

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MEADE COUNTY RURAL ELECTRIC)	
COOPERATIVE CORPORATION)	
_____)	CASE NO. 2000-524
)	
ALLEGED VIOLATION OF COMMISSION)	
REGULATION 807 KAR 5:041)	

O R D E R

Meade County Rural Electric Cooperative Corporation (“Meade RECC”) is a Kentucky corporation engaging in the distribution of electricity to the public for compensation for lights, heat, power and other uses. Meade RECC was formed pursuant to KRS 279.010 to 279.220, and is a utility subject to the Commission’s jurisdiction pursuant to KRS 279.210.

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 electric utilities to maintain their plant and facilities in accordance with the standards of the National Electrical Safety Code (1990 Edition) (“NESC”). It also promulgated Commission Regulation 807 KAR 5:006, Section 24, which requires a utility to adopt and execute a safety program.

Commission Staff has submitted to the Commission an Electrical Utility Accident Investigation Report, appended hereto, alleging that:

1. On September 28, 2000, John Steve Cardwell suffered burn injuries to his left middle finger and left foot while preparing to string electric line in Breckinridge County, Kentucky.

2. At the time of the incident, Meade RECC owned and operated the subject facilities.

3. At the time of the incident, no protective covering or guard was being used.

4. At the time of the incident, John Steve Cardwell and Tony Miller were employees of M&M Electrical Contractor and were acting within the scope of their employment.

5. At the time of incident, M&M Electrical Contractor was acting within the scope of a contract with Meade RECC to construct and install certain utility plant.

6. NESC Rule 124A requires guards to be provided around all energized parts that are without an adequate insulating covering.

7. NESC Rule 443A6 requires that equipment or material not bonded to a ground that extends or might extend into an energized area be treated as energized.

8. Mr. Cardwell and Mr. Miller failed to comply with NESC Rule 124A.

9. Mr. Cardwell and Mr. Miller failed to comply with NESC Rule 443A6.

Based on its review of the Electrical Utility Accident Investigation Report and being otherwise sufficiently advised, the Commission finds that prima facie evidence exists that Meade RECC failed to comply with Administrative Regulation 807 KAR 5:041, Section 3, and 807 KAR 5:006, Section 24.

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

1. Within 20 days of the date of this Order, Meade RECC shall submit to the Commission a written response to the allegations contained in the Electrical Utility Accident Investigation Report.
2. The Electrical Utility Accident Investigation Report, a copy of which is appended hereto, is made part of the record of this proceeding.
3. An informal conference with Commission Staff is scheduled for January 11, 2001 at 10:00 a.m., Eastern Standard Time, in Conference Room 2 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky to consider any matter that would aid in the handling or disposition of this proceeding. Meade RECC shall be represented by an officer with authority to represent the utility and shall bring to the conference all documents relating to this matter.
4. The Commission will consider a hearing date pending the disposition of this case at the informal conference.

Done at Frankfort, Kentucky, this 13th day of December, 2000.

By the Commission

ATTEST:


Executive Director

APPENDIX TO AN ORDER OF THE
KENTUCKY PUBLIC SERVICE COMMISSION
IN CASE NO. 2000-524
DATED DECEMBER 13, 2000