

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY UTILITIES COMPANY	)	
_____	)	CASE NO. 2003-00215
	)	
ALLEGED FAILURE TO COMPLY WITH	)	
ADMINISTRATIVE REGULATIONS	)	

O R D E R

Kentucky Utilities Company ( KU ) is a Kentucky corporation engaged 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 pursuant to KRS 278.010.

KRS 278.280(2) directs the Commission to prescribe rules and regulations to govern the performance of utility service. Pursuant to this provision, the Commission promulgated 807 KAR 5:006, Section 24, and 807 KAR 5:041, Section 3. 807 KAR 5:041, Section 3, requires utilities to maintain their facilities in accordance with the National Electrical Safety Code, 1990 Edition ( NESC ). Section 42, Rule 420 H of the NESC requires utility employees to use the personal protective equipment and devices provided for their work.

On May 22, 2003, Commission Staff submitted to the Commission an Electric Utility Incident Report, attached hereto as Appendix A. The report alleges that, on April 7, 2003, Toby Slone, a KU contract worker, injured his hand while servicing an underground meter pedestal at 222 Cedarwood, Richmond, Kentucky. The report

alleges a probable violation of 807 KAR 5:041, Section 3, because of Mr. Slone's failure to wear personal protective equipment in the form of rubber gloves.

For the foregoing reason, the Commission, on its own motion, HEREBY ORDERS that:

1. KU shall appear on August 28, 2003 at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky to present evidence regarding the alleged violation and to show cause why it should not be subject to the penalties prescribed in KRS 278.990(1).

2. Within 20 days of the date of this Order, KU shall submit to the Commission a written response to the allegations described in the Electric Utility Incident Report. In appearances before the Commission, corporations shall be represented by an attorney authorized to practice in the Commonwealth of Kentucky.

3. Any motion requesting an informal conference with Commission Staff to consider matters 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.

4. The Electric Utility Incident Report, appended hereto, is made part of the record of this proceeding.

Done at Frankfort, Kentucky, this 23<sup>rd</sup> day of July, 2003.

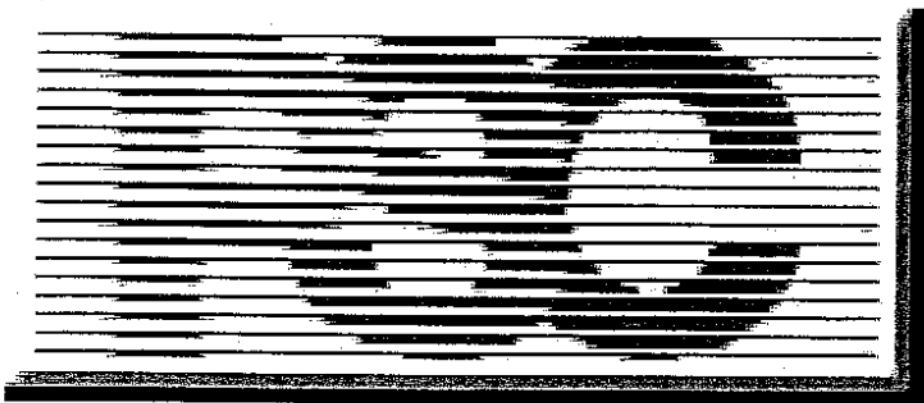
By the Commission

ATTEST:

  
Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2003-00215 DATED July 23, 2003



## INCIDENT INVESTIGATION ~ Staff Report

Report Date ~ May 22, 2003

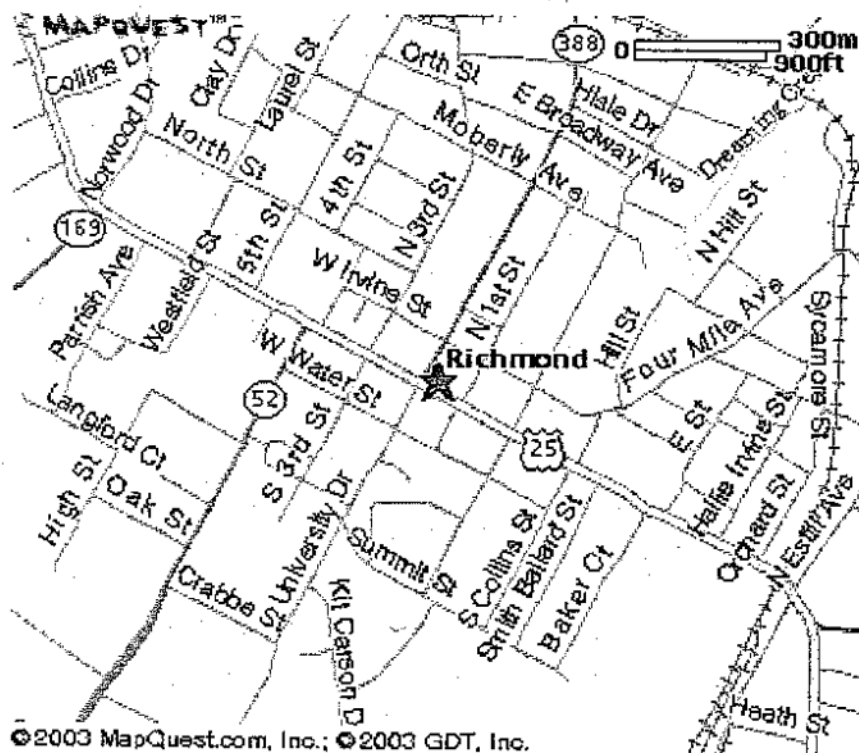
Incident Date ~ April 07, 2003

Serving Utility ~ Louisville Gas and Electric (LG&E) and Kentucky Utilities (KU)

Incident Location ~ 222 Cedarwood; Richmond, KY

Victims ~ Mr. Toby Slone

PSC Lead Investigator ~ Mr. John Land



# Kentucky Public Service Commission

Electric Utility Incident Report

<b>Utility:</b>	<b>Kentucky Utilities ("KU")</b>	
<b>Reported By:</b>	Marty J. Reinert, LG & E Regulatory Compliance	
<b>Incident Occurred</b>	April 7, 2003	1:15 pm
<b>Utility Notified:</b>	April 7, 2003	Approximately 1:30 pm
<b>PSC Notified:</b>	April 7, 2003	2:00 pm
<b>PSC Investigated:</b>	April 8, 2003	
<b>Report Rcvd:</b>	April 15, 2003	
<b>Incident Location:</b>	222 Cedarwood, Richmond, Kentucky	
<b>Incident Description:</b>	<p>Mr. Toby Slone was injured while in the process of making a meter set on an underground meter pedestal at 222 Cedarwood, Richmond, Kentucky. Mr. Sloan is a Service Tech for Tru-Check, Inc., a contractor for Kentucky Utilities. Mr. Sloan had set the new meter on top of the underground meter pedestal. He then cut the meter seal on the meter-base retaining ring. The retaining ring is used to hold a blank cover over the meter socket when service is not in use, as well as hold the meter in place when a meter is present. When he cut the meter seal, the retaining ring sprang open. Mr. Sloan stated that the ring and cover started to fall. It was at this point that Mr. Sloan tried to stop the ring and cover from falling and deflected the metal ring into the 120/240-volt meter socket. The metal retaining ring made contact with two energized meter lugs. This resulted in a short-circuit fault and resultant high-current arc. Mr. Slone received a flash burn and shock to his left thumb and hand. Mr. Slone was not wearing his rubber gloves at the time of the incident as required by the NESC and his employer's safety manual.</p>	

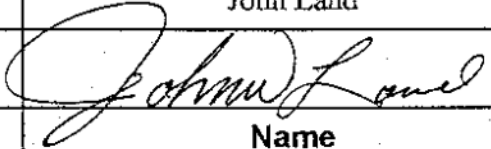
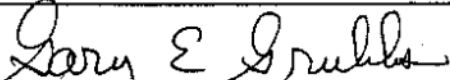
# Kentucky Public Service Commission

Electric Utility Incident Report

<b>Victim(s):</b>	Name		Address	Employer
	Toby Slone		1294 B Miller Drive Richmond, KY 40475	Tru-Check, Inc. P.O. Box 1515 814 W. Columbia Street Somerset, KY 42501
	Fatality	Age		
	No	34		
	I n j u r y	First-degree burn to left thumb with some numbness to palm of hand		
<b>Witness (es):</b>	Name		Address	Employer
	N/A		N/A	N/A
<b>Information From:</b>	Name		Position	Employer
	Marty J. Reinert		Regulatory Compliance	LG&E Louisville, Kentucky
	Kenneth W. Sheridan		Mgr. Safety & Technical Training	LG&E Louisville, Kentucky
	Joe Naylor		Implementation Supervisor	Tru-Check, Inc. 814 W. Columbia St. Somerset, Ky. 42501
Toby Slone		Service Tech	Tru-Check, Inc. 814 W. Columbia St. Somerset, Ky. 42501	

# Kentucky Public Service Commission

Electric Utility Incident Report

Line/Equipment Measurements/Clearances					
Line Clearances At Point of Accident:	Measured	Minimum Allowed by NESC	Applicable NESC Edition <sup>1</sup> 1990	Voltage	Construct Date
N/A	N/A	N/A	N/A	N/A	N/A
<b>Measurement Date:</b>	N/A				
<b>Temp &amp; Weather:</b>	Approx 68 degrees cloudy and overcast				
<b>Measurements Made By:</b>	<b>Name</b>		<b>Company</b>		
	N/A		N/A		
<b>Probable Violations:</b>	807 KAR 5:041, Section 3; 1990 Edition of National Electric Safety Code, Section 42, General Rules for Employees, Rule 420 H: Tools and Protective Equipment. Employees shall use the personal protective equipment, the protective devices, and the special tools provided for their work. Before starting work, these devices and tools shall be carefully inspected to make sure they are in good condition. Mr. Toby Slone was not wearing gloves of any kind at the time of the incident. Note: Tru-Check safety rules also require that low voltage rubber gloves be worn when setting or removing meters.				
<b>Investigated By:</b>	<b>Name</b>		<b>Company</b>		
	John Land		PSC Engineering Staff		
<b>Signed:</b>				<b>Date</b>	5-27-03
<b>Reviewed By:</b>	<b>Name</b>		<b>Company</b>		
	Gary E Grubbs, PE		Manager, PSC Electric Branch		
<b>Signed:</b>				<b>Date</b>	5/27/03

- Attachments:
- A. Kentucky Utilities Internal Incident Report
  - B. Photographs of Incident Site
  - C. Excerpt from Tru-Check Safety Manual and Safety Meeting Minutes
  - D. KU provided information and excerpt from the NESC

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