

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TAYLOR COUNTY RURAL ELECTRIC)	
COOPERATIVE CORPORATION)	
_____)	
ALLEGED FAILURE TO COMPLY WITH)	CASE NO.
ADMINISTRATIVE REGULATION 807 KAR 5:041,)	2002-00019
SECTION 3)	

O R D E R

Taylor County Rural Electric Cooperative Corporation (Taylor County RECC) is a Kentucky cooperative corporation formed pursuant to KRS 279.010 to 279.220. It engages in the 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 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 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 Electrical Safety Code (1990 edition) (NESC).

Commission Staff has submitted to the Commission a Utility Accident Investigation Report dated October 18, 2001, appended hereto, in which Commission Staff alleges that:

1. On August 28, 2001, Dennis Bays, Keith Clements, David Weatherford, and Scott Cochran, acting in their capacity as employees and First Class Service Technicians for Taylor County RECC, attempted to restore electric service to a Taylor County RECC customer in the Forest Hills Subdivision in Campbellsville, Kentucky.

2. Upon responding to the outage report, Bays and Clements discovered that a single-phase breaker on B-phase of a 3-phase line had tripped out at point 119. They discovered that a UG transformer had been damaged, and they called Weatherford and Cochran to assist them in changing the transformer.

3. While checking the size of the underground primary wire, Weatherford touched the primary wire with his hand and received a small shock. At the time Weatherford touched this wire, he was not wearing protective gloves or sleeves.

4. Cochran and Weatherford proceeded to check the voltage on the primary line using a hand held voltmeter normally used for checking low voltage.

5. While checking the voltage, the voltmeter blew up and Cochran received flash burns to his arms, hands, face, and eyes.

6. At the time of this incident, Cochran was not wearing protective gloves, sleeves, or safety glasses.

7. NESC Rules 420C(5) and 441A provide that no employee shall approach or take any conductive object within a certain distance of energized equipment unless the equipment is de-energized or there is proper insulation.

8. NESC Rule 420H requires persons to use the personal protective equipment, protective devices, and special tools provided for their work.

9. NESC Rule 445A2 requires that, when testing for voltage, the employee keep all parts of his or her body at a required distance by using proper insulating handles and other suitable devices.

10. Scott Cochran violated NESC Rules 420C5, 420H, 441A, and 445A2 when he failed to wear his protective equipment and failed to use proper insulating devices.

11. David Weatherford violated NESC Rule 420H when he failed to wear his protective equipment.

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

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

1. Taylor County RECC shall appear before the Commission on April 9, 2002 at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violations of Administrative Regulation 807 KAR 5:041, Section 3, and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990(1) for these alleged violations.

2. Taylor County RECC 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.

3. The Utility Accident Investigation Report of October 18, 2001, a copy of which is appended hereto, is made part of the record of this proceeding.

4. Any motion requesting an informal conference with Commission Staff to consider matters which would aid in the handling or the 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 22nd day of February, 2002.

By the Commission

ATTEST:


Executive Director