

DOC11R

**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of May 18, 2026***2010-00334**

RECEIVED: 09/08/10

FILED: 09/08/10

FINAL: 11/23/10

REOPENED:

SUSPENSION DATE:

CASE NATURE: Alleged Failure to Comply with KRS 278.042

**CASE CODE**

Investigation - Service

**UTILITIES:**

Clark Energy Cooperative, Inc.

**HEARINGS:**

11/10/10 Formal Hearing

10/18/10 Informal Conference

**INDEX OF EVENTS:**

10/20/11 POST CASE: Clark Energy's 3rd Quarter Safety Audits for 2011  
07/14/11 POST CASE: Clark Energy's Safety Audits for 2nd Quarter of 2011  
04/18/11 POST CASE: Clark Energy's Job Site Safety Audits  
01/18/11 POST CASE: Clark Energy's Job-Site Safety Audits  
01/06/11 POST CASE: Clark Energy's Response to Data Request  
12/01/10 POST CASE: Clark Energy Cooperative's payment of \$2,500.00 civil penalty  
11/23/10 Order Entered: The Joint Stipulation of Facts and Settlement Agreement is adopted and approved in its entirety as a complete resolution of all issues in this case. 2. Clark Energy shall pay \$2,500.00 as a civil penalty within 30 days of the date of this Order by cashier's check or money order payable to the Kentucky State Treasurer and mailed or delivered to the Office of General Counsel, Kentucky Public Service Commission, 21 1 Sower Boulevard, Post Office Box 61 5, Frankfort, Kentucky 40602. 3. Within 30 days of the date of this Order, Clark Energy shall provide a copy of its prescreening qualifications to the Commission. 4. Beginning with the first full calendar month following the date of this Order, Clark Energy shall begin performing monthly safety audits on all employee and contract crews.' Clark Energy shall file a quarterly report of these monthly safety audits with the Commission for the next 12 months. Commission Staff and Clark Energy agreed that contract crews for vegetation management that do not break the minimum approach distance contained in the NESC will not have to be audited on a monthly basis. However, Clark Energy should still insure that these crews are trained and follow the safety policies and procedures. 5. Clark Energy shall continue to perform the proactive safety measures outlined in its response filed on September 27, 2010, as further detailed in the informal conference and contained within the Settlement Agreement. 6. Clark Energy shall invite i

11/05/10 Order Entered: Clark Energy's motion to continue the hearing is granted.  
10/29/10 Memorandum dated 10/29/10 for Informal Conference of 10/18/10; Comments, if any, due within seven days of receipt

10/26/10 Clark Energy Motion to continue the hearing scheduled  
10/06/10 Commission Staff's Notice of Informal Conference  
09/27/10 Clark Energy's Response to Commission's Order dated 090810 and Request for Informal Conference  
09/08/10 Order Entered: 1. Clark Energy shall submit to the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Report. 2. Clark Energy shall appear on November 10, 2010 at 9:30 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 21 1 Sower Boulevard in Frankfort, Kentucky for the purposes of presenting evidence concerning the alleged violations of KRS 278.042 and showing cause why it should not be subject to the penalties prescribed in KRS 278.990( 1 ) for these alleged violations. 3. At the scheduled hearing in this matter, Clark Energy shall also present evidence on the adequacy, safety, and reasonableness of its practices related to the construction, installation, and repair of electric facilities and whether such practices require revision as related to this incident. The November 10 , 2010 hearing shall be recorded by videotape only. The Report in the Appendix is made a part of the record in this case. Any requests for an 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.