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December 22, 2009

FEDERAL EXPRESS

Mr. Jeff Derouen  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

RECEIVED  
DEC 23 2009  
PUBLIC SERVICE  
COMMISSION

Re: Kenergy Corp.  
Case No. 2009-00430

Dear Mr. Derouen:

Enclosed for filing please find the original and 5 copies of Response of Kenergy Corp. in the above case.

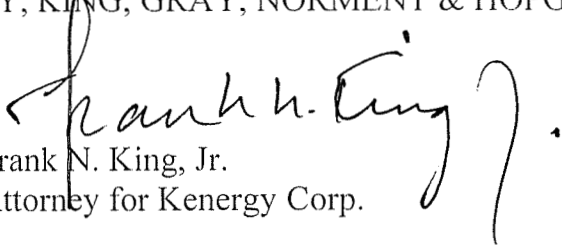
We request that an informal conference be scheduled and that the hearing be continued. As discussed with Staff Counsel Rick Bertelson we request that the informal conference be scheduled on Wednesday, January 27, 2010, at 1:30 P.M. EST. The hearing is presently scheduled for that day and we request that the hearing be continued generally at this time.

Your assistance in this matter is appreciated.

Very truly yours,

DORSEY, KING, GRAY, NORMENT & HOPGOOD

By

  
Frank N. King, Jr.  
Attorney for Kenergy Corp.

FNKJr/cds

Encls.

COPY/w/encls.

Mr. Sandy Novick, Kenergy Corp.  
Mr. Gerald R. Ford, Kenergy Corp.

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

**RECEIVED**  
DEC 23 2009  
PUBLIC SERVICE  
COMMISSION

**IN THE MATTER OF:**

<b>KENERGY CORP.</b>	)	
_____	)	<b>CASE NO. 2009-00430</b>
	)	
<b>ALLEGED FAILURE TO</b>	)	
<b>COMPLY WITH KRS 278.042</b>	)	

**RESPONSE OF KENERGY CORP.**

The incident is fairly well summarized in the first paragraph on page 3 of the Commission's December 8, 2009, order as follows:

...The crew members failed to test and ground the tap line before proceeding to work on the tap line as if it were de-energized. While performing this task, the victim contacted an energized conductor, causing the shock-and-burn accident. Furthermore, according to statements made by both Mr. Hunt and Mr. Parker, Mr. Hunt failed to wear his safety harness while in the aerial lift device in which he was working.

The Commission has found that prima facie evidence exists that Kenergy has failed to comply with KRS 278.042 and 807 KAR 5:006, Section 24(1). Kenergy understands that a shock-and-burn injury alone may constitute such evidence. However,

an investigation into Kenergy's safety practices should satisfy the Commission that Kenergy is fully in compliance with all applicable law pertaining to this matter.

The order lists numerous sections of the National Electrical Safety Code and the American Public Power Association ("APPA") Safety Manual, 13<sup>th</sup> Edition, that Kenergy is alleged to have violated. A distinction needs to be made as to whether Kenergy's actions or inactions led to a particular violation, or whether Kenergy is in full compliance and the violations resulted from an intervening, uncontrollable force, *i.e.* human error, that Kenergy could not control or prevent. We submit that by any reasonable standard the latter applies.

Kenergy has not been charged with the improper construction or maintenance of its plants and facilities, nor should it be. There is no evidence to support such a charge. What is at issue here is whether Kenergy's practices related to construction, installation and repair of electric facilities are adequate, safe and reasonable.

Kenergy is extremely safety conscious. Kenergy emphasizes that safety is the most important aspect of the work of employees engaged in construction, installation and repair of electric facilities. Attached is the affidavit of Kenergy's Vice President of Operations Gerald Ford, which supports this conclusion. Kenergy constantly displays signs prominently at its headquarters and branch offices with safety reminders. These signs have slogans such as "Safety Works . . . Excuses Don't! Follow Safe Procedures," "STOP-If It's Not Safe . . . Don't Do It!" and "Safety Starts With ATTITUDE." See Ford affidavit, Exhibit A. Kenergy also constantly displays safety reminders at strategic

locations such as the “Lock Out-Tag Out Check List” decal that was on the dashboard of the vehicle being operated by Messrs. Hunt and Parker and is affixed to the dashboard of all vehicles used in the construction, installation and repair of electric facilities. See Ford affidavit, Exhibit B.

Kenergy has adopted and follows a Safety and Training Program that makes available to all apprentice linemen the Tennessee Valley Public Power Association Apprentice Linemen Program. Failure to complete the program with a favorable assessment results in a dismissal of the applicant. If a new employee has previous background and experience with electric facilities, the training is tailored accordingly. Pursuant to this Safety and Training Program safety subjects are required to be presented to all employees annually. Moreover, Kenergy employees engaged in construction, installation and repair of electric facilities are required to attend safety training meetings on a regular basis monthly. See Ford affidavit, paragraph 3.

Kenergy’s employees are rewarded for good safety performance and are disciplined when safety is not up to expectations. During 2009 Kenergy had an employee incentive program that rewarded employees for good safety performance. See Ford affidavit, Exhibit C. It is to be noted that the injured employee Donnie Hunt and his fellow worker Billy Joe Parker were disciplined by being given days off without pay, and some of the penalty was waived with the two (2) willing to talk at safety meetings about mistakes that had been made, why rules to prevent accidents exist, and why these rules should be followed. See Ford affidavit, Exhibit D.

As noted in the Commission's order, Kenergy has adopted the APPA Safety Manual and has added amendments to it. Kenergy recently had National Safety Council assess its Safety Management System and a copy of the assessment report is attached as Exhibit E to Ford affidavit. As a result of this assessment Kenergy is now seeking to hire a Risk Manager who will be responsible for promoting Kenergy's safety culture. Attached as Exhibit F to Ford affidavit is a copy of the Job Description for this position.

Kenergy's emphasis on safety is also evidenced by statistics it maintains relating to safety. Kenergy includes Safety, Service, People and Performance in its Key Performance Indicator ("KPI"), with Safety being at the top of the list. Attached as Exhibit G to Ford affidavit is a copy of Kenergy's October 2009 KPI Summary. Safety is divided into three (3) categories, Lost Time Incidents, OSHA Recordables and Vehicle Incidents. For each of these categories there is a Year to Date Total, Year to Date Target and 2009 Annual Target, along with results from 2007 and 2008. Kenergy has a safety leadership committee consisting of Senior Staff (the President/CEO and officers who report directly to him) and monthly this Committee reviews all incidents. See Ford affidavit, paragraph 4.

The foregoing is not all-inclusive of safety measures taken by Kenergy, but it should be abundantly clear to the Commission that Kenergy's practices are adequate, safe and reasonable, and that it was human error that caused the injury. The Kenergy Accident Investigation Team ("AIT") report is part of the record in this case. The

interview with Mr. Hunt, a Kenergy employee for almost 30 years, appears on pages 3 and 4 of the report. He was asked why he had not grounded the line and replied "I don't know. 99% of the time I would have grounded it. I just don't know. I just don't know." Later he acknowledged that the energized line should have been grounded stating "I have been told for 30 years if it ain't grounded it ain't dead. It just never crossed my mind."

Kenergy wishes to point out that fatigue was not a factor in this incident. The restoration work being performed at the time of the incident resulted from the ice storm that occurred the last part of January 2009. The Commission is well aware the ice storm was unprecedented and Kenergy was stretched extremely thin with its manpower. However, Mr. Hunt acknowledged that fatigue was not a factor, stating "I can't blame this on the hours worked, it was just my own stupidity."

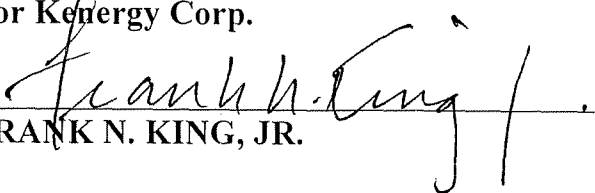
The Commission will take notice that human error will always be with us. As the time-honored expression goes, "to err is human." While Kenergy cannot eliminate human error the Commission should readily concur that Kenergy's practices are a bona fide attempt to hold it down to the bare minimum as much as humanly possible.

Kenergy has responded to the presumption created by the prima facie evidence and has shown cause why it should not be subject to prescribed penalties. Accordingly, Kenergy respectfully requests the Commission to order that cause has been shown and that Kenergy shall not be subject to such penalties.

This the 22<sup>ND</sup> day of December, 2009.

**DORSEY, KING, GRAY, NORMENT & HOPGOOD**  
318 Second Street  
Henderson, Kentucky 42420  
(270) 826-3965 Telephone  
(270) 826-6672 Telefax  
Attorneys for Kenergy Corp.

By

A handwritten signature in cursive script, appearing to read "Frank N. King, Jr.", written over a horizontal line.

FRANK N. KING, JR.

**CASE NO. 2009-00430**

**AFFIDAVIT OF GERALD FORD**

The undersigned, GERALD FORD, being first duly sworn, states upon personal knowledge as follows:

1. I am Vice President of Operations for Kenergy Corp.

2. Attached hereto are true and correct copies of the following:

- Exhibit A – Photographs of some of the safety signs displayed at Kenergy’s headquarters and branch offices
- Exhibit B – “Lock Out-Tag Out Check List” decal displayed on the dashboard of all Kenergy vehicles used in construction, installation and repair of electric facilities
- Exhibit C – Kenergy’s 2009 Employee Incentive Program for safe work
- Exhibit D – Disciplinary report on Donnie Hunt and Billy Joe Parker
- Exhibit E – Safety Management System Assessment of National Safety Council. The executive summary appears on pages 4 through 7. The separate reports on the categories listed in the Introduction (A through I) are not included.
- Exhibit F – Kenergy’s Job Description for Risk Manager who will be responsible for promotion Kenergy’s safety culture. This is a result of the National Safety Council Assessment.
- Exhibit G – Kenergy’s October 2009 Key Performance Indicator (“KPI”) Summary


3. Kenergy has adopted and follows a Safety and Training Program that makes available to all apprentice linemen the Tennessee Valley Public Power Association Apprentice Linemen Program. Failure to complete the program with a favorable



assessment results in a dismissal of the applicant. If a new employee has previous background and experience with electric facilities, the training is tailored accordingly. Pursuant to this Safety and Training Program safety subjects are required to be presented to all employees annually. Moreover, Kenergy employees engaged in construction, installation and repair of electric facilities are required to attend safety training meetings on a regular basis monthly.

4. Kenergy has a safety leadership committee consisting of Senior Staff (the President/CEO and officers who report directly to him) and monthly this committee reviews all safety incidents included in Kenergy's Key Performance Indicator ("KPI").

Further affiant saith not.

  
\_\_\_\_\_  
Gerald Ford

STATE OF KENTUCKY

COUNTY OF HENDERSON

The foregoing was signed, acknowledged and sworn to before me by GERALD FORD this 22nd day of December, 2009.

My commission expires September 29, 2013

  
\_\_\_\_\_  
Notary Public, State of Kentucky at Large

(seal)

**SAFETY  
STARTS  
WITH**

# Attitude

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Quality Training  
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EMERGENCY  
EYE & EAR STATION

tabbles'  
EXHIBIT  
A

**There's Only**



**The Safe Way**



*Work Safely*  
**Your Family Needs You**



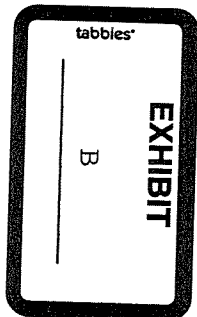
**SAFETY WORKS**  
**...EXCUSES DON'T!**  
**FOLLOW SAFE PROCEDURES**



**IF IT'S NOT SAFE  
... DON'T DO IT!**

# LOCK OUT - TAG OUT CHECK LIST

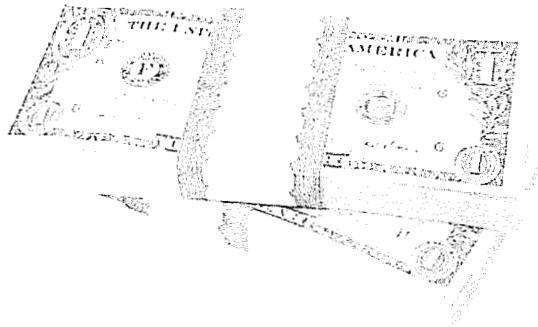
- Request clearance and secure clearance number.
- Do all sources of feed have visible opening?
- Apply all information to tags.
- Are all devices locked and tagged?
- Test and ground at work site.



#1 reason to work safe is to return home to our families  
each and every day without injury!

We now have

375 More Reasons to Work Safe!



New Employee Incentives & Targets

Kenergy will reward employees with up to \$600  
if the annual safety and corporate goals are achieved.

SAFETY GOALS\*

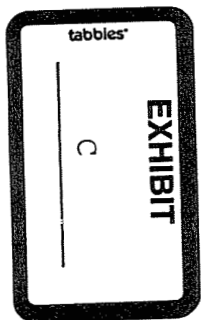
	TARGET	PAYMENT
Recordables	3	\$100
Vehicle Incidents	10	\$125
Lost Time	0	\$150

SERVICE GOALS\*

ACSI	86	\$75
SAIDI	156	\$50

PERFORMANCE GOALS\*

O&M Per Customer	\$358.51	\$100
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\*Definitions listed on back of calendar





Donnie Hunt's contact on 2-27-09 9:31 am. caused injury to his left forefinger and right shoulder. Violation of the TVPPA safety rules #607 page 110 subpart a, working on De-Energized Lines and Equipment

a) General: All conductors and equipment shall be treated as energized until tested and grounded.

General work procedures

G. Hazardous Energy control

1. Protective grounds shall be installed at the de-energized work site closest to the employee performing the work.

This is a P-2 penalty.

PPE. No safety harness being used.

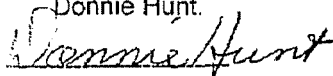
Donnie Hunts willing to talk at safety meetings about his mistakes, why we have rules to prevent accidents and why we flow the rules. This removed one of the days off without pay. Donnie's attitude about taking full reponsality for his actions, I reduced another day off down to three. Donnie will be off from work with out pay on 3-4,5,6, 09,and two year rollover starting on 3-3-09 to 3-3-11.

Donnie Phillips



3-3-09

Donnie Hunt.



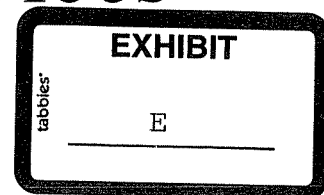


# Safety Management System Assessment

Kenergy Corp  
Owensboro, KY

April 28-30, 2009

Completed  
by  
W.E. Scott, PhD, PE  
Manager, Consulting Services



## **INTRODUCTION**

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The National Safety Council conducted a Safety Management System Assessment of the Kenergy Corp facilities. The purpose of the assessment was to evaluate the effectiveness of the organization's current safety and health management system.

National Safety Council representative, Wes Scott, performed the assessment during the week of April 28-30, 2009. The process involved a review of current policies, projects and activities, related documents, facility tours, job observations and personal interviews. The assessor was onsite for three days and conducted thirty-one (31) interviews with individuals at all levels of the organization and during all shifts. One interview was conducted by phone.

The assessment evaluated the overall status of the safety and health program and its related systems as compared to the National Safety Council Safety Management System assessment criteria. The following categories were addressed:

- A. Management Leadership and Commitment: Review of the organizational components of the safety and health program, safety goals and objectives, responsibilities assigned to managers and supervisors, methods of accountability, the extent of management and supervisor participation, implementation and monitoring techniques and the interface of the safety and health function with other organizational levels.
- B. Organizational Communication and System Documentation: Review of internal and external communication policy, the effectiveness in communicating safety goals and objectives throughout the facility, the procedures and effectiveness of channels for employee feedback to senior management, the record keeping system and document control procedures for regulatory compliance plans and documentation of continuous improvement activities applied to the safety management system.
- C. Assessments, Audits and Continuous Improvement: Review of self assessments and third party assessments of the safety management system with an emphasis on continuously improving the system, and a review of the internal audit and inspection program with an emphasis on associate involvement and abatement of reported hazards.
- D. Hazard Recognition, Evaluation and Control: Review of policies and practices designed to educate employees to identify and abate or control hazards, review of completeness of hazard control inventory of the work environment, review of the application of hierarchy of control with respect to engineering, administrative and personal protective equipment, review of risk analysis and assessment methods

including use of severity, exposure and probability criteria in determining acceptable levels of risk.

- E. Workplace Design and Engineering: Review of the application of safety through the design principles targeting areas such as ergonomics, life safety, workplace design, robotics and automation, and material handling. Emphasis is placed on timing and consideration of safety principles in the planning and change process as well as documentation and control of safety in final acceptance process.
- F. Occupational Safety Programs: Review of the implementation of specific policy, procedures and programs in the areas of occupational safety, industrial hygiene and records and medical management. Review also includes control of external exposures such as contractors, vendors, general public, and natural disaster planning.
- G. Employee Involvement: Review of employee involvement and influence on the safety management system, review of individual employee development opportunities, employee participation in physical hazard inspections, safety training, safety meetings, job safety observations and safety committees.
- H. Motivation, Behavior and Attitudes: Review of employee recognition and reinforcement plans and behavior and attitude assessments.
- I. Health and Safety Training: Review of the scope of formalized associate training, frequency and types of associate safety training, subject and/or job specific training provided, safety and health team training and the extent to which safety and health leadership training and information is communicated to various levels of the organization.

The assessment consisted of the following activities:

1. Opening conference with vice president of human resources and members of the senior leadership team.
2. Interviews with 31 employees including managers, supervisors, crew members and safety committee members regarding safety and health management system awareness and implementation.
3. Review of written safety and health programs, policies, procedures and supporting documents.
4. Review of safety and health records and systems.

5. Interviews and reviews to identify the degree of acceptance and application of safety and health programs, projects and activities revealed during interviews and the review of records.
6. Closing meeting with the leadership team.

Interviews were conducted on a confidential basis with the focus on safety management system awareness, responsibility and implementation.

The nine sections within this assessment report represent the nine elements of the National Safety Council's safety management system. Our ninety-six years of experience with occupational safety has lead the Council to discover that any company that has successfully controlled employee injuries has done so by integrating each of these nine elements into its business plan and normal operating procedures.

Recommendations to be considered by Kenergy Corp are included within each of the nine sections of this document. While it is important that all recommendations be considered for implementation, it is necessary to prioritize certain efforts due to staffing capabilities, technical limitations and overall safety and health program structure. The following classifications were utilized for the purpose of assigning a priority level to each recommendation:

- Priority I** First area of focus and attention. These items should be given significant attention on an immediate basis.
- Priority II** Second area of focus and attention. These items should be given specific attention on a scheduled, intermediate basis.
- Priority III** Third area of focus and attention. These items should be reviewed and addressed on a long-term basis as components of the overall safety management plan.

## **EXECUTIVE SUMMARY**

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The National Safety Council defines a safety management system in the following manner:

A safety management system is an organized and structured means of ensuring that an organization (or defined part of it) is capable of achieving and maintaining high standards of safety performance. A comprehensive safety and health system is proactive and preventive. It is an integrated system that involves everyone in the organization starting with solid commitment from top management. It includes a formal method of measuring and evaluating individual and organizational safety performance with an emphasis on improving safety performance within the system.

Kenergy Corp has a multitude of examples of excellence in managing the safety process. While it is impractical to list them all in the executive summary, examples not discussed here will appear in each of the nine elements.

Some of the more noteworthy examples of safety management system excellence at Kenergy Corp include:

- A CEO who visibly leads the safety management system. This CEO has clearly outlined expectations for his staff, is frequently engaged with the crew members in all districts and has created an atmosphere that allows his staff members to use their own individual skills to strengthen the safety management system. The CEO provides consistent support for the team and holds individuals accountable for results.
- Dedicated, well-qualified and committed VP of Operations and VP, Human Resources that assume the bulk of the responsibility for safety. Especially notable are their excellent rapport with all levels of the organization.
- A management team that has integrated safety into their daily operating routines. Each member of management was able to clearly explain their roles and responsibilities as well as cite how their own unique contributions have strengthened the safety management system in Kenergy Corp.
- A safety committee which produces recommendations that are routinely incorporated into the daily operations.
- Sincere desire of the associates to become involved in the decisions involving their safety.
- Awareness of all interviewed in understanding the meaning of the safety policies and rules.

The results of this assessment indicate that while some of the elements necessary for an effective safety management system exist within Kenergy Corp, the current safety management system is unlikely to have any long term sustainable impact on the overall injury rate. The current manner of implementation has been such that the existing safety culture is causal-based and reactive.

This is not to imply that the current efforts to protect the well being of the employees have been wasted. To the contrary, Kenergy Corp is in a much stronger position to effectively manage its injury rate than is common in most causal-based safety cultures. There is no need for radical new safety initiatives. Significant improvement in the injury experience can likely be achieved by modifying and standardizing some existing practices.

There should be a clear understanding of how a safety management system works; plans should be developed for site specific implementation; priorities, responsibilities and deadlines established; accountabilities put in place and adjustments to the continuous improvement plan made as unforeseen events dictate. These are the steps that the safety profession recommends in developing a control-based safety culture.

The lack of a widely understood and clearly defined safety management system has made it difficult for Kenergy Corp to develop a continuous improvement plan. This lack of planning has lead to a situation in which there are pockets of safety excellence within the organization, but no method in place that allows the best of the current actions to be evaluated and standardized.

Another critical area that will need improvement is the level of employee involvement in the safety management system. The current method of employee involvement is largely restricted to participation in the employee safety committee or offering suggestions at the employee safety meeting.

Effective employee involvement tools are designed to capture the experience and knowledge of the work force to develop safe operating procedures or to control or eliminate hazards before an injury occurs. Other advantages of effective employee involvement tools include:

- Development of practical safety methods that work in the actual work situations encountered by the employees.
- Greater acceptance of the safe methods as they were developed by experienced workers rather than being imposed by the management staff.
- The capture of the years of experiences by seasoned employees in a manner that allows Kenergy Corp to benefit from these experiences long after the employee retires or leaves the company.
- Greater operating efficiencies as the workers are utilized as a resource to resolve safety issues instead of simply raising safety concerns.

A third critical issue that must be considered is Kenergy Corp's metric system. The current metric system tracks lost time incidents, lost work days and all recordable cases. While it is important to manage results, there are several problems with using these metrics as Kenergy Corp's measure of safety success. These issues include:



- The current metrics are measures of how the safety management system is failing, not how the system is succeeding.
- The current metrics are trailing and reactive measures that are ineffective in predicting future results.
- The current metrics are likely to encourage under reporting of minor incidents. This will deny the facility an opportunity to address the root cause of minor incidents before these root causes result in more severe injuries or incidents that can not be hidden. Ultimately this is usually more damaging to the employee and more costly to the company.

While it is necessary to manage results, the body of the assessment report will suggest proactive measures that can be established to track improvements as the safety management system is implemented. These proactive measures can be used as additional metrics in judging improvements within Kenergy Corp's safety management system.

Other impediments to an effective safety management system at Kenergy Corp include:

- A belief among many employees that injuries are inevitable.
- Inconsistent application of existing safety policies by the supervisors.
- Uncertainty among the supervisors about safety goals, objectives and accountability.
- Lack of a method of root cause analysis that may be used to control or eliminate hazards that may cause future injuries.
- Lack of trend analysis that may be effective in directing limited resources to areas of greatest need.
- Lack of a critical inventory method to help hourly employees assess the acceptable level of risk.
- Lack of a simplified process hazard analysis method that may help hourly employees identify and control hazards.
- Lack of an individual positive recognition for superior performance.
- Lack of a full-time individual (safety professional) responsible for setting the direction and guiding the safety management system efforts.

Kenergy Corp's senior leadership team seems to be sincerely concerned about the worker's well being for ethical reasons. Protecting the well being of workers generates a number of benefits to an employer. In addition to these ethical considerations, companies who have successfully eliminated employee injuries have seen other benefits. These benefits include:

- Increased productivity due to a healthy and experienced work force reporting for their daily tasks.
- Increases in profits due to reductions in the direct and indirect costs of responding to employee injuries.
- Increased public reputation.

➤ Increased employee morale.

It is necessary for the leadership team of Kenergy Corp to have an understanding of these benefits as well as the costs associated with leaving things status quo. The managerial skills of the senior leadership team will be important as a reduction in the incident/injury rate really requires a change in the daily operations.

In order to impact the incident rate or the injury rate, the daily habits of the work force must change. It is inconsistent to expect reductions in incident and injury rates while maintaining the status quo. While the employees interviewed express respect for the senior management and a desire to help to improve the safety management system, strong leadership will be required by the supervisors when these employees are asked to alter their current habits. An additional challenge to accomplishing these changes at Kenergy Corp is the stated belief by some supervisors and employees that injuries are inevitable. If injuries are inevitable, why bother with all the stresses of supervision required to change the daily habits of the workers?

Kenergy Corp is in an enviable position of having many internal resources that can be managed in a manner that can significantly impact employee injuries and illnesses. There should be no misunderstanding concerning the magnitude of the changes required. The reduction in employee injuries will not be accomplished by completing a few projects. The reduction in employee injuries will result from the accumulation of a multitude of small changes made in the daily operations of all the workers.

The organization should consider creating and filling a safety manager position. This position will as a minimum provide leadership for all aspects of the safety function within the Company. This may include but not be limited to development of a local safety manual, coordinating the safety training program, leading a joint safety and health committee and developing strategy and related policies for accident/injury prevention, and accountability. This position would not diminish the accountability and involvement required by the management staff, but would serve as a resource and a clearing house for new safety initiatives and assuring consistency in how the rules are applied in all of the districts.

It will require the consistent efforts of the entire management team to make the changes necessary to achieve the substantial benefits derived from an effective safety management system.

**Kenergy  
Job Description**

**Job Title:** Risk Manager  
**Department:** Human Resources  
**Reports To:** Vice President, Human Resources  
**FLSA Status:** Exempt  
**Prepared By:** Vice President of Human Resources  
**Prepared Date:** June, 2, 2009  
**Approved By:** Vice President of Human Resources  
**Approved Date:**

**SUMMARY**

Responsible for promoting of Kenergy's safety culture.

**ESSENTIAL DUTIES AND RESPONSIBILITIES** include the following. Other duties may be assigned.

Serves as a permanent member of Kenergy's Safety and Safety Leadership Team.

Oversees the NRECA Safety Accreditation Program.

Shall be knowledgeable for all applicable safety codes as they pertain to the cooperative's business activities and any incidents that occur, including but not limited to the National Electric Safety Code, Workmen's Compensation, and KYOSH regulations.

Assists with the administration of the drug and alcohol program in cooperation with the Vice President of Human Resources.

Prepares and presents an approved safety program for employees. May coordinate activities with KAEC safety personnel; BREC safety consultant and the cooperative's insurance loss control personnel.

Conducts and coordinates incident investigations involving employees, cooperative vehicles and cooperative equipment.

Responsible for testing all cooperative Personal Protective Equipment, including grounds, hot sticks, rubber gloves, and other equipment as required.

Develop a formal injury trend analysis and communicate said trends to management.

Benchmark the cooperative's safety performance against similar industries.

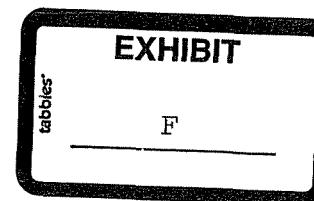
Identify and train employees on regulatory inspection notification and procedures.

Provide guidance to management on environmental regulations.

Abides by all federal and state laws applicable to the position and complies with all rules, regulations, policies, and procedures established by the cooperative.

**SUPERVISORY RESPONSIBILITIES**

None



**QUALIFICATIONS** To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**EDUCATION and/or EXPERIENCE**

Bachelor's degree with area of concentration in Occupational Safety and Health or Risk Management preferred. Previous experience in the electric utility industry preferred.

**COMPUTER, LANGUAGE & COMMUNICATION SKILLS**

Experience and proficiency with Microsoft Office Software with an emphasis using Excel and Word. Posses the ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Most possess the ability to write reports and correspondence. Verbal skills associated with public speaking as in training sessions and safety meeting scenarios.

**ELECTRICAL and MATHEMATICAL SKILLS**

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

**REASONING ABILITY**

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

**CERTIFICATES, LICENSES, REGISTRATIONS**

Valid driver's license. Individual is encouraged to attain CSP certification by the Board of Certified Safety Professionals. Successful completion of NRECA Loss Control Internship Program within three years of hire date.

**PHYSICAL DEMANDS** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**WORK ENVIRONMENT** The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works in all outside weather conditions. The employee occasionally works near moving mechanical parts and in high, precarious places and is occasionally exposed to risk of electrical shock. The noise level in the work environment is usually moderate.

**IMPORTANT:** This job description is not intended to be all-inclusive; an employee also will perform other reasonably related job responsibilities as assigned by immediate supervisor and other management as required. This organization reserves the right to revise or change job duties as the need arises. This job description does not constitute a written or implied contract of employment. Management reserves the right to change job descriptions, job duties, or working schedules based on their duty to accommodate individuals with disabilities.

	Change From Last Month	YTD Total	YTD Target	% Variance	2009 Annual Target	2008 Results	2007 Results
<b>SAFETY</b>							
Lost Time Incidents		2	0	NA	0	4	1
OSHA Recordables		5	3	66.67%	3	9	4
Vehicle Incidents		12	8	50.00%	10	13	15
<b>SERVICE</b>							
ACSI Index 2nd Period 2009		82	86	-4.65%	86	86	87
Preston Osborne C&I Score 2nd Period 2009		54	77	-29.87%	77	72	77
Outage Duration Index (SAIDI) - 12 Month Ending Minutes*		171.98	156	10.24%	156	135.34	119.70
Outage Frequency Index (SAIFI) - 12 Month Ending Minutes*		2.36	1.5	57.33%	1.5	1.87	1.5
<b>PEOPLE</b>							
Training hours per employee		35.07				45.43	42.87
<b>PERFORMANCE</b>							
Net Revenue (Gross Revenue Less Power Cost)		\$ 28,116,231	\$ 30,042,940	-6.41%	\$ 36,813,550	\$ 34,059,831	\$ 33,894,888
Expenses		\$ 27,704,105	\$ 28,711,195	-3.51%	\$ 34,533,713	\$ 34,089,795	\$ 31,744,020
Times Interest Eamed Ratio		1.30	1.44	-9.71%	1.25-1.50	1.13	1.59
Percentage Equity/Total Capital Ratio		29.52%	30%-40%	-1.60%	30-40%	29.92%	29.92%
National Rank of Residential Rates (2006)		2%	10%	-80.00%	10%	2%	2%
Operation & Maintenance Cost Per Customer		\$277.10	\$298.35	NA	\$ 358.51	\$362.66	\$332.44