# **ALBERT A. BURCHETT**

Attorney At Law P. O. Box 0346 Prestonsburg, Kentucky 41653

May 3, 2004

Mr. Thomas Dorman Executive Director Public Service Commission P O Box 615 Frankfort KY 40602

# RECEIVED

RE: Big Sandy R.E.C.C. Case No. 2004-00085 PUBLIC SERVICE

Dear Mr. Dorman:

I enclosed original and four (4) copies of Big Sandy's Response and Motion for

Informal Conference for Filing.

Please send future correspondence to this office.

Yours very truly, Albert A. Burchett

AAB/tlb

CC: Bobby D. Sexton Big Sandy

RECEIVED

#### COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MAY 0 4 2004

PUBLIC BERVICE

# BIG SANDY RURAL ELECTRIC COOPERATIVE CORPORATION

CASE NO. 2004-00085

#### ALLEGED FAILURE TO COMPLY WITH ADMINISTRATIVE REGULATION 807 KAR 5:006, SECTION 2, AND 807 KAR 5:041, SECTION 3

## RESPONSE AND MOTION FOR INFORMAL CONFERENCE

Comes Big Sandy RECC, (Big Sandy) by counsel, and for its response herein states as follows:

1.) Big Sandy admits the allegations of the accident report dated June 18, 2003.

2.) Prior to the accident of May 6, 2003 G & S Contracting, Inc.'s ("G & S")

employees were receiving safety training by attending Big Sandy's monthly safety meetings (Exhibit "A").

3.) At that time "G & S" did not have a safety director.

4.) Subsequent to the accident, "G & S" has appointed a full time safety director, James Goble, who is present at the work site daily to ensure that safety standards are obeyed.

5.) Since the accident Big Sandy has required "G & S" to conduct a daily "Tailgate" safety meeting before work is started. The subject of this safety meeting is reduced to writing (Titled: Job Briefing") and is attached to each of the work orders before they are returned to Big Sandy (Selected copies attached hereto as Exhibit "B").

6.) Big Sandy will consider implementing additional remedial procedures to provide employees and the general public with a safe work environment.

## MOTION FOR INFORMAL CONFERENCE

1.) Big Sandy moves the Commission for an order scheduling this matter for an informal conference for Monday May 10, 2004 at 10:00 a.m. at the Commission's office, for possible final disposition of these proceedings.

Wherefore, Big Sandy requests the proper order of the Commission.

Dated <u>30</u> day of <u>April</u>, 2004

Respectfully Submitted, **ÁLBERT A.BURCHETT** 

ALBERT A.BURCHETT P.O. BOX 0346 PRESTONSBURG, KY 41653 ATTORNEY FOR BIG SANDY PHONE: (606) 874-9701 FAX: (606) 874-8010

Case No. 2004-00085

Big Sandy

Exhibit "A"

#### SAFETY MEETING

March 18, 2003

## JEFF LEWIS, SAFETY DIRECTOR

# TOPIC: Hazard Communication & Fire Safety

#### **PRESENT:**

Nathan Frisby Rondal Sexton, G&S -Steven R Ward G+S Paul Holbrook G+5 Ronald L Porter G+S **Jeffrey Prater Roger Akres Chris Prater** William R Collins Jr Shawn Pennington Linzie Estep G+S **Doug Holbrook Mark Crider Red Hackworth Ralph Leslie Steve Campbell Manis Prater** Bill Jarrel **Kirby Castle Arlie Daniel Estill Collins Chris Ratliff Dan Hitchcock** Jasper Samons G+5 Dwayne T Cornett **Fred Baldwin Obie E Ratliff** Michael Holbrook **Chester Pennington Dave Robinson Bill Dotson** 

#### SAFETY MEETING

April 2, 2003

#### **EAST KY POWER**

**TOPIC:** 

#### **PRESENT:**

**Roger Akers** Arlie Daniel **Jeffrey Prater Bill Jarrell Kirby Castle Steve Campbell Chester Pennington** Joseph Samons C + S Linzie Estep? **David Robinson** Fred Baldwin Steve R Ward - 6+5 Paul Holbrook Ronald L Porter - G+5 John Harrison **Chris Prater** William R Collins Jr **Estill Collins Doug Holbrook Mark Crider** Dan Hitchcock **Ralph** Leslie **Manis Prater** Willie Joe Dotson

#### SAFETY MEETING

#### April 13, 2004

# **RAY KING, EAST KENTUCKY POWER**

#### **TOPIC:** Backhoe and Trenchers

#### PRESENT:

- 1. Fred Baldwin
- 2. Chris Ratliff
- 3. David Rigsby
- 4. Arlie Daniels
- 5. Roger Akers
- 6. Jeff Prater
- 7. Kirby Castle
- 8. Doug Holbrook
- 9. Shawn Pennington
- 10. Dwayne Ratliff
- 11. Steve Campbell
- 12. Bill Jarrell
- 13. Dave Robinson
- 14. Chris Prater
- 15. Paul Goble
- 16. Mrk Crider
- 17. Ralph Leslie
- **18.** Nathan Frisby
- 19. John Harrison
- 20. Bobby Collins

#### **G & S CONTRACTORS**

- 1. Ronald Sexton
- 2. Steve R Ward
- 3. Paul Holbrook
- 4. Larry Kinner
- 5. Brian Grimstead
- 6. Ronald Porter
- 7. Linzie Estepp
- 8. Joseph Samons
- 9. Doug H Hamilton

Case No. 2004-00085

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Big Sandy

Exhibit "B"

# Job Briefing

Date 7-15-03 Work Order # 8881 Crew Leader 704 SEXTON
Status of Job:     DRoutine     DEmergency     Other       Briefing Type:     Image: On-Job (tailgate)     Image: Update     Image: Other
Hazards associated with the Job:  Energized equipment  Falling   Driving  Hazards to the Public   Other Hazards
Work Procedures involved:  Traffic Control  Road Signs/Cones Flagmen Standard Operating Procedures (SOP) Safety Manual Contact with other entities Other procedures
Special Precautions:       □       Adjacent equipment / Buried Gas & Water lines         □       Other Crews/ workers         □       Other precautions:
Energy Source Controls: De-energization procedure Devisible opening Grounding Other controls
Personal Protective Equipment requirements: P Hard hat P Safety Glasses Dielectric boots D Hearing Protection D Cover-up P Gloves
Signatures: Crew Leader <u><i>Low SEXFOm</i></u> Crew Members <u>JS</u> <u><i>Ik</i></u> <u><i>IE</i></u>

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	Job Briefing
	Date       Set in the set of the set
	Hazards associated with the Job: P Energized equipment P Falling Driving P Hazards to the Public Other Hazards
[ ]	Work Procedures involved: Traffic Control Road Signs/Cones Flagmen Standard Operating Procedures (SOP) Safety Manual Contact with other entities Other procedures
	Special Precautions:       □ Adjacent equipment / Buried Gas & Water lines         □ Other Crews/ workers       □ Other precautions:
	Energy Source Controls: □ De-energization procedure □ Visible opening □ Testing for Voltage □ Grounding □ Other controls
	Personal Protective Equipment requirements:  Hard hat Safety Glasse Diffuelectric boots  Hearing Protection Cover-up  Gloves Other PPE
	Signatures: Crew Leader <u>Server</u> Crew Members <u>L. H. E.</u> <u>SRN</u> <u>J. S.</u> <u>L. K.</u>

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Job	Briefing		

JUD D. Jing
Date 9-16-03 Work Order # 8917
Crew Leader SENTON
Status of Job:  Routine Emergency Other
Briefing Type:  On-Job (tailgate)  Update  Other
Hazards associated with the Job:  E Energized equipment  Falling   Driving  Hazards to the Public   Other Hazards
Work Procedures involved:  Traffic Control Road Signs/Cones Flagmen Standard Operating Procedures (SOP) Safety Manual Contact with other entities Other procedures
Special Precautions:       Adjacent equipment / Buried Gas & Water lines         Other Crews/ workers       Other precautions:
Energy Source Controls: De-energization procedure Visible opening Testing for Voltage Grounding Other controls MORK ENERGIZATION
Personal Protective Equipment requirements:  P Hard hat  Safety Glasses Dielectric boots  Hearing Protection  Cover-up  Gloves Other PPE
Signatures: Crew Leader Kondel Inthe Crew Members Part Hollowood
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rew Leader Danka Lite	Status of Job: Image: Routine   Briefing Type: Image: On-Job (tailgate)   Update Other   Hazards associated with the job: Image: Poriving Image: Hazards to the public Image: Other Hazards Work Procedures involved: Image: Traffic Control Image: Road Signs/Cones Image: Plagmen Image: Standard Operating Procedures (SOP) Image: Special Precautions: Image: Adjacent equipment / Buried Operation operation Image: Special Precautions: Image: Adjacent equipment / Buried Operation Image: Standard Operation Image: Special Precaution Image: Special Precaution Image: Standard Operation Image: Special Precaution Image: Specia
Briefing Type:       On-Job (tailgate)       Update       Other         Hazards associated with the job:       Image: Energized equipment       Image: Failing         Hazards associated with the job:       Image: Energized equipment       Image: Failing         Image: Driving       Image: Hazards to the public       Image: Driving       Image: Failing         Image: Driving       Image: Hazards to the public       Image: Driving       Image: Failing         Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving         Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving         Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving         Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving         Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving         Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving         Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving       Image: Driving         Image: Driving       Image: Driving       Image: Driving       Ima	Briefing Type: [2]On-Job (tailgate) Update Other Hazards associated with the job: Denergized equipment Defailing Driving PHazards to the public Other Hazards Work Procedures involved: Traffic Control PRoad Signs/Cones Flagmen Defandard Operating Procedures (SOP) Safety Manu Contact with other entities Other procedures Adjacent equipment / Buried Case & Market and
Hazards associated with the job:       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the precautions       Image: Description of the public         Image: Description of the precautions       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Image: Description of the public         Image: Description of the public       Im	Hazards associated with the job:
Work Procedures involved:       Image: Traffic Control       Image: Road Signs/Cones         Image: Flagmen       Image: Standard Operating Procedures (SOP)       Image: Safety Manual Contact with other entities         Image: Contact with other entities       Image: Contact with other entities         Image: Contact with other entities       Image: Contact with other entities         Image: Contact with other entities       Image: Contact with other entities         Image: Contact with other entities       Image: Contact equipment / Buried Gas & Water Lines         Image: Contends:       Image: Contends & Mater Lines         Image: Contends:       Image: Contends & Mater Lines         Image: Controls:       Image: Contends & Mater Lines<	Work Procedures involved: Traffic Control Road Signs/Cones Flagmen Standard Operating Procedures (SOP) Safety Manu Contact with other entities Other procedures Special Precautions: Adjacent equipment / Buried Cos & Market
Special Precautions:       Adjacent equipment / Buried Gas & Water Lines         Other Crews / Workers       Other precautions         Other precautions	Special Precautions: Adjacent equipment / Buried Cos & March
Energy Source Controls:       De-energization procedure       Visible Opening         Testing for Voltage       Grounding         Other controls       Workk       Hof         Personal Protective Equipment requirements:       Hard Hat Safety Glasse         Dielectric boots       Hearing Protection       Cover-up         Other PPE       IGNATURES         rew Leader       Mandal Add	
Personal Protective Equipment requirements: PHard Hat PSafety Glasse Dielectric boots Hearing Protection PC Other PPE IGNATURES rew Leader Dank LT-	Energy Source Controls: De-energization procedure Visible Openir
rew Leader Danka Lite	Protection Coversing
	SIGNATURES
	Crew Members Steen R. Crash
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Date 11-4-03	Work Order #/6/
Crew Leader 70 1	SEXTON
Status of Job: Aoutine	Emergency Other
Briefing Type: On-Job (	tailgate)  Update  Other
🗌 Driving 🔤 Ha	the job: DEnergized equipment EFalling azards to the public
☐ Flagmen	d:
Other Crews / Workers	Adjacent equipment / Buried Gas & Water Lines
Testing for Voltage	□De-energization procedure □Visible Opening □Grounding 
Personal Protective Equip	oment requirements: Aard Hat ASafety Glasses aring Protection Cover-up Gloves
SIGNATURES	1 1 5
Crew Leader <u>Fall</u> Crew Members <u>Fall</u> Steve	Helingele World Smcs

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	Job Briefing	
Date 12-18-03	Work Order #	9276
Crew Leader	SEXTOU	
Status of Job: PRoutine	Emergency Othe	r
Briefing Type: DOn-Job (tail	gate) 🗍 Update 🗍 Oth	er
Hazards associated with the Driving Haza Other Hazards	rds to the public	
Work Procedures involved: Flagmen Standard C Contact with other entitie Other procedures	Operating Procedures (SC s	DP) 🗌 Safety Manual
Special Precautions: Ac		
Energy Source Controls:	Grounding	
Personal Protective Equipm Dielectric boots Hear Other PPE	ent requirements: 🛛 Hai	rd Hat 🗌 Safety Glasses
SIGNATURES		
Crew Leader	11 Sutto	
Crew Members	Somons	·
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- Steve mo	1	
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	Job Briefing	
Date	1-27-24 Work Ordar #9349	
Crew Le	eader 7200 SENTON	
	of Job: PRoutine Emergency Other	
Briefing	g Type:  On-Job (tailgate)  Update  Other	
[⊅Dr	ds associated with the job: If Energized equipment Falling riving Hazards to the public ther Hazards	J
⊡C¢	Procedures involved:	anual
□o	al Precautions:	ines
T T	gy Source Controls: IDe-energization procedure Uvisible Op Testing for Voltage IDGrounding Other controls	ening
	onal Protective Equipment requirements: Thard Hat Safety Dielectric boots Hearing Protection Cover-up Glove	Glass >s
	V Leader North Inte	
	v Members Joseph Land	
Crew	fail Haltward	

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# Job Briefing

Date 2 - 23 - 04 Work Ord	ler# 8843	?
Crew Leader Con	SEXTON	
Status of Job: PRoutine	Emergency D Ot	her
Briefing Type:  On-Job (tailgate)	Update 🛛 O	ther

**Hazards associated with the Job:** 
□ Energized equipment 
□ Falling
□ Triving 
□ Hazards to the Public
□ Other Hazards

Work Procedures involved: 
Traffic Control 
Road Signs/Cones

□ Flagmen □ Standard Operating Procedures (SOP) □ Safety Manual

□ Contact with other utilities

Other procedures

Special Precautions: D Adjacent equipment / Buried Gas & Water lines

- Other Crews/ workers
- Other precautions:

**Energy Source Controls:** De-energization procedure Divisible opening Divisible opening Grounding

Other controls

Personal Protective Equipment requirements: P Hard hat P Safety Glasses Dielectric boots D Hearing Protection D Cover-up D Gloves Other PPE

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Signatures: Crew Leader Crew Members

Job Briefing
Date 3-2-0 4 Work Order # 9378x
Crew Leader Crew Leader SEXTON GAS
Status of Job:
Briefing Type: Mon-Job (tailgate)
Hazards associated with the job: DEnergized equipment Falling Driving Hazards to the public
Work Procedures involved: Traffic Control Road Signs/Cones Flagmen Standard Operating Procedures (SOP) Safety Manual Contact with other entities Other procedures
Special Precautions: Adjacent equipment / Buried Gas & Water Lines
Energy Source Controls: De-energization procedure Visible Opening Testing for Voltage Grounding Other controls
Personal Protective Equipment requirements: Phard Hat Safety Glasses
SIGNATURES Crew Leader _ Longh lingth Crew Members _ Joseph Smus July B. Zuland Part Hollrook

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		Job Briefing	
Date <u>4-7</u>	-04	Work Order #	9288
Crew Leader	2 con o	EXTOY	
Status of Job:	Routine	Emergency	ther
Briefing Type: 🛓	∛On-Job (tailga	ate) 🗍 Update 🗍 (	Dther
	ated with the j	ob: Energized e	quipment 🗍 Falling
Contact with	Standard Ope	Traffic Control rating Procedures (S	☐ Road Signs/Cones SOP) ☐ Safety Manua
Other precauti	ns: ☐Adjace Workers ons	ent equipment / Burie	ed Gas & Water Lines
Other precauti	ons: □Adjace Workers ons ontrols:⊡Ďe-e age IVG	ent equipment / Burie	ed Gas & Water Lines
☐ Other precauti Energy Source Co ☐ Testing for Volt ☐ Other controls	ons: ☐Adjace Workers ons ontrols: ☑Ďe-e age ☑G e Equipment r	ent equipment / Burin energization procedu rounding	ed Gas & Water Lines re Uvisible Opening d Hat Safety Glasse
Other precauti Energy Source Co Testing for Volt Other controls Personal Protectiv	ons: ☐Adjace Workers ons ontrols: ☑Ďe-e age ☑G e Equipment r	ent equipment / Burin energization procedu rounding equirements: [2] Har	ed Gas & Water Lines re Uvisible Opening d Hat Safety Glasse
Other precauti Energy Source Co Testing for Volt Other controls Personal Protectiv Dielectric boots Other PPE	ons: ☐ Adjaca Workers ons ontrols: ⊡Ďe-e age ⊡G e Equipment r ☐ Hearing Pi	ent equipment / Burin energization procedu rounding equirements: [2] Har	ed Gas & Water Lines re Uvisible Opening d Hat Safety Glasse
Other precauti Energy Source Co Testing for Volt Other controls Personal Protectiv Dielectric boots Other PPE SIGNATURES	e Equipment r	ent equipment / Burin energization procedu rounding equirements: [2] Har	ed Gas & Water Lines re Uvisible Opening rd Hat Safety Glasse
Other precauti Energy Source Co Testing for Volt Other controls Personal Protectiv Dielectric boots Other PPE SIGNATURES Crew Leader	e Equipment r	ent equipment / Burin energization procedu rounding equirements: [2] Har	ed Gas & Water Lines re Uvisible Opening d Hat Safety Glasse