

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MEADE COUNTY RURAL ELECTRIC	)	
COOPERATIVE CORPORATION	)	
_____	)	CASE NO. 2007-00030
	)	
ALLEGED FAILURE TO COMPLY	)	
WITH KRS 278.042	)	

O R D E R

Meade County Rural Electric Cooperative Corporation (“Meade”) is a Kentucky corporation engaged in the distribution of electricity for compensation for lights, heat, power, and other uses. It is subject to the jurisdiction of the Commission.<sup>1</sup> Pursuant to KRS 278.042, the Commission shall prescribe the service adequacy and safety standards for electric utilities, as stated in the Commission’s administrative regulations and in the most recent edition of the National Electrical Safety Code (“NESC”). Under 807 KAR 5:041, Section 3(1), the Commission requires utilities to construct and maintain plants and facilities in accordance with engineering practices set forth in the NESC.

Commission Staff submitted to the Commission an Electric Utility Personal Injury Accident Report (“Report”) dated December 11, 2006, attached hereto as Appendix A. The report alleges that on November 13, 2006, in McQuady, Kentucky, within

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<sup>1</sup> See KRS 278.010(3)(a).

Breckinridge County, Donald R. Taylor was electrocuted at the site of a Meade electric construction project.

In March 2006, Meade hired Richardson Contracting (“Richardson”) to serve as a contractor for a 3-year electric system construction project.<sup>2</sup> Mr. Taylor was a Richardson employee and served as a lineman. Although Richardson had a supervisor on the site, the supervisor did not conduct a job briefing with the employees prior to the start of the work to outline the nature of the equipment or lines to be used during the day. When the accident occurred, Mr. Taylor was in the bucket of a truck, holding a guy wire in his hand when he made contact with a 7200-volt phase wire that was not attached to a temporary hot arm extension. The 7200-volt phase wire was not covered by protective equipment at the time of the accident. Mr. Taylor attempted to take the end of the guy wire up with him instead of waiting for a crew member to get a hand line from another truck. Mr. Taylor was not wearing rubber gloves or sleeves at the time of the accident and grounding equipment for the truck was not being used. Mr. Taylor died at the scene due to electrocution.

The report noted eight probable violations of 807 KAR 5:041, Section 3(1). All alleged violations arise under the 2002 edition of NESC. The alleged violations are as follows:

1. Section 41, Rule 410.C.1 and 2 – Responsibility:  
Failure to supervise the safe operation of equipment and lines.

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<sup>2</sup> Richardson was selected as the contractor after having submitted a winning bid to Meade for its project, as required under the regulations for the United States Department of Agriculture’s Rural Utilities Service. A Richardson contract crew was rebuilding a 7200-volt, three-phase line at the site on the day of the accident.

2. Section 41, Rule 411.A.3 – Protective Methods and Devices:  
Failure to conduct a job briefing to employees as to the character of the equipment, lines, or work methods.
3. Section 42, Rule 420.C.4 and 5 – Safeguarding Oneself and Others:  
Employee failures.
4. Section 42, Rule 420.H – Tools and Protective Equipment:  
Failure of an employee to use personal protective equipment, devices, and tools.
5. Section 42, Rule 421.A.1, 2, and 3 – General Operating Routines:  
Failure in the duties of the first-level supervisor.
6. Section 44, Rule 441.A.1 – Energized Conductors or Parts:  
Failure to adhere to minimum approach distance to live parts.
7. Section 44, Rule 441.A.3 (a, b, and d):  
Failure to take precautions for approach.
8. Section 44, Rule 443.A.1 – Work on Energized Lines and Equipment:  
Failure to apply safeguards.

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

1. Meade shall file with the Commission, within 20 days of the date of this Order, a written response to the allegations contained in the Report.
2. Meade shall appear on March 21, 2007 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 concerning the incident which is the subject of the Report. Specifically, Meade shall present evidence as to the eight violations of KRS 278.042 and the NESC and show cause why it should not be subject to the penalties of KRS 278.990 for the alleged violations.
3. The Report, attached hereto as Appendix A, is made a part of the record in this case.

4. Any requests for an informal conference with Commission Staff shall be set forth in writing and filed with the Commission within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 31<sup>st</sup> day of January, 2007.

By the Commission

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2007-00030 DATED January 31, 2007

A copy of the accident report can be obtained by contacting  
the Kentucky Public Service Commission.