

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
_____)	CASE NO. 98-592
)	
ALLEGED FAILURE PURSUANT TO)	
807 KAR 5:041, SECTION 3, TO COMPLY)	
WITH NATIONAL ELECTRICAL SAFETY CODE)	
("NEESC"), 1990 EDITION, SECTION 23,)	
CLEARANCES, RULE 234 B, 1&2)	

O R D E R

On November 20, 1998, the Commission directed Louisville Gas and Electric Company ("LG&E") to appear at a hearing to show cause why it should not be penalized pursuant to KRS 278.990 for its alleged violation of Commission regulation 807 KAR 5:041, Section 3, which invokes the National Electrical Safety Code, Section 23, Clearances, Rule 234B, 1&2.

After commencement of this proceeding, LG&E and Commission Staff entered into negotiations to resolve all outstanding issues. On March 16, 2000, several months after an agreement with Staff was reached in principle, LG&E executed the Settlement Agreement which is appended hereto. In reviewing the Settlement Agreement, the Commission has considered, *inter alia*, the circumstances and seriousness of the incident that is the subject of this proceeding, and LG&E's efforts to comply with the Commission's safety regulations. After reviewing the Settlement Agreement and being otherwise sufficiently advised, the Commission finds that the Settlement Agreement is in

accordance with the law, does not violate any regulatory principle, results in a reasonable resolution of this case, and is in the public interest.

IT IS THEREFORE ORDERED that:

1. The Settlement Agreement is incorporated into this Order as if fully set out herein.

2. The terms and conditions set forth in the Settlement Agreement are hereby adopted and approved.

3. LG&E is directed to maintain a training program to provide safety instruction to any city of Louisville employee who works in or near LG&E electric lines, including newly employed persons.

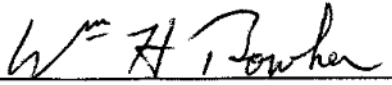
4. Within 10 days of the date of this Order, LG&E shall pay to the Commonwealth of Kentucky the sum of One Thousand Five Hundred Dollars (\$1,500.00). This payment shall be made in the form of a cashier's check made payable to "Treasurer, Commonwealth of Kentucky" and shall be mailed or delivered to the Office of General Counsel, Public Service Commission, 211 Sower Boulevard, Post Office Box 615, Frankfort, Kentucky 40602.

5. This case is closed and shall be removed from the Commission's docket.

Done at Frankfort, Kentucky, this 18th day of May, 2000.

By the Commission

ATTEST:

Deputy 
Executive Director