

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SALT RIVER ELECTRIC)	
COOPERATIVE CORPORATION)	
_____)	CASE NO. 99-111
)	
ALLEGED FAILURE PURSUANT TO)	
807 KAR 5:041, SECTION 3, TO COMPLY)	
WITH NATIONAL ELECTRIC SAFETY CODE,)	
1990 EDITION, SECTION 42, RULE 420H,)	
RULES FOR EMPLOYEES, TOOLS AND)	
PROTECTIVE EQUIPMENT, AND RULE 421A,)	
DUTIES OF FIRST LEVEL SUPERVISOR OR)	
PERSON IN CHARGE)	

O R D E R

Salt River Electric Cooperative Corporation (Salt River) 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 the Commission s jurisdiction. KRS 278.010(3)(a).

KRS 278.280(2) directs that the Commission is to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated administrative regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plant and facilities in accordance with the standards of the National Electric Safety Code, 1990 Edition (NESC).

Commission Staff submitted to the Commission a Utility Accident Investigation Report, a copy of which is appended hereto, dated January 11, 1999, which alleges that:

1. On September 23, 1998, Brian Barnett and Randy Nalley, employees of Salt River, were preparing a new electric service connection at Lot #36, Hickory Acre Trailer Park in Shepherdsville, Kentucky. Mr. Nalley was acting as supervisor or person in charge at the work site.

2. Mr. Barnett was standing on a ladder holding the energized service lead and connector in one hand. With his other hand, he reached for a tool and inadvertently touched the service neutral. He received an electrical shock upon touching the neutral.

3. Mr. Barnett was not wearing his rubber gloves at the time of the accident.

4. NESC, Section 42, Rule 420H, provides, Employees shall use the personal equipment, the protective devices, and the special tools provided for their work NESC, Section 42, Rule 421A, provides that a supervisor or person in charge shall See that the safety rules and operating procedures are observed by the employees under the direction of this individual. NESC standards are applicable to Salt River pursuant to 807 KAR 5:041, Section 3. Mr. Barnett s conduct violated NESC, Section 42, Rule 420H and Mr. Nalley s conduct violated NESC, Section 42, Rule 421A.

The Commission, based upon the facts contained in the Utility Accident Investigation Report, finds sufficient evidence to believe that Salt River has failed to comply with 807 KAR 5:041, Section 3; NESC, Section 42, Rule 420H; and, NESC, Section 42, Rule 421A.

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

1. Salt River 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. Salt River shall appear on May 11, 1999, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of presenting evidence regarding the alleged violation of Commission Regulation 807 KAR 5:041, Section 3 and NESC, Section 42, Rule 420H and Rule 421A, and of showing cause, if any, why it should not be subject to the penalties prescribed in KRS 278.990(1) for the alleged violation.

3. The Utility Accident Investigation Report dated January 11, 1999 is hereby made a part of the record herein.

4. Any request for informal conference with Commission Staff to consider any matter which would expedite the handling or disposition of this proceeding shall be filed with the Commission no later than 20 days from the date of this Order.

Done at Frankfort, Kentucky, this 31st day of March, 1999.

By the Commission

ATTEST:

Executive Director