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President & Ceo
Jackson Purchase Energy Corporation
2900 Irvin Cobb Drive
P. O. Box 4030
Paducah, KY 42002-4030

November 15, 2007

RE: Case No. 2007-00456

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/tw
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JACKSON PURCHASE ENERGY CORPORATION)	
_____)	CASE NO. 2007-00456
)	
ALLEGED FAILURE TO COMPLY)	
WITH KRS 278.042)	

O R D E R

Jackson Purchase Energy Corporation (“Jackson Purchase”) is a corporation engaged in the distribution of electricity for compensation for lights, heat, power, and other uses. It is subject to the jurisdiction of the Commission.¹ Pursuant to KRS 278.042, the Commission shall prescribe the service adequacy and safety standards for electric utilities, as stated in the Commission’s administrative regulations and in the most recent edition of the National Electrical Safety Code (“NESC”). Under 807 KAR 5:041, Section 3(1), the Commission requires utilities to construct and maintain plants and facilities in accordance with engineering practices set forth in the NESC.

Commission Staff submitted to the Commission an Electric Utility Personal Injury Accident Report (“Report”) dated August 28, 2007, attached hereto as Appendix A. The Report alleges that on August 7, 2007, in Marshall County, Kentucky, Joshua Champion was injured at the site of a reconductoring work project.

¹ See KRS 278.010(3)(a).

Jackson Purchase had contracted with Hendrix Electric to conduct a three-phase reconductoring project at Little Cypress Road in Marshall County, Kentucky. Mr. Champion was an employee of Hendrix Electric and was part of the crew that worked on the project.

At the time of the accident, Mr. Champion was installing an armor rod on one of the new three-phase conductors that the Hendrix crew had installed. This newly installed conductor was de-energized and grounded. The three energized phase conductors being replaced had been moved to the fiberglass hot arms, which were attached to the end of the cross-arms. The Report noted that the points of contact were on the clamp of the old energized B-phase conductor moving to the hot arm and the clevis of the block holding the new grounded C-phase conductor. Mr. Champion was working between these two phases while he was installing the armor rod. As he reached to his left while leaning over the hot arm, Mr. Champion made contact with the exposed clamp and clevis holding the two phases. Because adequate protective equipment had not been installed or in use at the time, Mr. Champion sustained burns on his upper torso and neck as well as entrance and exit burns to his chest and back. The four other members of the crew were in close proximity, but did not witness the accident.

The Report noted six probable violations of KRS 278.042. All alleged violations arise under the 2007 edition of the NESC. The alleged violations are as follows:

1. NESC Section 42, Rule 420.C.4, by the employee's failure while working in the vicinity of energized lines to consider all the effects of his actions and to take into

account his own safety, the safety of other employees, the property of others, and the public in general.

2. NESC Section 42, Rule 420.H, by the employee's failure to use the personal protective equipment, protective devices, and the special tools provided for the work.

3. NESC Section 42, Rule 421.A.2, by the supervisor's failure to see that the safety rules and operating procedures are observed by the employee under the direction of the supervisor.

4. NESC Section 44, Rule 441.A.3.a, by the employee's failure to guard or insulate exposed ground lines, conductors, or other parts in the work area.

5. NESC Section 44, Rule 443.A.1, by the employee's failure to insulate himself from energized parts or failure to isolate or insulate himself from ground and grounded structures when working on energized lines and equipment.

6. NESC Section 44, Rule 443.D, by the employee's failure to avoid working on equipment or lines in any position from which a shock or slip will tend to bring the body toward exposed parts at a potential different than the employee's body – work should generally be done from below, rather than from above.

The Commission, on its own motion, HEREBY ORDERS that:

1. Jackson Purchase shall file with the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Report.

2. Jackson Purchase shall appear on March 4, 2008 at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky to present evidence concerning the incident

that is the subject of the Report. Specifically, Jackson Purchase shall present evidence as to the six alleged violations of KRS 278.042 and the NESC and shall show cause why it should not be subject to the penalties of KRS 278.990 for the alleged violations.

3. The Report, attached hereto as Appendix A, is made a part of the record in this case.

4. Any requests for informal conference with Commission Staff shall be set forth in writing and filed with the Commission within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 15th day of November, 2007.

By the Commission

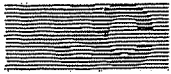
ATTEST.



Executive Director

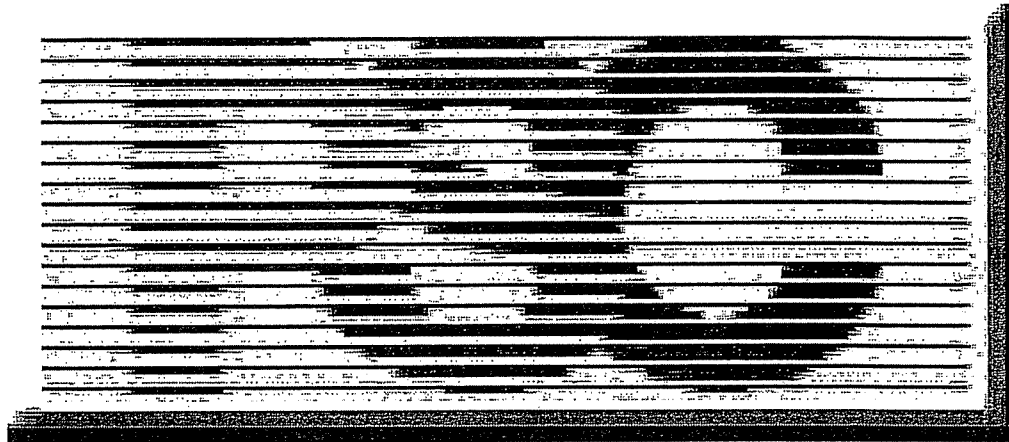
APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2007-00456 DATED November 15, 2007



Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report



INCIDENT INVESTIGATION ~ Staff Report

Incident Location ~ Marshall County

Report Date ~ 8/28/2007

Incident Date ~ 8/7/2007

PSC Investigator ~ Jeff Moore

Utility ~ Jackson Purchase Energy Cooperative

Injured ~ Joshua Champion

PSC Regulated Rural Electric Utilities

- Big Sandy RECC
- Bluegrass Energy Cooperative
- Clark Energy Cooperative
- Cumberland Valley Electric
- Extreme RECC
- Floating-Mesa Energy Cooperative
- Guyton RECC
- Inter-County Energy Cooperative
- Jackson Energy Cooperative
- Jackson Purchase Energy Cooperative
- Kernery Cooperative
- Madison Valley RECC
- Marion County RECC
- North KY RECC
- Owens Electric Cooperative
- Salisbury Electric Cooperative
- Shelby Energy Cooperative
- South Kentucky RECC
- Taylor County RECC

PSC Regulated Investor Owned Utilities

- American Electric Power (AEP)
- Berea College Utilities
- Kentucky Utilities Company (KUC)
- Louisville Gas and Electric Company (LGE)
- Union Light, Heat, and Power Company (ULH&P)

TVA Regulated Utilities

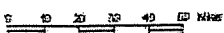
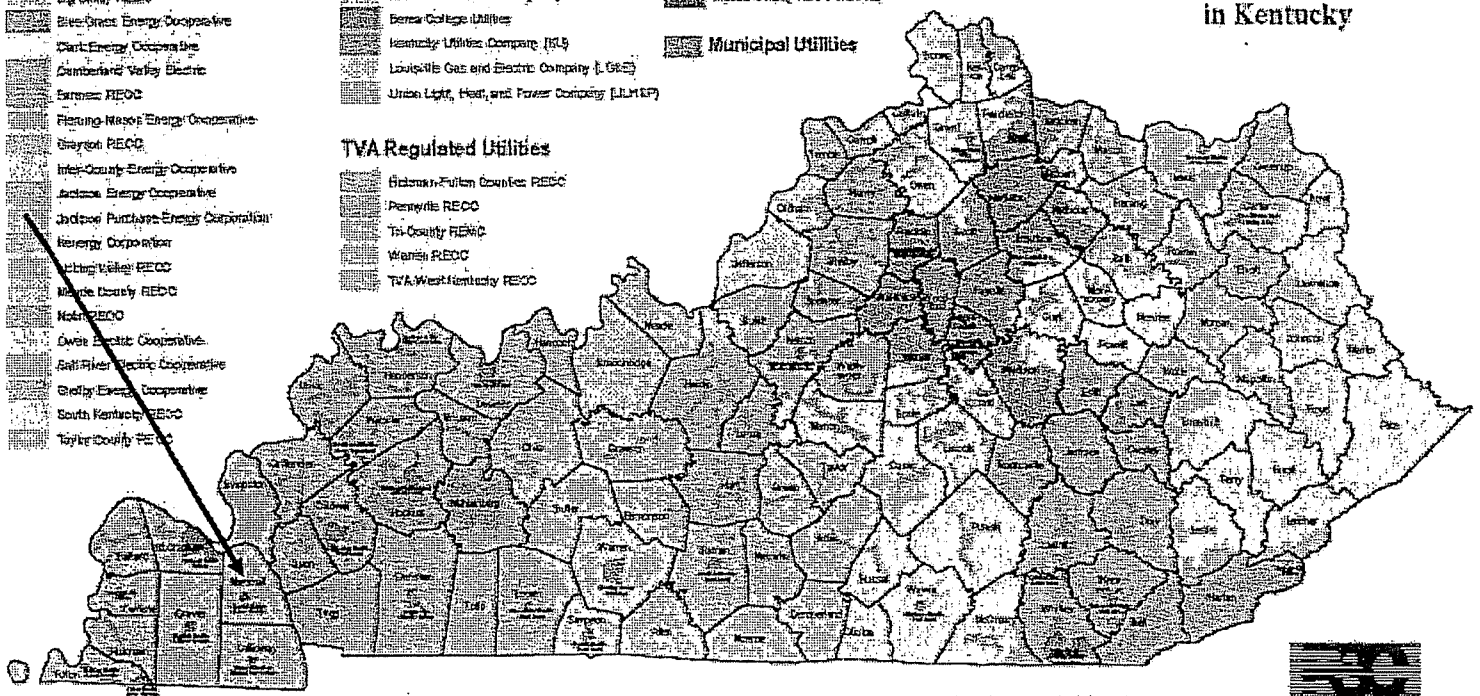
- Hickman-Fulton Counties RECC
- Perryville RECC
- Tri-County RECC
- Waters RECC
- TVA-West Kentucky RECC

Multi-Service Areas

- Jackson Energy Cooperative & JEA
- Middle County RECC & LG&E

Municipal Utilities

Electric Service Areas in Kentucky



The electric service areas are compiled from certified territory maps on file with the Commission. These are legal documents which define the retail service area of electric utilities regulated by the Commission (Kentucky Statute 28.013). There are less than 50 municipal systems which the PSC does not regulate. Their boundaries were derived from the PSC's certified territory maps, or from boundaries submitted for informational purposes by the municipal utility. If the municipal service area boundaries were unknown, a circle was placed around the residential area.





Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report

UTILITY:	JACKSON PURCHASE ENERGY COOPERATIVE	
Reported By:	Tracy Bensley	
Accident Occurred:	8/7/2007	Approximately: 12:53 PM CDT
Utility Notified:	8/7/2007	Approximately: 1:00 PM CDT
PSC Notified:	8/7/2007	Approximately: 2:00 PM CDT
PSC Investigated:	8/8/2007	Approximately: 9:30 AM CDT
Report Received:	August 21, 2007	
Accident Location:	Little Cypress Road, Marshall County, Kentucky	
Accident Description:	<p>August 7th, 2007 Public Service Commission staff received a call from Jackson Purchase Energy Corporation that a contract crew employee with Hendrix Electric made contact with 7200 volts. The crew was working on a three phase reconductoring job at Little Cypress Road. Joshua Champion (victim) an employee with Hendrix Electric had positioned his aerial truck and began the work tying in the new conductors on this pole. The other 4 crew members at the job site were positioning another aerial truck on the opposite side of the same pole and did not witness the actual contact made by the victim. Joshua Champion was installing an armor rod on one of the new three phase conductors the crew had installed, which was deenergized and grounded. The three old energized phases the crew where replacing had been moved to the fiberglass arms (Hot Arms) which are attached to the end of the crossarms. After the investigation and reviewing the photographs taken by Jackson Purchase employees, the points of contact appears to be on the clamp of the old B phase (which was energized) moved to the hot arm, and the clevis of the block holding the new grounded C phase. It appears that Mr. Champion was working between these two phases, and had reached to his left leaning over the hot arm while installing the armor rod. It appears that Mr. Champion made contact with the exposed clevis holding the grounded conductor and clamp holding the energized conductor. Mr. Champion received burns to his upper torso and neck. While at the accident site and after reviewing the accident report from Jackson Purchase, it appears that adequate protective equipment was not installed at this accident site.</p>	



Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report

VICTIM(S):	NAME		ADDRESS	EMPLOYER
	Joshua Champion		Unknown	Hendrix Electric
	Fatality	Age		
	No	26		
Injury	Burns on his upper torso and neck. Entrance and exit burns on his chest and back.			
Witness:	Name	Address	Employer	
	Tommy Overfield (Heard the Arc)	Unknown	Hendrix Electric	
	Dustin Lanham (Heard the Arc)	Unknown	Hendrix Electric	
	Matt Mattingly (Heard the Arc)	Unknown	Hendrix Electric	
	Jared Champion (Heard the Arc)	Unknown	Hendrix Electric	
Information From:	Name	Address	Employer	
	Tracy Bensley	2900 Irvin Cobb Dr. Paducah, KY 42002	Jackson Purchase E. C.	



Kentucky Public Service Commission

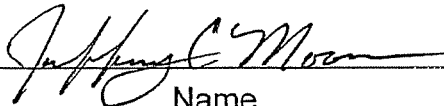
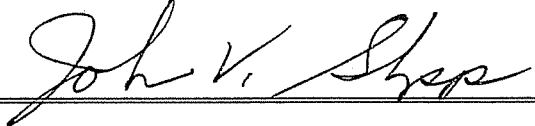
Electric Utility Personal Injury Accident Report

Temp & Weather:	Sunny, 98°, Heat index between 100 and 105°
Probable Violations:	<p style="text-align: center;"><u>National Electric Safety Code 2007 Edition</u></p> <p style="text-align: center;"><u>Jackson Purchase Accident, 8/7/2007, Possible Violations</u></p> <p><u>420. Personal General Precautions</u> C. Safeguarding Oneself and Others 4. 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.</p> <p><u>420. Personal General Precautions</u> H. 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.</p> <p><u>421. General Operating Routines</u> A. Duties of a First-Level Supervisor or Person in Charge This individual shall: 2. See that the safety rules and operating procedures are observed by the employees under the direction of this individual.</p> <p><u>441. Energized Conductors or Parts</u> Employees shall not approach, or knowingly permit others to approach, any exposed ungrounded part normally energized except as permitted by this rule. A. Minimum Approach Distance to Live Parts 3. Precautions for Approach Voltages from 301 V to 72.5 kV At voltages from 301 V to 72.5 kV, employees shall be protected from phase-to-phase and phase-to-ground differences in voltage. See <u>Table 441-1</u> for the minimum approach distances to live parts. a. When exposed grounded lines, conductors, or parts are in the work area, they shall be guarded or insulated.</p> <p><u>443. Work on Energized Lines and Equipment</u> A. General Requirements 1. When working on energized lines and equipment, one of the following safeguards shall be applied: a. Insulate employee from energized parts b. Isolate or insulate the employee from ground and grounded structures, and potentials other than the one being worked on.</p> <p><u>443. Work on Energized Lines and Equipment</u> D. Working Position Employees should avoid working on equipment or lines in any position from which a shock or slip will tend to bring the body toward exposed parts at a potential different than the employees body. Work should, therefore, generally be done from below, rather than from above.</p>



Kentucky Public Service Commission

Electric Utility Personal Injury Accident Report

Investigated By:	Name	Company	
	Jeff Moore	Kentucky Public Service Commission	
Signed:		Date	9-20-2007
	Name	Company	
Reviewed By:	John Shupp	Mgr., PSC Engineering Staff	
		Date	9/20/07

Attachments: A. Utility Accident Report on CD

B. Utility Photographs of Accident Site on CD

C. PSC Photographs of Accident Site on CD