

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY UTILITIES COMPANY	)	
	)	
_____	)	CASE NO.
	)	90-172
	)	
ALLEGED FAILURE TO COMPLY	)	
WITH COMMISSION REGULATIONS	)	

ORDER TO SHOW CAUSE

Kentucky Utilities Company ("KU"), which engages in the distribution of electricity to the public, for compensation, for light, heat, power, and other uses, is a utility under the Commission's jurisdiction.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated Commission Regulation 807 KAR 5:006, Section 24, which requires a utility to submit to the Commission a summary written report of any utility-related accident which results in death or serious injury. This report must be submitted within 7 days of the accident.

Commission Staff has submitted to the Commission an Electrical Utility Accident Investigation Report dated May 15, 1990, attached hereto as Appendix A, which alleges:

1. On April 5, 1990, Jimmy Ernst was seriously injured in Georgetown, Kentucky, while transferring a three phase 2400-volt line to a new utility pole.

2. KU submitted a summary written report of this accident to the Commission on April 20, 1990.

3. KU violated Commission Regulation 807 KAR 5:006, Section 24, by failing to submit a summary written report of this accident within 7 days of the accident's occurrence.

WHEREFORE, the Commission, on its own motion, HEREBY ORDERS that:

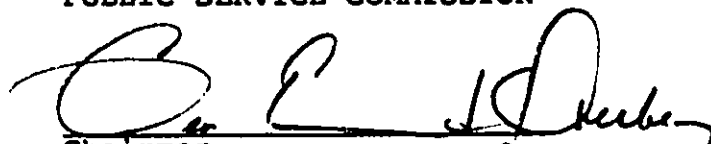
1. KU shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Electrical Utility Accident Investigation Report attached hereto as Exhibit A.

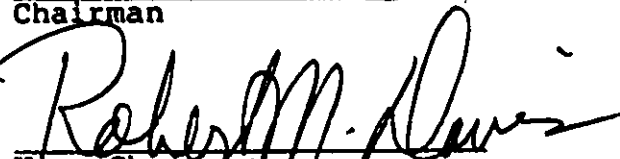
2. KU shall appear on September 6, 1990 at 1:00 p.m., Eastern Daylight Time, in Hearing Room No. 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purposes of presenting evidence concerning the incident which is the subject of the Electrical Utility Accident Investigation Report, specifically the alleged violation of Commission Regulation 807 KAR 5:006, Section 24, and of showing cause, if any it can, why it should not be subjected to the penalties of KRS 278.990 for its alleged failure to comply with Commission Regulations.

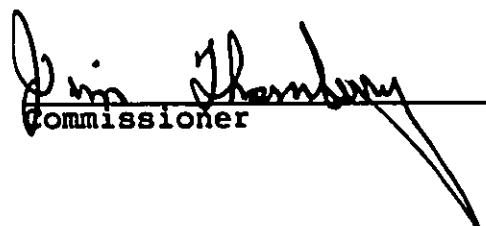
3. The Electrical Utility Accident Investigation Report dated May 15, 1990 is hereby made a part of the record of this case.

Done at Frankfort, Kentucky, this 22nd day of June, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

**ELECTRICAL UTILITY ACCIDENT INVESTIGATION**

DATE OF THIS REPORT 5/15/90 SUBMITTED BY Elie El-Rouaiheb  
NAME OF UTILITY Kentucky Utilities Company  
ACCIDENT REPORTED BY Brian Dickey  
DATE & TIME UTILITY LEARNED OF ACCIDENT 4/5/90 11:00 A.M.  
DATE & TIME ACCIDENT REPORTED 4/5/90 11:20 A.M.  
DATE AND TIME ACCIDENT OCCURRED 4/5/90 10:00 A.M.  
DATE OF ACCIDENT INVESTIGATION 4/5/90

DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 4/20/90 I cal-  
led KU on 4/16/90 and talked to Mr. Carl Wise. I informed him that  
the Commission hadn't received KU's summary written report.

PERSONS ASSISTING IN THE INVESTIGATION Charley Stanley and Brian  
Dickey of Kentucky Utilities Company.

NAME OF VICTIM(S) 1. Jimmy Ernst SEX M AGE 30  
FATAL No NAME OF EMPLOYER: Davis H. Elliot Co.  
INJURIES Flash burns to face and neck.

2. \_\_\_\_\_ SEX \_\_\_\_\_ AGE \_\_\_\_\_  
FATAL \_\_\_\_\_ NAME OF EMPLOYER: \_\_\_\_\_  
INJURIES \_\_\_\_\_

3. \_\_\_\_\_ SEX \_\_\_\_\_ AGE \_\_\_\_\_  
FATAL \_\_\_\_\_ NAME OF EMPLOYER: \_\_\_\_\_  
INJURIES \_\_\_\_\_

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

**LOCATION OF ACCIDENT SITE** Intersection of Court Street and Court Alley, Georgetown, Kentucky.

**DESCRIPTION OF ACCIDENT** Mr. Ernst was in the process of installing jumpers to connect two three phase primary 2,400 volts power lines that ended on a new deadend angle pole. However, the sequence of the phases (A, B, C) on the left didn't correspond to the sequence on the right. Mr. Ernst installed the jumper cable between the top phase on the left and the top phase on the right side resulting in contact between phase A and phase B which started an arc. Mr. Ernst was wearing protective rubber gloves and sleeves at the time of the accident.

**SOURCE OF INFORMATION** James Vinson Meadows of Davis H. Elliot Co., Charley Stanley of Kentucky Utilities Company, Kentucky Utilities Company Summary Written Report, and an onsite investigation.

**PROBABLE VIOLATIONS OF COMMISSION REGULATIONS** The Summary Written Report was received 14 days after the accident occurred. Therefore Kentucky Utilities is in probable violation of 807 KAR 5:006, Section 24; which requires that a Summary Written Report be filed within seven days. Kentucky Utilities Company's three phase line and a service drop at different point of the span were found to be in probable violation of 807 KAR 5:041, Section 3(1) for not having the clearances required by N.E.S.C.

**RECOMMENDATIONS** Due to Kentucky Utilities Company's probable violation of 807 KAR 5:006, Section 24, it is recommended that the Commission consider action in accordance with KRS 278.990. As of the low clearance, it is recommended that Kentucky Utilities take corrective action immediately to correct the low clearances found beyond the accident

**RECOMMENDATIONS (Continued)**

site. It is further recommended that Kentucky Utilities Company fur-  
nish documentation of work done to this Commission as soon as work  
is completed.

**CORRECTIVE ACTION** Corrective action has been recommended.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
<b>A. AT POINT OF ACCIDENT</b>		
Phase conductor to ground elevation:	A 30' - 7" B 35' - 11" C 32' - 7"	20'
Neutral conductor to ground elevation:	28' - 9"	18'
Secondary conductor to ground elevation:	27' - 9"	18'
Phase conductor to structure:	A 15' - 9" B 12' - 9" C 9' - 7"	10'
Neutral conductor to structure:	6'	3'
Secondary conductor to structure:	3' - 5"	10'
<b>B. AT LOWEST POINT OF SPAN</b>		
Phase conductor to ground elevation:	N/A	N/A
Neutral conductor to ground elevation:	N/A	N/A
Communication conductor to ground elevation:	N/A	N/A
<b>C. SPAN LENGTH</b> <u>121'</u>		
Date the line or facilities were constructed: <u>4/5/90</u>		
Utility: <u>Kentucky Utilities Company</u>		
Date: <u>Revisited site and took the above measurements 5/7/90.</u>		
Time <u>9:00 A.M.</u> Approximate temperature: <u>50 Degrees F</u>		
Measurements made by: <u>Kentucky Utilities Company Personnel</u>		

Submitted by: Elie Et-Rouach

## LINE CLEARANCES

The measurements below are horizontal and vertical measurements taken at locations where the power lines seem to be close to the building. The measurements were taken starting from the accident site going away toward Main Street.

	<u>AS MEASURED</u>		<u>MINIMUM ALLOWED BY NESC</u>	
	Vertical	Horizontal	Vertical	Horizontal
Phase Conductor to Red Brick Building	A 16"	N/A	10'	N/A
	B 13'-3"	N/A	10'	N/A
	C 9'-2"	N/A	10'	N/A
Secondary Conductor to Red Brick Building	N/A	5'-9"	N/A	3'
Neutral Conductor to Red Brick Building	N/A	5'-9"	N/A	3'
Communications Con- ductor to Window	N/A	4'-6 1/2"	N/A	3'
Service Drop Conductor to Window	N/A	1'-9"	N/A	3'
Phase Conductor To Brick Building	A 9'-11"	N/A	10'	N/A
	B 7'-11"	N/A	10'	N/A
	C 4'-6 1/2"	N/A	10'	N/A
Phase Conductor to Chimney	C 4'-1"	N/A	8'	N/A
Phase Conductor to Structure (corner of Main and Court Street)	A 5'-6"	5'-1"	10'	5'
	B 8'-10"	8'-5"	10'	5'
	C 3'-6"	2'-8"	10'	5'



**KENTUCKY UTILITIES COMPANY**

ONE QUALITY STREET  
LEXINGTON, KENTUCKY  
40507  
TELEPHONE 606-253-3100

April 19, 1990

Mr. Elif El-Rouaiheb  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

Dear Elif:

RE: JIMMY ERNST, EMPLOYEE OF DAVIS H. ELLIOTT CO.  
FLASH BURNS TO FACE & NECK  
D/A: 4/5/90

Enclosed is a copy of our Public Accident Report on the above referenced claim.

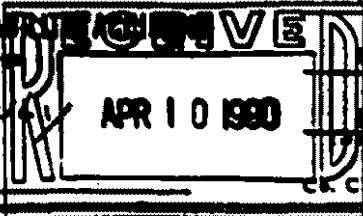
Yours very truly,

Carl R. Wise  
Claims Representative

CRW/ss  
Enclosure

CONTRACTOR ACCIDENT  
PART OF PUBLIC OR GENERAL LIABILITY  
Personal injury or property damage  
Form 200 REV. 12-711  
FOR INFORMATION ONLY

Kentu Utilities Company 4321  
One Quality Street  
Lexington, Ky. 40507  
RMT# 87771  
State 90-1102



Claim No. \_\_\_\_\_ Ch. Claim No. \_\_\_\_\_

TIME AND  
PLACE OF  
ACCIDENT

Date April 5, 1990 Time 10:00 A.M.  
Location \_\_\_\_\_  
City Georgetown County Scott State Kentucky

RMT  
4-10-90

PERSON  
INJURED

Name Jimmy Ernst Age \_\_\_\_\_ Married \_\_\_\_\_ Ages of Children \_\_\_\_\_  
Address 613 Bizzell Drive Lexington Ky. 40508 Phone \_\_\_\_\_  
Occupation Lineman Employer Davis H. Elliot Co.  
Nature and extent of injuries Flash burns to face and neck  
Injured taken to U.K Med. Center Name of physician Unknown

PUBLIC  
PROPERTY  
DAMAGED

Owner's Name \_\_\_\_\_ Address \_\_\_\_\_  
Description of Property Damaged \_\_\_\_\_  
Nature and Extent of Damages \_\_\_\_\_  
Estimated Cost to Repair or Replace \_\_\_\_\_

ACCIDENT

How did the accident happen? (Give full details, describing equipment or other property involved and nature of work being done)  
Transferring three phase 2400volts from old pole to new one. It was a double deadend angle pole and the phases were jumpered out with mechanical jumpers. This was a pole with vertical construction. The top phase on the left side was jumpered to the middle phase on the right side of the pole. When the permanent jumper was installed, Jimmy forgot and went from the top phase on the left side to the top phase on the right side causing a phase to phase contact.

WITNESSES  
OR  
PERSONS  
PRESENT

Name	Address	Phone
1. Charley Gifford KU <sup>CL</sup>	376 Bethlehem Rd. Paris, Ky.	
2. Vince Meadows	Davis H. Elliot Co.	
3. Richard Baugh	Davis H. Elliot Co.	

Report Made By Charley Gifford Date April 6, 1990  
Report Approved By *Jesse Conner* Date April 6, 1990



one-party telephone service within specified time frames, but this was not done.

Contel has responded to some of these complaints either directly or through the Commission on an informal complaint basis. However, Contel's responses have not satisfied the complainants. The Commission believes that more explanatory responses should be provided to Contel's ratepayers.

The Commission is concerned about Contel's ratepayer complaints and problems and seeks a reasonable solution. The Commission is also aware of the costs associated with upgrading Contel's system. Therefore, the Commission, on its own motion, establishes this proceeding in order to fully investigate the situation.

IT IS THEREFORE ORDERED that within 30 days from the date of this Order Contel shall provide the following:


1. A detailed description of all of its deferred construction plans, which directly or indirectly affect the provision of one-party telephone service, since 1986. Furthermore, Contel shall thoroughly explain the reasons for the deferral of these plans.

2. A complete schedule of its current plans regarding upgrading its system in order to provide one-party telephone service to all its ratepayers and to eliminate mileage charges.

3. Responses to the concerns mentioned in complaints which have been enumerated in this Order. Copies of these complaints are attached hereto and incorporated herein as Exhibit 1.

Done at Frankfort, Kentucky, this 22nd day of June, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director

**Benton A. Cowles**  
Brownsville, Kentucky 42210

NOV 22 1989

CHAIRMAN  
P.S.C.

November 18, 1989

Mr George Edward Overbey, Chairman  
Kentucky Public Service Commission  
PO Box 615  
Frankfort, Kentucky 40602

Mr Overbey,

For the past several years I have heard that we in Edmonson County, would have private telephone lines to each customer throughout the county at a fair and reasonable charge.

Today if we want a private telephone line in our homes out in the rural areas of the county it is cost prohibitive to many of Edmonson Countians. I feel like it is past due that we have private phone lines throughout Edmonson County at a reasonable charge.

Have we been due private telephone lines in Edmonson County and they went elsewhere? Will you assist us with your influence as chairman of the public service commission to help Edmonson County to have private telephone lines throughout the county at a reasonable charge?

Having private telephone lines is important for so many reasons. The most important reason could mean life or death when quick access to a telephone line is needed under emergency conditions when a ambulance, law enforcement or fire department is needed.

Thank you for your time and concern. Please try to help us!

Respectfully Yours

*Benton A. Cowles*  
Benton A Cowles

CC: Contel of Kentucky, Inc  
719 North Main Street  
London, Kentucky 40741

Home [REDACTED]  
Office 597-2381



EXHIBIT 1