

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY POWER COMPANY)	
D/B/A AMERICAN ELECTRIC POWER)	
_____)	CASE NO. 2002-00138
)	
ALLEGED FAILURE TO COMPLY WITH)	
ADMINISTRATIVE REGULATION)	
807 KAR 5:041, SECTION 3)	

O R D E R

Kentucky Power Company d/b/a American Electric Power (AEP) is a Kentucky corporation with its principal offices at 1701 Central Avenue, Ashland, Kentucky. AEP 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 good, accepted engineering practices as set forth in designated publications. These publications include the standards of the National Electrical Safety Code (1990 edition) (NESC). Of particular relevance in these proceedings is NESC Rule 279-A, which provides in part as follows:

2. Use of Guy Insulators

- a. Ungrounded guys attached to supporting structures carrying more than 300 volts, or if exposed to such conductors, shall be insulated .
- b. Insulators shall be installed as follows:
 - (2) Where hazard would exist with one insulator, two or more guy insulators shall be placed so as to include, in so far as practical, the exposed section of the guy between them.

On February 11, 2002, Commission Staff submitted to the Commission a Utility Accident Investigation Report dated February 11, 2002, appended hereto, which indicated a probable violation of the cited portions of NESC Rule 279-A. In summary, the report alleges that:

1. On February 8, 2002, Morgan Watts, aged 14, and Chris Baker, aged 15, were riding on an all-terrain, 4-wheel vehicle in a semi-wooded area near Chavies in Perry County. Watts was driving the vehicle with Baker riding behind him.

2. While stopped next to a down guy wire attached to an AEP electric pole, Watts and Baker suffered an electric shock when Baker grasped the guy wire. Baker grasped the guy wire near its anchor point, causing it to make contact with the middle phase of an overhead three-phase wire running from the pole. The contact energized the guy wire causing the electric shock that injured Watts and Baker and further causing the middle phase of the three-phase wire to burn apart and to fall onto a highway below. Both Watts and Baker reported that when they felt the shock, they heard arcing sounds and the middle phase of the three-phase wire falling.

3. The guy wire was not grounded and was 127 feet from the pole. The guy wire was equipped with a guy insulator. The insulator was 87 inches long with a metal

end opposite the end attached to the pole. The guy wire had an undetermined amount of slack.

4. After the accident, AEP repaired the middle phase of the three-phase wire, took the slack out of the down guy wire, and added a second insulator.

Based on its review the Utility Accident Investigation Report and being otherwise sufficiently advised, the Commission finds that prima facie evidence exists that AEP has failed to comply with Administrative Regulation 807 KAR 5:041, Section 3, by attaching to an electric pole a guy wire that did not conform to the requirements of NESC Rule 279-A.

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

1. AEP shall appear before the Commission on August 13, 2002 at 9:00 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. Within 20 days of the date of this Order, AEP shall submit to the Commission a written response to the allegations contained in the Utility Accident Investigation Report.

3. The Utility Accident Investigation Report of February 11, 2002, 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 any matter which would aid in 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 28th day of June, 2002.

By the Commission

ATTEST:


Executive Director

APPENDIX TO AN ORDER OF THE
KENTUCKY PUBLIC SERVICE COMMISSION
IN CASE NO. 2002-00138
DATED JUNE 28, 2002

UTILITY ACCIDENT INVESTIGATION REPORT

Utility:	American Electric Power				
Reported By:					
Accident Occurred:	February 8, 2002	Approximately 4:30 p.m.			
	Utility Notified:	February 8, 2002	Approximately 5:00 p.m.		
	PSC Notified:	February 8, 2002	5:16 p.m.		
	Investigated:	February 11, 2002			
	Written Report Rcvd:	February 11, 2002			
Location of Accident:	Off Highway 28. Near Chavies, Kentucky in Perry County. Line services Perry County Water Booster Station.				
Description of Accident:	<p>Morgan Watts and Chris Baker were riding double on an ATV 4-wheeler in a semi-wooded area near Highway 28 when the accident occurred. Watts was driving the 4-wheeler and Baker was in back of him. The two boys pulled up to a down guy wire installation attached to American Electric Power pole No. 171-4. They grabbed hold of the down guy near its anchor point and said they felt a shock. They also heard arcing sounds and a wire fell down. The two boys received their injuries after grabbing the guy wire while on their 4-wheeler and heard the arcing sound. It was later learned that the guy insulator metal end had contacted the center phase of a 3 phase tap line, causing it to burn down. The guy was not grounded. The guy insulator measured 87 . The guy from pole to anchor measured 127 over uneven ground. It was also noted that this guy had an undetermined amount of slack in it. The downed phase wire was repaired and a second insulator was added to the down guy and slack taken out by AEP employees.</p>				
Victims:					
Name:	Morgan Watts Chris Baker	Fatal:	No No	Age:	14 15
Addr./Empl.:	P.O. Box 332, Chavies Kentucky				
Injuries:	Minor Shock				
Witnesses:	Name	Address/Employment			
	Morgan Watts	Chavies, Kentucky			

	Chris Baker	Chavies, Kentucky			
Sources of Information:	Name	Address/Employment			
	Marvin Phew	AEP Employee Dispatcher			
	Ray Maynard	AEP Employee - Supervisor			
	Michael G. Lasslo	AEP Employee Engineer I			
Probable Violations:	807 KAR 5:041 Section 3, National Electric Safety Code 1990 Edition, Section 27 Line insulation Rule 279 A.2.a.b.(2) Use of guy insulators. This guy was not grounded and did not meet American Electric Power specifications in regards to placement of guy insulators and grounding.				
Line Clearances At Point of Accident:	Measured	Minimum Allowed by NESC	Applicable NESC Edition¹ 1990	Volt.	Constr. Date
Phase Conductor to Ground Elevation (Chavies Side)	34 3	18.5	1990 Edition	7200	1997
Phase Conductor to Ground Elevation (Buckhorn Side)	34 5 ½	18.5	1990 Edition	7200	1997
Center Phase to Ground Elevation (burned down during incident)	34 6 ½	18.5	1990 Edition	7200	1997
Primary Neutral to Ground Elevation	23 9 ½	15.5	1990 Edition	7200	1985
	21 6	15.5	1990 Edition		N/A

¹ Current edition adopted by the Commission. If clearances are not in compliance with the current edition, then the edition in effect when the facilities were last constructed or modified would apply.

(2) Phone Cable To Ground Elevation	19 3	15.5	1990 Edition		N/A
Date of Measurement	2/8/02				
Approximate Temp.:	°40 degrees				
Measurements Made By:	Mike Lasslo (AEP), Jim Mullins (AEP) and Elijah Givin (Asplundh Employee)				
Investigated By:	John Land				
Signed:					

Attachments A. Accident Report
 B. Photographs of Accident Site

Attachments A and B are available upon request.

Attachment A
Accident Report

Attachment B
Photographs of Accident Site
