

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JACKSON PURCHASE ENERGY CORPORATION)	
_____)	CASE NO.
ALLEGED FAILURE TO COMPLY WITH KRS 278.042)	2017-00202
)	

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on August 15, 2017 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- All exhibits introduced at the evidentiary hearing conducted on August 15, 2017 in this proceeding;
- A written log listing, *inter alia*, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on August 15, 2017.

A copy of this Notice, the certification of the digital video record, hearing log, and exhibits have been electronically served upon all persons listed at the end of this Notice.

Parties desiring to view the digital video recording of the hearing may do so at

http://www.psc.ky.gov/av_broadcast/2017-00202/2017-00202_15Aug17_Inter.aspx.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to pscfilings@ky.gov. A minimal fee will be assessed for a copy of this recording.

Done at Frankfort, Kentucky, this 22nd day of August 2017.

A handwritten signature in cursive script that reads "John S. Lyons". The signature is written in black ink and is positioned above a horizontal line.

John S. Lyons
Acting Executive Director
Public Service Commission of Kentucky

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

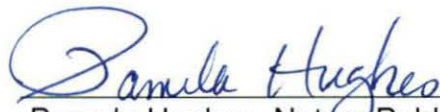
JACKSON PURCHASE ENERGY CORPORATION)	
_____)	
ALLEGED FAILURE TO COMPLY WITH KRS 278.042)	CASE NO. 2017-00202
)	

CERTIFICATE

I, Pamela Hughes, hereby certify that:

1. The attached DVD contains a digital recording of the Hearing conducted in the above-styled proceeding on August 15, 2017. The Hearing Log, Witness Log, and Exhibit Log is included with the recording on August 15, 2017.
2. I am responsible for the preparation of the digital recording.
3. The digital recording accurately and correctly depicts the Hearing of August 15, 2017.
4. The "Hearing Log," attached to this Certificate, accurately and correctly states the events that occurred at the Hearing of August 15, 2017, and the time at which each occurred.

Signed this 15th day of August, 2017.



Pamela Hughes, Notary Public
State at Large
My Commission Expires: April 22, 2019



Judge: Bob Cicero; Talina Mathews; Michael Schmitt

Witness: Dennis Cannon; Scott Morris-PSC; Scott Ribble; Murray Riley

Clerk: Pam Hughes

Date:	Type:	Location:	Department:
8/15/2017	Show Cause Hearing	Hearing Room 1	Hearing Room 1 (HR 1)

Event Time	Log Event
8:37:47 AM	Session Started
8:37:49 AM	Session Paused
8:59:13 AM	Session Resumed
8:59:16 AM	Chairman Schmitt preliminary remarks Note: Hughes, Pam 2017-00202 Alleged failure of Jackson Energy Purchase to comply with KRS 278.042 Note: Hughes, Pam Introduction of Commissioners : Vice Chairman Cicero and Commissioner Mathews.
9:01:00 AM	Counsel introduces themselves Note: Hughes, Pam John Park and Angela Goad for the PSC- Richard Raff-PSC Senior Legal Advicor Note: Hughes, Pam Mark David Goss and Evan Buckley on behalf of JPEC and Rick Walter-outside Gen. Counsel for Jackson Purchase.
9:02:21 AM	No outstanding Motions
9:02:27 AM	Exhibits to be introduced Note: Hughes, Pam Jackson Purchase Exhibit 1 - Personal safety equipment (Rubber gloves) issued to workers of Jackson Purchase. Dated November 30, 2016.
9:04:17 AM	PSC exhibit 1 Note: Hughes, Pam PSC Exhibit 1 - Citation and Notification of Penalties from the KY Labor Cabinet Note: Hughes, Pam Atty Goss states that this is first time he is seeing this exhibit and Order from Commission stated all exhibits to be sent in prior to hearing. No objections to this.
9:06:40 AM	Scott Morris called to the stand Note: Hughes, Pam Is sworn in by the Chairman.
9:07:13 AM	Atty Goad-PSC-direct exam of Witness Morris Note: Hughes, Pam Has attended training courses through the Commission and with OSHA, and NESC training. Note: Hughes, Pam Scott Morris, employed by the PSC for 12 years. Uility regulatory safety investigator. Describes his duties as an investigator.
9:09:12 AM	Atty Goad-PSC-direct exam of Witness Morris Note: Hughes, Pam Jackson Purchase notified Steve Kingsolver of the PSC on Jan. 6, 2017 of the accident. Note: Hughes, Pam Accident investigation report that Witness Morris drafted. Gives details of the accident.
9:10:30 AM	Atty Goad-PSC-direct exam of Witness Morris Note: Hughes, Pam Describes his investigation. Note: Hughes, Pam Jan. 9, 2017 was date of on-site visit
9:11:37 AM	Atty Goad-PSC-direct exam of Witness Morris Note: Hughes, Pam Violations found.

9:11:51 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Referring to his past experience with the PSC. Telephone and electric and past employment experience with inspections. 12 years with PSC and 3rd investigation on the electric side since his date of employment
9:13:57 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Regarding initial notification being timely on Jackson's Purchases part and how Witness Morris came to be the investigator Jackson Purchase cooperated fully with him. He did not receive an internal accident investigation report, but was told it was in another report.
9:15:20 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	General outage edition, etc in the safety manual. They were reviewed by the Witness. Regarding Safety codes with NESC; regulations. Standardized code that all utility's adopt. Did his investigation show that JPEC had adopted the 13th edition of the APPA manual. Did investigation show the APPA safety manual inappropriate.
9:19:07 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam	Refers to the portion of the investigative report which includes the editions that Jackson Purchase had provided in addition to the APPA. Exhibit B of investigative report. Refers to Procedure 6.2 by Jackson Purchase and that was in addition to what the NESC provides- General outage response.
9:22:18 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Regarding concerns or problems inappropriate to the NESC. Attachment B of the investigative report. 8.9 addition procedure of Jackson Energy- personal safety equipment worn by all workers. Regarding Section C- rubber gloves and sleeves. I. b., wearing of rubber gloves. I.c., energized conductors. Regarding procedures is to inform employees that they are to wear rubber gloves and sleeves when working on high voltage conductors and what JPEC expects of its workers.
9:26:11 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Statement by Terry Dublin was the only difference he could not determine in his investigation. Regarding Jackson Purchase 7 day response -summary report. Witness found this report to be accurate and helpful.
9:28:36 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam	Referring to several documents provided by Jackson Purchase to the Commission.
9:29:03 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Witness found this document helpful as a follow-up. Jackson Purchase agreed with description of accident and report except with the number of alleged charges that were issued. Regarding several violations sought to charge Jackson Purchase with the same violations twice. Regarding the Jackson Purchase response to the Commission's Order of June 13, 2017.
9:34:19 AM	Atty Goss-JPEC-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Referring to violations found. Investigation Report, page 5 dated 2-16-17. Allegations 6 and 7 of NESC, part 4, section 44, subsection 440 and 445. Referring to the energized line and the lineman working the line when it was hot.

9:39:43 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Referring to Line 7 on page 6- safety rule is meant to address. Referring to the lineman working the outage. 6 and 7 address line that have been de-energized. If lineman worked this line as energized would 6 and 7 be a violation to be assessed.
9:42:50 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Regarding the authority of the Commission to penalize the Utility in violations of the NESC. Regarding authority Commission has to penalize for the Utilities personal safety manual. Section 25, 1,2,3.
9:46:16 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam	Regarding what the investigation determined Mr Franklin's death to be caused by.
9:47:17 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam	Regarding 2 years system requirements, did investigation reveal that the utility itself violated any safety manuals or regulations.
9:49:23 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam	Regarding as to the NESC job briefings and when they need to incur, Witness states that job briefings are not in writing so they have no reference that these were held. Requirements by the NESC of job briefings and reports are to be made.
9:52:51 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam	Referring to the word "written" job briefing.
9:53:35 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Regarding violations concerning NESC violation 4 and the JPEC safety manual 2 for not having job briefings. Verbal job briefing was held by Jackson Purchase as stated in it's response.
9:55:42 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam	Referring to if anyone assisted Witness with investigation or writing of the report.
9:56:23 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam	Regarding :In review of materials provided by Jackson Purchase were there any uncertainty of wearing of personal equipment that contributed to this accident. If written policies had been followed would this accident have happened. Rules were not followed by workers.
9:58:29 AM	Atty Goss-Jackson Purchase-cross exam of Witness Morris Note: Hughes, Pam Note: Hughes, Pam	Referring to what was done in the field when this compliance review was done in 2016. Report was done but no problems found, subject to check Referring to the System compliance review performed by Witness Morris and Jeff Moore of Jackson Purchase in 2016.
10:00:50 AM	Atty Goad-PSC-cross exam of Witness Morris Note: Hughes, Pam	Attachment B, section c-Rubber gloves and sleeves. Page 119, section 2- responsibility. Witness reads second sentence.
10:02:01 AM	Atty Goad-PSC-re-cross exam of Witness Morris Note: Hughes, Pam	Regarding working on energized or de-energized line and not wearing protective gear.
10:02:35 AM	Witness Morris excused	
10:03:12 AM	Break	
10:03:28 AM	Session Paused	
10:14:02 AM	Session Resumed	
10:14:06 AM	Witness Cannon called to the stand Note: Hughes, Pam	Sworn in by the Chairman.

10:14:26 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Dennis L. Cannon-President and CEO of Jackson Purchase. Prior experience and education.

10:15:36 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Duties of President and CEO of Jackson Purchase.

10:16:25 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding counties in the service territory. Distribution utility and 3000 miles of line. Services 30,000 meters.

10:17:14 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding the role of safety at Jackson Purchase and how it is conveyed to it's employees.

10:20:55 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding the written safety manuals by JPEC governed by the PSC and board policy of JPEC. In person workshops and online trainings for workers. JPEC adopts the APPA safety manual and their safety manuals are more stringent.

10:23:33 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding trainings with the respect to employees training in their line of work and other trainings employee wide.

10:24:57 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding lineman training and what it takes to become a lineman at JPEC.

10:28:50 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding Joshua Franklin going through the apprenticeship program before becoming a lineman.

10:29:28 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding Mr. Riley also contacted- JPEC Safety Coordinator.
Note: Hughes, Pam Summarizes the accident and what he did as the CEO of the company.

10:38:06 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding the work done to get the summary report to the Commission. Summarizes the investigation and principal cause of the accident.

10:39:28 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding to what JPEC has done to strengthen their safety policies and procedures.

10:44:10 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding what has the JPEC board done to be involved in this matter.

10:47:47 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding the revision, if any, of JPEC safety manuals after this incident.
Note: Hughes, Pam Regarding JPEC investigation and report filed. Was it determined that Mr. Dublin should be disciplined in this matter. (Supervisor of Mr. Franklin). Witness Cannon states that nothing was found to show that Mr. Dublin engaged in any misconduct.

10:50:39 AM Atty Goss-Jackson Purchase-direct exam of Witness Cannon
Note: Hughes, Pam Regarding question asked by KEC to all linemen- do you trust your experience or your training. Employees stated they trusted their experience, They were told to always trust training as it was designed to keep them safe.
Note: Hughes, Pam Regarding explanation in investigation as to why Mr. Franklin worked on a hot line without using safety equipment. No explanation was found.

10:55:04 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding at the time of accident that the linemen were responding to an outage. How are outage responses attended to. Page 110 of Witness Morriss' report. Goes over the procedures of responding to an outage report.
10:58:28 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding how crew are assigned to outages. Witness Cannon refers question to Mr. Ribble.
10:58:51 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Mr Franklin and Dublin were acting in the scope of employment
10:59:15 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Reporting to the board and did they investigate on their own.
10:59:40 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding No disciplinary action taken against Mr. Dublin.
11:00:25 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Bargaining union- discipline is not subject to this.
11:00:44 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Protocol as to investigating an accident. Post Hearing Data Request to be provided.
11:01:23 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam Note: Hughes, Pam	Regarding that no documentation as a job briefing was kept. Has JPEC changed its policy about written job briefings. Testing on trial basis. Timeline on decision has not been dictated.
11:02:48 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Mr. Franklin did not adhere to employees safety procedures. Explanation as to if he had complied to the safety manual.
11:03:27 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam Note: Hughes, Pam	Did Mr. Dublin see to it that Mr Franklin was in compliance with the safety procedures before the accident occurred. statement of Mr. Dublin that he conducted a job briefing with Mr Franklin. No discipline of Mr. Dublin, employee in charge as defined by NESC
11:06:15 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam Note: Hughes, Pam	No written statement in Witnesses hands. Post Hearing Data Request Page 103 of Staff investigative report. Pre-job briefing conducted was not indicated in this report. Mr. Dublin made statement that he did do a job briefing.
11:08:18 AM	break	
11:08:27 AM	Session Paused	
11:12:22 AM	Session Resumed	
11:12:27 AM	Post Hearing Data Request Note: Hughes, Pam	Provide the written notes of Mr. Walter of interview of Mr. Dublin
11:13:05 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding the witnesss statements of Mr. Dublin and why he is not present today to be a witness.
11:13:49 AM	Objection by Atty Goss Note: Hughes, Pam	Chairman sustains
11:15:36 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding if the line being worked on was tested for voltage.
11:16:18 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding pg103 of Commission's staff report. Mr. Dublin's statement concerning working the line as energized. Statement does not indicate this.

11:17:10 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Witness statement of Mr. Dublin states that Mr. Franklin pulled the recloser handle. Testimony of Witness says this does not guarantee this line is now de-energized.
11:18:43 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	In 7 day summary report, page 12 of staff investigative report. Handle of recloser was pulled, but in police report (page 60 of staff investigative report) Mr. Dublin indicates that the handle was pulled down.
11:20:47 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding the supplemental safety procedures of JPEC, procedure 8-9 attached to response of JPEC. Page 6 of rubber gloves and sleeves. Mr. Franklin was not wearing his gloves or sleeves.
11:21:58 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Page 1, III, enforcement of procedure of wearing gloves and sleeves.
11:23:42 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam	Regarding each employee responsible to adhering to the guidelines of the safety manual. JPEC management is responsible for all employees to follow safety procedure.
11:24:41 AM	Atty Park-PSC-cross exam of Witness Cannon Note: Hughes, Pam Note: Hughes, Pam	Regarding the Staff investigation report attached to Order opening this case. JPEC does not agree with the violations. Other than Additional interviews of Mr. Dublin, anything else need to be supplemented or corrected?
11:26:01 AM	VC Cicero cross exam of Witness Cannon Note: Hughes, Pam Note: Hughes, Pam	Questions as to why is this in a test mode and not in an implement mode. JPEC goes above and beyond to assure safety procedures. Undocumented briefings only verbal briefings. Witness states based on NESC safety manual this is correct. Why reluctance to document job briefings. Witness takes issue with term reluctance.
11:31:33 AM	VC Cicero cross exam of Witness Cannon Note: Hughes, Pam Note: Hughes, Pam	Referring to JPEC's thoughts that they should not be penalized. Refers to duplicative charges and violations
11:35:45 AM	Comm Mathews cross of Witness Cannon Note: Hughes, Pam	Referring to duplicative charges
11:36:09 AM	Chairman Schmitt cross exam of Witness Cannon Note: Hughes, Pam	Regarding if employees carry a notebook about things done on job. Questions if Terry Dublin carries a notebook.
11:37:11 AM	Chairman Schmitt cross exam of Witness Cannon Note: Hughes, Pam	Referring to Statement signed by Terry Dublin given to Investigator Morris. and who took this statement and who was present at the time.
11:38:38 AM	Chairman Schmitt cross exam of Witness Cannon Note: Hughes, Pam Note: Hughes, Pam	According to statement of Mr. Dublin he did a job briefing with Mr. Franklin. Assumption then is that Mr. Franklin did not follow his supervisors instructions. Referring to job title and duties of Terry Dublin. Member of a union, he was purposes of NESC working the trade craft at the time as a supervisor on the job site.
11:43:31 AM	Chairman Schmitt cross exam of Witness Cannon Note: Hughes, Pam	Referring to Mr. Franklin being an employee, questions if workers compensation claim been filed by his family. Was claim that company acted grossly in any manner in this proceeding.

11:44:42 AM	Chairman Schmitt cross exam of Witness Cannon Note: Hughes, Pam	Other employees that were interviewed by counsel. Dublin, Vaughn, Martin, Kendall, Crew leaders and other employees that came to scene to help. Witness has not seen the notes concerning these statements, they were handwritten notes.
11:46:28 AM	Atty Goss -JPEC- recross of Witness Cannon Note: Hughes, Pam	Referring to the policy of written job briefings and why it is in a testing phase.
11:49:22 AM	Atty Goss -JPEC- recross of Witness Cannon Note: Hughes, Pam	Regarding written job briefings and departments that will be subject to these.
11:52:48 AM	VC recross of Witness Cannon Note: Hughes, Pam	Referring to 6 month schedule for job briefing evaluation and team working on this.
11:54:11 AM	Chairman Schmitt recross of Witness Cannon Note: Hughes, Pam	Regarding that the gloves and sleeves of Mr. Franklin were left inside a locked bin inside the truck at time of accident.
11:55:33 AM	Witness excused	
11:55:41 AM	Break	
11:55:48 AM	Session Paused	
12:59:18 PM	Session Resumed	
12:59:23 PM	Witness Ribble called to the stand Note: Hughes, Pam	Sworn in by Chairman
12:59:42 PM	Atty Goss_JPEC_ direct exam of Witness Ribble Note: Hughes, Pam Note: Hughes, Pam	Duties at JPEC. Scott Ribble, Vice President of Engineering and Operations of JPEC. Prior employment and education.
1:02:01 PM	Atty Goss_JPEC_ direct exam of Witness Ribble Note: Hughes, Pam	Chief operating officer at JPEC, Witness Ribble is 2nd in command.
1:02:35 PM	Atty Goss_JPEC_ direct exam of Witness Ribble Note: Hughes, Pam Note: Hughes, Pam	Referring to the Appendix to Order establishing case. Staff investigation report.. Referring to how he interacted with Investigator Morris of the PSC when he came to the scene and the follow-up.
1:04:33 PM	Atty Goss_JPEC_ direct exam of Witness Ribble Note: Hughes, Pam Note: Hughes, Pam	Questions if Mr. Morris asked to interview anyone else besides the ones in the board room that day. No follow-up visit, but there was an email to further ask questions. Prior to getting there did Mr. Morris ask for any documents? He did give a list of things he wanted in the summary report after he got to the scene.
1:06:05 PM	Atty Goss_JPEC_ direct exam of Witness Ribble Note: Hughes, Pam Note: Hughes, Pam	what is JPEC position about the factual report in regards to this matter. JPEC respectively disagrees to a number of allegations because of the duplicity of such. Regarding the Accident report included JPEC 7 day summary report and if there are any inaccuracies to this report.
1:07:43 PM	Atty Goss_JPEC_ direct exam of Witness Ribble Note: Hughes, Pam	Regarding if he assisted in the response to the Commission's Order.

1:08:27 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Response of JPEC, par. 1., JPEC agrees with the narrative. Par. 2 refers to training and safety materials to JPEC employees. Witness statement about the safety trainings for employees and safety instructor Murray Riley that visits the crews to make sure they are following the safety manual.
1:11:15 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Par. 1 of response, JPEC denied it violated KRS 278.042, NESC safety code, and JPEC safety manual. JPEC's statement to this aspect of the violations brought against them.
1:12:59 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Referring to what are feelings about other violations that are not redundant. Personal protective grounding (tested and grounded line)
1:14:32 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Explain the alleged violations that are believed to be redundant. PSC staff investigative report, page 3. Allegation part 4 of NESC work rules and JPEC Safety Manual, or Commission regulation. (May 24, 2017 Commission Order.) Note: Hughes, Pam Believes that Allegation 1 and 8 in the Order are the same. Believes that Allegation 12 and 13 are the same.
1:19:18 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Are all the JPEC safety manual codes base on the NESC codes.
1:19:43 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Regarding Allegation 3 of the Order, refers to number 10 -use and care of rubber gloves.
1:20:20 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Regarding Allegation 4 in Order rules 420 and 421 mirrors the JPEC safety manual-job briefings and conducting those.
1:21:12 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Allegation 5, page 4. Rules 440 and 441 - companion to JPEC to SECTION 6 -Working on exposed energized line. Allegation 11 and 14 also the same.
1:22:38 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Referring to Alleged violations 6 and 7, page 5 and 6 of Commission Order. JPEC's position on significance of those violations.
1:27:16 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam Note: Hughes, Pam	Witness Ribble Refers to working on energized line and going up in bucket without safety protection on. 6 and 7 of NESC safety code violations- JPEC's validity of these allegations.
1:28:57 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam Note: Hughes, Pam	Witness Ribble Regarding if JPEC consciously made decision to issue additional safety codes to its bucket technicians above and beyond the NESC codes. Procedure 8-9 observed in this matter?
1:31:47 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Response, exhibit 2 and 3. Intended to portray the listing of training that both Mr. Doublin and Mr. Franklin had taken part in. Exhibit 3, pertains to Mr. Franklin's particular trainings he had gone through prior to the incident. Goes back to Feb. 7, 2008, close to date when Mr. Franklin had been hired.

1:35:44 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Refers to JPEC's Response, exhibit 4. Additional trainings and policies and procedures and how the employees were getting these.
1:37:16 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam Note: Hughes, Pam	Witness Ribble JPEC's response, exhibit 5. Log sheet dated 9-22-16 for rubber sleeves. Employees were given these and signed off that they recieved, Rubber sleeves are tested by outside firm. Makes sure no electricity can flow through these sleeves. Changed out every 6 months.
1:39:03 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam Note: Hughes, Pam	Witness Ribble JPEC response Exhibit 6, log in sheet. Roster of rubber glove exchange, Mr. Franklin rec'd on 9-22-16. JPEC exhibit 1- signoff sheet for Novemeber 30, 2016, for rubber gloves. 20kv and 5 kv are voltage ratings used for gloves. Mr. Franklin didn't initial either glove, no explanation as to why. He would have rec'd the 20kv gloves and those were found in his unit.
1:42:11 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Regarding any other protective equipment that linemen would have to signed for.
1:42:38 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam Note: Hughes, Pam	Witness Ribble Unit 3 (truck used on day of incident passed testing) Tested yearly. JPEC's Response exhibit 7. Dielectrically tested trucks
1:43:41 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble JPEC's response, Exhibit 8 and 9- printoffs from clothing provider. Each person gets clothing allowance for ARC flash clothing. They are monitored to make sure employees are purchaing up to date clothing yearly.
1:45:13 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Regarding the accident of Jan. 6, 2017. Witnesses perspective of the day.
1:52:02 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam Note: Hughes, Pam	Witness Ribble Location of the energized line was in two different locations. Truck was where line was to be repaired, and 2nd site was site of reclosure that was little over 500 feet from where the truck was. Recloser turns power off and on and it is supposed to de-energize the line when it is opened. Found two lines touching on same pole as recloser. Paducah Power came to help and saw the lines had fused themselves together. Recloser didn't deenergize line because of this.
2:02:14 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam Note: Hughes, Pam	Witness Ribble This was not strictly applied to. It was due in 2016, but was not done. JPEC employed outside help to get compliant with this regulation. Referring to the Allegation in Order (May 2017 Order) 2 year inspection interval requirement and its purpose.
2:08:08 PM	Atty Goss_JPEC_ direct exam of Note: Hughes, Pam	Witness Ribble Regarding any deficiencies in policies procedures that were inadequate that could have prevented this incident from happening.
2:09:33 PM	Atty Park_PSC_cross of Note: Hughes, Pam	Witness Ribble Regarding energized line being worked on and reasons they believe this to be true.
2:11:05 PM	Atty Park_PSC_cross of Note: Hughes, Pam	Witness Ribble Regarding If crew working line as energized would there be any reason to open the recloser. Is this a formal safety procedure.

2:11:54 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding when job briefing would have been done.

2:13:38 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding responsibility to ensure Mr. Franklin was wearing protective gear.

2:14:00 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding Mr. Dublin's statements and discrepancies about the recloser and the line.

2:14:58 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding if crew was going to work the outage with power off the procedure would be to test line for voltage and test grounds.

2:15:38 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding truck being grounded. Part of truck grounding procedure, Procedure 8-20 of JPEC's manual.

2:16:18 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding the Photos of accident site, and photos of truck being grounded.

2:18:08 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding Page 1 of 3, Procedure 2, protective ground shall be used on any previously energized conductor.

2:20:27 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Penalties were issued in June 2017. 5 violations by the Labor Cabinet. Did JPEC contest the violations,...Yes-all 5.
Note: Hughes, Pam Labor Cabinet's investigation of this accident and citation and Notification of Penalty. Communications would have been with legal counsel and CEO

2:22:53 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Referring to PSC exhibit 1 - Page 5, citation 1- Item 001
Note: Hughes, Pam Testimony states crew was working line as an energized line.

2:25:38 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding inspection of recloser- two lines had been fused together.

2:26:03 PM Objection by Atty Goss
Note: Hughes, Pam sustained

2:26:23 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Regarding the crew should have worn rubber gloves and sleeves or confirmed line was deenergized

2:26:56 PM Atty Park_PSC_cross of Witness Ribble
Note: Hughes, Pam Mr. Dublin made initial statement, witness is not aware of when he did this

2:27:25 PM VC Cicero _cross exam of Witness Ribble
Note: Hughes, Pam Verification that employees are looking at manuals they are given. Some testing is given, but not all trainings have written tests.

2:29:42 PM VC Cicero _cross exam of Witness Ribble
Note: Hughes, Pam Refers to training sessions. JPEC's response, separate trainings. Online trainings and other trainings and where these take place.
Note: Hughes, Pam Refers to size of the AAPE manual. Large volume

2:32:52 PM VC Cicero _cross exam of Witness Ribble
Note: Hughes, Pam Refers to Witness statement earlier that accident could not be prevented in his opinion. Witness states this could have been prevented.

2:34:06 PM VC Cicero _cross exam of Witness Ribble
Note: Hughes, Pam Response, JPEC should not be subject to penalties for alleged safety violations. Are they disputing duplicative charges, yes.

2:35:11 PM Comm. Mathews_cross of Witness Ribble
Note: Hughes, Pam Referring to NESC- personal protective equipment and JPEC's safety manual concerning gloves and sleeves.

2:36:40 PM Chairman Schmitt-cross exam of Witness Ribble
Note: Hughes, Pam Refers to frequency and quality of training the company gives.

2:37:50 PM Chairman Schmitt-cross exam of Witness Ribble
Note: Hughes, Pam Refers to Mr. Franklin went up in the bucket to work on this line knowing it was energized. Witness states yes he believes this.
Note: Hughes, Pam Refers to Mr. Dublin being in charge as crew leader under NESC to see that the provisions were complied with.

2:40:01 PM Chairman Schmitt-cross exam of Witness Ribble
Note: Hughes, Pam Page 119, safety manual about rubber gloves and sleeves. Insure all employees comply with this and all other safety procedures.

2:42:44 PM Chairman Schmitt-cross exam of Witness Ribble
Note: Hughes, Pam Regarding allegations that JPEC agreed with and ones that they didn't agree with. Which does the Company think is ok.

2:45:55 PM Atty Goss_JPEC_ recross of Witness Ribble
Note: Hughes, Pam Referring to PSC exhibit 1. Citation 01, Item 001. penalty by the Ky Labor Cabinet.

2:47:22 PM Chairman Schmitt-cross exam of Witness Ribble
Note: Hughes, Pam Referring to training that Mr. Franklin and Dublin had, tab 3 to JPEC response. PPE training sessions.

2:49:38 PM VC Cicero recross of Witness Ribble
Note: Hughes, Pam Referring back to the trainings by employees. Why are places of trainings cited. JPEC means they were at JPEC facility.

2:51:13 PM Chairman Schmitt
Note: Hughes, Pam Refers to the 5 alleged violations from the Labor Cabinet. Atty Goss states all contested.

2:51:53 PM break

2:51:59 PM Session Paused

3:02:53 PM Session Resumed

3:02:57 PM Witness Riley called to the stand
Note: Hughes, Pam Sworn in by Chairman

3:03:21 PM Atty Goss_JPEC_ direct exam of Witness Riley
Note: Hughes, Pam Murray Riley, JPEC Safety Coordinator. Former jobs and education.
Note: Hughes, Pam Duties at JPEC

3:04:42 PM Atty Goss_JPEC_ direct exam of Witness Riley
Note: Hughes, Pam Refers to Training program for employees at JPEC.

3:05:20 PM Atty Goss_JPEC_ direct exam of Witness Riley
Note: Hughes, Pam Regarding Witness Riley's trainings for himself.

3:05:53 PM Atty Goss_JPEC_ direct exam of Witness Riley
Note: Hughes, Pam Have had no involvement in investigation other than providing documents to investigators.
Note: Hughes, Pam Regarding Witness Riley being in Nashville the day of the accident. Went to the hospital at Vanderbilt University to be with the family of Josh Franklin. He called KEC and told someone there to go to Jackson Purchase about a mayday call. Kendall Bush was a safety coordinator for KEC. Was in meeting with Scott Morris on day of investigation

3:09:13 PM Atty Goss_JPEC_ direct exam of Witness Riley
Note: Hughes, Pam Referring to Disaster training done prior to the incident.

3:10:26 PM Atty Goss_JPEC_ direct exam of Witness Riley
Note: Hughes, Pam Regarding adequate training program at JPEC.

3:11:03 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	Trainings for NESC and JPEC
	Note: Hughes, Pam	Trainings for supervisors and other people in charge.
3:12:00 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	Regarding Alleged violation 4, NESC part 4. Mr. Dublin was in charge at the scene of the accident.
3:13:51 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	Discussions as to Mr. Dublin to be disciplined. Factor was not to discipline because he stated he did a job briefing. No written job briefing.
3:14:51 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	In 2007 a showcase investigation about employee for a contractor crew injured. Case No 2007-00456. Mr Riley responsible for safety audits and maintaing the records.
	Note: Hughes, Pam	Regarding what is involved in a safety audit.
3:17:21 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	Regarding to approximately how many crews are subject to the monthly safety audits.
3:17:46 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	Regarding how crews are managed. Rotated every 6 months,
3:18:31 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	Regarding the January 2017 accident. How long had Dublin and Franklin been working together? Just that day. Robbie Smith had been with Mr. Dublin but was off that day. Mr. Franklin had been working with a construction crew (Eric Todd or Jason Story?)
3:20:14 PM	Atty Park_PSC_cross of Witness Riley Note: Hughes, Pam	Has an audit ever shown an employee not wearing PPE. Yes and he turned them in and they were desciplined.
	Note: Hughes, Pam	Regarding audits 2 years prior, any safety concerns. Not with Franklin or Dublin, Small issues with other employees, no life threatening incident
3:21:48 PM	Post Hearing Data Request Note: Hughes, Pam	Records for safety audits for 12 months prior to accident.
3:22:09 PM	VC Cicero cross of Witness Riley Note: Hughes, Pam	Regarding his prior experience as a lineman and his statement about Dublin and Franklin not doing anything unsafe.
	Note: Hughes, Pam	Regarding both men not wearing safety gloves and sleeves.
3:23:52 PM	Chairman Schmitt cross of Witness Riley Note: Hughes, Pam	Regarding seeing Mr. Franklin and talking to him at the hospital. Witness states that he only saw him when they brought him into the hospital and that he never talked to Mr. Franklin.
3:24:27 PM	Post Hearing Data Request Note: Hughes, Pam	PSC to send Data Request by end of week. Atty Goss to respond by 10 business days. Sept. 1st.
3:25:31 PM	Briefs not to be filed	
3:27:04 PM	Hearing Adjourned	
3:27:11 PM	Session Paused	
1:31:16 PM	Session Ended	



Exhibit List Report

2017-00202_15AUG2017

**Jackson Purchase Energy
Corporation**

Judge: Bob Cicero; Talina Mathews; Michael Schmitt

Witness: Dennis Cannon; Scott Morris-PSC; Scott Ribble; Murray Riley

Clerk: Pam Hughes

Name:

Description:

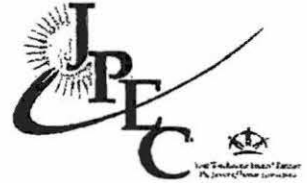
Jackson Purchase Exhibit 01

Jackson Purchase Energy Corp. Rubber Gloves log sheet. Dated 11-30-16

PSC Exhibit 01

Citation and Notification of Penalty form the Kentucky Labor Cabinet to Jackson Purchase Energy Cooperation - issued 6/29/17

JACKSON PURCHASE ENERGY CORP.
RUBBER GLOVES



Date: 11-30-16

Last	First	ID#	Size	20kV	5kV	Month	Initial
Burrow	Keith	320	9 1/2	✓	✓	12-6-16	KB
Byassee	Cody	364	9 1/2			12-12-16	CB
Coffer	Steve	153	9 1/2				
Colley	Taylor	362	9 1/2	✓		11-30-16	TC
Cope	Dustin	363	9 1/2	✓		12-12-16	DC
Corn	Darryl	229	10	✓		12-12-16	DC
Cornwell	Joseph	304	9 1/2				
Denfip	David	225	9 1/2	✓		11-30-16	DD
Dillworth	Tom	285	10	✓		12-12-16	TD
Doublin	Terry	201	10	✓		12-6-16	TD
Downing	Mike	160	9 1/2				
Evrard	Jim	233	9 1/2	✓		11-30-16	JE
Franklin	Josh	338	8			11-30-16	JF
Gipson	Jason	344	9 1/2	✓		12-16-16	JG
Goodman	Jeremy	314	10 1/2	✓		11/30/16	JG
Hardie	Shane	267	9 1/2				
Hardin	Jamie	190	8		✓	12-6-16	JH
Harper	Kenny	268	9 1/2	✓	✓	11/30/16	K.H.
Humphrey	Shane	308	10	✓		11-30-16	SH
Hurley	Brian	337	9 1/2	✓	✓	11-30-16	BH
Johnson	Jimmy	258	9 1/2	✓	✓	11-30-16	JK
Joiner	Micah	350	9 1/2	✓		12-6-16	ML
Keith	Stephen	365	9 1/2				
Kelso	Mike	329	9.1/2	✓		11-30-16	mk
Kendall	Phillip	186	10	✓		12-6-15	
Martin	Tony	152	9 1/2				
Pearson	Michelle	246	8	✓		12-12-16	MP
Riley	Murray	302	10 1/2				
Russell	Kelly	203	10				
Sanderson	Greg	322	10	✓		12-12-16	GWS
Smith	Robby	292	10	✓	✓	12-13-16	RS
Story	Jason	245	9 1/2	✓		12-6-16	JS
Sutton	John	293	9 1/2	✓		12-6-16	JS
Thweatt	Zach	361	9 1/2	✓		11-30-16	ZT
Todd	Eric	253	9	✓		11-30-16	E.T.
Vied	Greg	224	9 1/2			11-3-16	GV
Washam	Mike	219	9 1/2				
Womble	Billy	281	9	✓		11-30-16	BW

Williams Mark 343 9 1/2 ✓ 12-12-16 mow

PSC Ex. 1

Kentucky Labor Cabinet

Occupational Safety and Health Program
1047 US HIGHWAY 127 SOUTH
SUITE 4
FRANKFORT, KY 40601
Phone: (502)564-3535 FAX: (502)564-5723



Citation and Notification of Penalty

To:
JACKSON PURCHASE ENERGY
CORPORATION
P.O. Box 4030
Paducah, Kentucky 42002

Inspection Number: 318080348

CSHO ID: W1894/S0149

Optional Report No.: 005-17

Inspection Date(s): 1/9/2017 - 6/16/2017

Issuance Date: 6/29/2017

Inspection Site:
4645 Bethel Church Road
Kevil, Kentucky 42053

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Kentucky Occupational Safety and Health Statute. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends, Federal and state holidays) from your receipt of the Citation and Notification of Penalty you mail a notice of contest to the Kentucky Labor Cabinet Division of KY-OSH Compliance at the address shown above. Issuance of this Citation does not constitute a finding that a violation of KRS Chapter 338, or any standard, rule, order or regulation filed pursuant thereto, has occurred unless there is a failure to contest as provided for in KRS Chapter 338, or, if contested, unless this Citation is affirmed by the Review Commission.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a conspicuous place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends, Federal and State holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Division of KY-OSH Compliance during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Division of KY-OSH Compliance within 15 working days of your receipt of this Citation. An informal conference does not extend the 15 working day contest period. Letters containing both a request for an informal conference and a notice of contest will be treated as a notice of contest.

If you decide to request an informal conference, please complete, remove and post the page 3 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.

Right to Contest - You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Division of KY-OSH Compliance in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Kentucky Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

Penalty Payment - Penalties are due within 15 working days of receipt of this notification unless contested. Make your check or money order payable to "KENTUCKY STATE TREASURER". Please indicate the Inspection Number 318080348 on the remittance and send to Kentucky Labor Cabinet, Division of OSH Compliance, 1047 US Hwy 127 S, Suite 4, Frankfort, KY 40601.

If uncontested, case becomes a final order and payment is due. Kentucky Revised Statutes 45.239(4) and 45.241 et seq. authorize the Department of Revenue to collect delinquent debt owed the Commonwealth. If this debt is not received within ten (10) business days, the following administrative actions may be taken in order to collect the debt due:

Seizure may be made on all property or rights to property, both real and personal. This includes, but is not limited to, the attachment of any funds held by a bank on your behalf, any wages paid to you; and the seizure and sale of any real estate you may own.

A Notice of State Lien may be filed with your County Clerk. This lien will encumber all real and personal property you now own or may acquire. The filing of a lien may be reflected in credit reports maintained by various credit bureaus.

Any tax refund or other monies that may become due to you from the Commonwealth may be offset to the outstanding debt.

A twenty-five (25) percent collection fee may be added to the total debt amount to defray the cost of collection.

Notification of Corrective Action - For violations which you do not contest, you should notify the Kentucky Labor Cabinet of KY-OSH Compliance promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Division of KY-OSH Compliance in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

Employer Discrimination Unlawful - The law states that "No person shall discharge or in any manner discriminate against an employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Chapter or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Chapter". An employee who believes that he/she has been discriminated against may file a complaint no later than 120 days after the discrimination occurred with the Kentucky Labor Cabinet, Division of KY-OSH Compliance at the address shown above.

Notice to Employees - Any employee or representative of employees, whose employer has received a citation, may file a written notice of contest with the Division of KY-OSH Compliance. The contest must be mailed to the Kentucky Labor Cabinet Division of KY-OSH Compliance at the address shown above and postmarked within 15 working days (excluding weekends, Federal and State holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Kentucky Labor Cabinet
Occupational Safety and Health Program

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with Kentucky OSH to discuss the citation(s) issued on 6/29/2017. The conference will be held at the Kentucky Labor Cabinet Division of OSH Compliance office located at 1047 US Highway 127 South, Suite 4, Frankfort, KY 40601 on _____ at _____.

_____. Employees and/or representatives of employees have a right to attend an informal conference.

Kentucky Labor Cabinet
Office of Occupational Safety and Health

Inspection Number: 318080348
Inspection Date(s): 1/9/2017 - 6/16/2017
Issuance Date: 6/29/2017
CSHO ID: W1894
Optional Report No.: 005-17

Citation and Notification of Penalty

Company Name: JACKSON PURCHASE ENERGY CORPORATION
Inspection Site: 4645 Bethel Church Road, Kevil, KY 42053

Citation 01 Item 001 Type of Violation: **Serious**

29 CFR 1910.269(l)(1)(iii): Electric lines and equipment were not treated as energized unless the provisions of paragraph (d) or (m) of this section were followed:

a. On or around 01/06/2017, one (1) employee was exposed to electric shock while repairing a line break in a 7,200-volt distribution power line located at 4645 Bethel Church Road, Kevil, Kentucky, in that the employer treated electric lines as de-energized without ensuring that they were de-energized in accordance with paragraph (d) or (m) of 29 CFR 1910.269. Paragraph (d) of 29 CFR 1910.269 applies to the use of lockout/Tagout procedures for the control of energy sources in installations for the purpose of electric power generation, including related equipment for communication or metering and is not applicable in this inspection. Paragraph (m) of 29 CFR 1910.269 applies to the de-energizing of transmission and distribution lines and equipment for the purpose of protecting employees. Paragraph (m) requires the employer to test and ground the electric lines before they can be considered de-energized. The employer did not ensure that the lines were tested and grounded.

Date By Which Violation Must Be Abated: 7/3/2017
Proposed Penalty: \$4,900.00

Kentucky Labor Cabinet
Office of Occupational Safety and Health

Inspection Number: 318080348
Inspection Date(s): 1/9/2017 - 6/16/2017
Issuance Date: 6/29/2017
CSHO ID: W1894
Optional Report No.: 005-17

Citation and Notification of Penalty

Company Name: JACKSON PURCHASE ENERGY CORPORATION
Inspection Site: 4645 Bethel Church Road, Kevil, KY 42053

Citation 01 Item 002 Type of Violation: **Serious**

29 CFR 1910.269(l)(3)(iii): The employer did not ensure that no employee approached or took any conductive object closer to exposed energized parts than the employer's established minimum approach distance.

a. On or around 01/06/2017, one (1) employee was exposed to electric shock while repairing a line break in a 7,200-volt distribution power line located at 4645 Bethel Church Road, Kevil, Kentucky. The employer did not ensure that no employee approached or took any conductive objects closer to exposed energized parts than the employer's established minimum approach distance of two (2) feet, two (2) inches (Table 6.1, page 91 of employer's safety manual) unless the employee was insulated from the energized part, or the energized part was insulated from the employee and from any other conductive object at a different potential, or the employee was insulated from any other exposed conductive object in accordance with the requirements for live-line barehand work in paragraph (q)(3) of the 29 CFR 1910.269 standard.

Date By Which Violation Must Be Abated:	7/3/2017
Proposed Penalty:	\$4,900.00

Kentucky Labor Cabinet
Office of Occupational Safety and Health

Inspection Number: 318080348
Inspection Date(s): 1/9/2017 - 6/16/2017
Issuance Date: 6/29/2017
CSHO ID: W1894
Optional Report No.: 005-17

Citation and Notification of Penalty

Company Name: JACKSON PURCHASE ENERGY CORPORATION
Inspection Site: 4645 Bethel Church Road, Kevil, KY 42053

Citation 01 Item 003 Type of Violation: **Serious**

29 CFR 1910.269(m)(3)(ii): The employer did not ensure that all switches, disconnectors, jumpers, taps, and other means through which known sources of electric energy may be supplied to the particular lines and equipment to be deenergized were open. The employer did not render such means inoperable, unless its design does not so permit, and then ensure that such means are tagged to indicate that employees are at work.

a. On 01/06/2017, one (1) employee was exposed to electric shock while repairing a line break in a 7,200-volt distribution power line located at 4645 Bethel Church Road, Kevil, Kentucky, in that the employer did not ensure that all switches, disconnectors, jumpers, taps, and other means through which known sources of electric energy may be supplied to the particular lines and equipment to be de-energized are open. None of the jumpers were opened or moved to isolate the lines and render them inoperable.

Date By Which Violation Must Be Abated:	7/3/2017
Proposed Penalty:	\$4,900.00

Kentucky Labor Cabinet
Office of Occupational Safety and Health

Inspection Number: 318080348
Inspection Date(s): 1/9/2017 - 6/16/2017
Issuance Date: 6/29/2017
CSHO ID: W1894
Optional Report No.: 005-17

Citation and Notification of Penalty

Company Name: JACKSON PURCHASE ENERGY CORPORATION
Inspection Site: 4645 Bethel Church Road, Kevil, KY 42053

Citation 01 Item 004 Type of Violation: **Serious**

29 CFR 1910.269(m)(3)(vi): After the applicable requirements in paragraphs (m)(3)(i) through (m)(3)(v) of this section have been followed and the system operator gives a clearance to the employee in charge, the employer did not ensure that the lines and equipment are de-energized by testing the lines and equipment to be worked with a device designed to detect voltage.

a. On 01/06/2017, one (1) employee was exposed to electric shock while repairing a line break in a 7,200-volt distribution power line located at 4645 Bethel Church Road, Kevil, Kentucky, in that the employer did not ensure that the lines and equipment were de-energized by testing the lines and equipment to be worked with a device designed to detect voltage.

Date By Which Violation Must Be Abated: 7/3/2017
Proposed Penalty: \$4,900.00

Kentucky Labor Cabinet
Office of Occupational Safety and Health

Inspection Number: 318080348
Inspection Date(s): 1/9/2017 - 6/16/2017
Issuance Date: 6/29/2017
CSHO ID: W1894
Optional Report No.: 005-17

Citation and Notification of Penalty

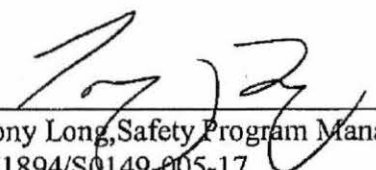
Company Name: JACKSON PURCHASE ENERGY CORPORATION
Inspection Site: 4645 Bethel Church Road, Kevil, KY 42053

Citation 01 Item 005 Type of Violation: **Serious**

29 CFR 1910.269(m)(3)(vii): The employer did not ensure the installation of protective grounds as required by paragraph (n) of this section.

a. On 01/06/2017, one (1) employee was exposed to electric shock while repairing a line break in a 7,200-volt distribution power line located at 4645 Bethel Church Road, Kevil, Kentucky, in that the employer did not ensure the installation of protective grounds as required by paragraph (n) of 29 CFR 1910.269.

Date By Which Violation Must Be Abated: 7/3/2017
Proposed Penalty: \$4,900.00



Tony Long, Safety Program Manager
W1894/S0149-005-17
KY-OSH COMPLIANCE



DATE

Kentucky Labor Cabinet

Occupational Safety and Health Program

1047 US HIGHWAY 127 SOUTH

SUITE 4

FRANKFORT, KY 40601

Phone: (502) 564-3535 FAX: (502) 564-5723



INVOICE

Company Name: JACKSON PURCHASE ENERGY CORPORATION

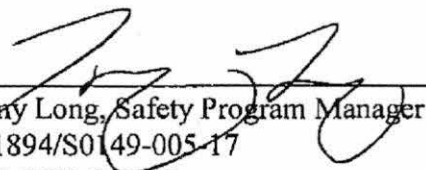
Inspection Site: 4645 Bethel Church Road, Kevil, Kentucky 42053

Issuance Date: 6/29/2017

Summary of Penalties for Inspection Number: 318080348

Citation 1, Serious = \$24,500.00

TOTAL PENALTIES = \$24,500.00


Tony Long, Safety Program Manager
W1894/S0149-005-17
KY-OSH Compliance


Date

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