To carry the enforcement of this rule to an illogical conclusion, every single downed power line would be in violation.

5. Inter-County Safety Manual Section 1.1 02.b - General Rules - Employees
Responsibility for Safety: Before starting a job, employees shall thoroughly understand the work to be done, their part in the work, and the safety rules that apply.

RESPONSE:

See response to allegation # 1 of this Order.

6. Inter-County Safety Manual Section 5.507.1 (f) - Electric Utility Operations - Overhead Distribution and Transmission - Working on or Near Exposed Energized Lines and Equipment: No employee may approach or take any conductive objective without an insulating handle closer to exposed energized parts (sic) than the minimum approach distances set forth in Table 6.1 through 6.5 unless the employee is insulated from the energized part or the energized part is insulated from the employee and any other conductive object at a different potential, or the employee is insulated from any other conductive object, as during live line bare-hand work.

Table 5.2 AC Live-Line Work Minimum Approach Distance

7.2kV-(Working Voltage)

0.750 Volts to 15 kV - Phase to Ground: 2'2"

RESPONSE:

Inter-County codifies NESC Table 441-1 as a part of the 14th Edition of the APPA Safety Manual. Otherwise refer to the response to allegation #3 of this Order.