

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
_____)	CASE NO. 99-077
)	
FAILURE TO COMPLY WITH COMMISSION)	
REGULATION 807 KAR 5:041, SECTION 3(1))	

O R D E R

Louisville Gas and Electric Company ("LG&E") is a Kentucky corporation engaged in the generation, transmission, and distribution of electricity to the public for compensation for lights, heat, power, and other uses and is a utility subject to Commission jurisdiction. KRS 278.010.

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 807 KAR 5:041, Section 3(1), which requires the maintenance of utility facilities to be in accordance with the National Electric Safety Code, 1990 Edition ("NESC"). The NESC, Section 41, Rule 411.A.3, requires employees to be instructed as to the character of the equipment or lines and methods to be used before any work is undertaken thereon; Rule 411.E requires the identification of supply circuits before work is undertaken; Rule 420.H requires employees to use personal protective equipment; and Rule 420.J.3 prohibits the use of metal ladders when working on or in the vicinity of energized parts.

Commission Staff submitted to the Commission a Utility Accident Investigation Report dated December 1, 1998, attached hereto as Appendix A, which alleges that on August 3, 1998, two LG&E employees, Roy Gribbins and Thomas McGrew, were troubleshooting a three-phase electrical system for an air conditioning unit because one of the phases was out. They opened a metal cabinet that was labeled "480-volt line" and attempted to check the voltage. Mr. Gribbins was standing on a metal ladder and not wearing rubber gloves or sleeves while using a volt meter set on the 750-ACV scale. An arc and explosion occurred resulting in flash burns to both employees due to the fact that the voltage in the cabinet was actually 4 KV.

The Utility Accident Investigation Report notes four probable violations of Commission regulations:

1. 807 KAR 5:041, Section 3(1), due to a violation of NESC Rule 411.A.3, due to the failure to instruct the employees as to the character of the equipment, resulting in their use of an incorrect volt meter.
2. 807 KAR 5:041, Section 3(1), due to a violation of NESC Rule 411.E, due to the improper identification of the supply circuits in the metal cabinet.
3. 807 KAR 5:041, Section 3(1), due to a violation of NESC Rule 420.H, due to Mr. Gribbins' failure to wear rubber gloves and sleeves.
4. 807 KAR 5:041, Section 3(1), due to a violation of NESC Rule 420.J.3, due to the employees' use of a metal stepladder.

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

1. LG&E shall submit to the Commission within 20 days of the date of this Order a written response to the allegations contained in the Utility Accident Investigation Report.

2. LG&E shall appear on April 15, 1999, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, to present evidence concerning the incident which is the subject of the Utility Accident Investigation Report, specifically the four alleged violations of Commission regulation 807 KAR 5:041, Section 3(1), and to show cause, if any it can, why it should not be subject to the penalties of KRS 278.990 for the four probable violations of the aforementioned Commission regulations.

3. The Utility Accident Investigation Report dated December 1, 1998 is hereby made a part of the record in this case.

4. Any request by LG&E for an informal conference with the 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 10th day of March, 1999.

By the Commission

ATTEST:

Executive Director