

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SALT RIVER ELECTRIC)	
COOPERATIVE CORPORATION)	
_____)	CASE NO. 99-112
)	
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)	

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. Billy Marks and Travis Burns, employees of Salt River, were assigned the job task of connecting a single-phase 7,200 volt underground primary meter pole installation in the area of Spencer County, Kentucky called Possum Ridge.

2. On August 28, 1998, Mr. Marks and Mr. Burns proceeded with the installation work. Mr. Burns disconnected the underground cable feed which he believed to be energized. They jointly decided to address the installation as if it were an energized installation.

3. Mr. Marks was working from the truck's bucket which had been elevated into position to connect the wires and cable. While making the connection, Mr. Marks received an electrical shock which produced two (2) small thermal-like burns to the inside of his upper left arm. He was wearing his rubber gloves but not his rubber sleeves.

4. NESC, Section 42, Rule 420H, provides, Employees shall use the personal equipment, the protective devices, and the special tools provided for their work Mr. Marks failure to wear his rubber sleeves was a violation of Rule 420H. NESC standards are applicable to Salt River pursuant to 807 KAR 5:041, Section 3.

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; and, NESC, Section 42, Rule 420H. 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 10:00 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 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