

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KENTUCKY POWER COMPANY)
ALLEGED FAILURES TO COMPLY)
WITH THE COMMISSION'S REGULATION) CASE NO. 9989
807 KAR 5:006, Section 24)

ORDER TO SHOW CAUSE

On August 7, 1987, the Commission issued an Order in this proceeding which it rescinds and replaces with the following:

Kentucky Power Company ("Kentucky Power"), a corporation which engages in the generation, transmission and distribution of electricity to the public for compensation for light, heat, power and other uses, is a utility as defined in KRS 278.010.

Kentucky Revised Statute 278.280 authorizes the Commission to prescribe rules for the performance of any service furnished or supplied by a utility.

Pursuant to this authority, the Commission has promulgated a rule, codified in 807 KAR 5:006, Section 24, which requires prompt notification to the Commission of any utility related accident which results in death or serious injury to any person. Notice of fatal accidents must be given by telephone or telegraph. Also, a summary written report must be submitted within seven days of the accident.

The Commission staff has submitted to the Commission two reports of Accident Investigation, attached hereto as Appendix A and Appendix B.

The staff report which is Appendix A alleges that:

1. On April 11, 1987, Mr. Daniel Burke, an employee of Johnson Brothers Coal Company, was fatally injured while setting off an explosive charge in a water well. During the explosion the blasting cord came out of the well and contacted a 7.2 KV distribution line.

2. The accident occurred at approximately 4:30 p.m. on the right fork of Little Creek in Yeager, Kentucky.

3. Kentucky Power failed to notify the Commission of the accident. Commission staff learned of the accident through a newspaper article.

4. Kentucky Power did not submit a summary written report to the Commission until April 22, 1987, eleven days after the accident occurred.

5. Kentucky Power violated 807 KAR 5:006, Section 24, by failing to promptly notify the Commission of the accident and by failing to submit a summary written report within the prescribed time.

The staff report which is Appendix B alleges that:

1. On June 11, 1987, Danny Brumfield, an employee of Floyd S. Pike Electrical Contractors, was injured while installing a pole top cut out. He received second and third degree burns from an arc caused by the contact of his wrench with an energized primary conductor.

2. The accident occurred at approximately 1:30 p.m. on June 11, 1987, at the Jesse Branch Coal Company south of Phelps, Kentucky. The accident was reported to the Commission at 10:14 a.m. on June 12, 1987.

3. Kentucky Power failed to submit a summary written report of the accident until June 31, 1987, twenty days after the accident occurred.

4. Kentucky Power violated 807 KAR 5:006, Section 24, by failing to submit a summary written report within the prescribed time.

WHEREFORE, the Commission, on its own Motion, hereby ORDERS that:

1. The previous initiating Order issued in this case be and it hereby is rescinded and this Order issued in its stead.

2. Kentucky Power shall appear before the Commission on September 29, 1987, at 9:00 a.m., Eastern Daylight Time, in the Commission's offices at Frankfort, Kentucky, for the purposes of presenting evidence concerning the incident which is the subject of the reports of Accident Investigation, specifically the alleged violations of 807 KAR 5:006, Section 24, and of showing cause why it should not be subject to the penalties prescribed in KRS 278.990 for failure to comply with the Commission's regulations.

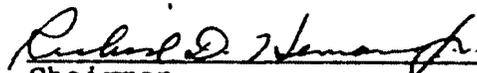
3. The reports of the Accident Investigation shall be and hereby are included as part of the record of this proceeding.

4. At the request of Kentucky Power, an informal conference with Commission staff shall be held to discuss this matter on

August 28, 1987, at 10 a.m., Eastern Daylight Time in the Commission's offices at Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 20th day of August, 1987.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director

Appendix A

Case No. 9989

8/20/87

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 4-30-87 SUBMITTED BY Jeffery L. Gilpin

NAME OF UTILITY Kentucky Power Company

ACCIDENT REPORTED BY Accident was not reported.

DATE & TIME ACCIDENT REPORTED N/A

DATE AND TIME ACCIDENT OCCURRED 4-11-87 4:30 P.M.

DATE OF ACCIDENT INVESTIGATION 4-13-87 12:30 P.M.

PERSONS ASSISTING IN THE INVESTIGATION L.J. Horne, Chuck Ferguson--

Kentucky Power Company

NAME OF VICTIM(S) 1. Daniel Burke SEX M AGE 35

FATAL Yes NAME OF EMPLOYER: Johnson Brothers Coal Company

INJURIES _____

2. _____ SEX _____ AGE _____

FATAL _____ NAME OF EMPLOYER: _____

INJURIES _____

3. _____ SEX _____ AGE _____

FATAL _____ NAME OF EMPLOYER: _____

INJURIES _____

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

LOCATION OF ACCIDENT SITE Right Fork of Little Creek, Yeager, Ky.

DESCRIPTION OF ACCIDENT Mr. Burke was in the process of setting off an explosive charge in a water well that was approximately 80 feet deep. When the charge went off the blasting cord came out of the well and came into contact with a 7.2 KV distribution line.

SOURCE OF INFORMATION L.J. Horne-Kentucky Power Company; onsite investigation.

VIOLATIONS OF COMMISSION REGULATIONS The Commission staff first learned of this accident at 8:00 a.m. on April 13, 1987, from that morning's copy of the Lexington Herald-Leader. At approximately 9:00 a.m. the staff telephoned Mr. Wayne Edwards, Safety and Health Manager for Kentucky Power, requesting information concerning this accident. Mr. Edwards said that he had not yet reported this accident to the Commission because he wanted to obtain more detailed information. Mr. Edwards later called the Commission staff with information about this accident. This is in violation of 807 KAR 5:006, Section 24. The utility did not submit a summary written report until April 22, 1987. This is in violation of 807 KAR 5:006, Section 24, which requires that a summary written report be submitted within seven days from the date of the accident.

RECOMMENDATIONS The utility needs to comply with 807 KAR 5:006, Section 24, by promptly notifying the Commission of fatal accidents even if details are sketchy and submitting a summary written report within seven days from the date of the accident.

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	Greater than <u>50'</u>	<u>20'</u>
Neutral conductor to ground elevation:	Greater than <u>50'</u>	<u>18'</u>
Communication conductor to ground elevation:	<u>47' 2"</u>	<u>18'</u>
Phase conductor to structure:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to structure:	<u>N/A</u>	<u>N/A</u>
Communication conductor to structure:	<u>N/A</u>	<u>N/A</u>

B. AT LOWEST POINT OF SPAN

Phase conductor to ground elevation:	Greater than <u>50'</u>	<u>20'</u>
Neutral conductor to ground elevation:	Greater than <u>50'</u>	<u>18'</u>
Communication conductor to ground elevation:	<u>47' 2"</u>	<u>18'</u>

C. SPAN LENGTH N/A

Date the line or facilities were constructed: _____

Utility: Kentucky Power Company

Date: 4-13-87 Time 1:00 P.M.

Approximate temperature: 74 Degrees F

Measurements made by: Jeffery L. Gilpin

Submitted by: *Jeffery L. Gilpin*

Appendix B

Case No. 9989

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 7-6-87 SUBMITTED BY Jeffery L. Gilpin

NAME OF UTILITY Kentucky Power Company

ACCIDENT REPORTED BY Wayne Edwards

DATE & TIME ACCIDENT REPORTED 6-12-87 10:14 A.M.

DATE AND TIME ACCIDENT OCCURRED 6-11-87 Approximately 1:30 P.M.

DATE OF ACCIDENT INVESTIGATION 6-12-87

DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 6-31-87

PERSONS ASSISTING IN THE INVESTIGATION Todd Jones and Charles Burchett
of Appalachian Power; John Land of the Commission staff.

NAME OF VICTIM(S) 1. Danny Brumfield SEX M AGE 28

FATAL No NAME OF EMPLOYER: Floyd S. Pike Electrical

Contractor

INJURIES Second and third degree burns to the front of his body.

2. _____ SEX _____ AGE _____

FATAL _____ NAME OF EMPLOYER: _____

INJURIES _____

3. _____ SEX _____ AGE _____

FATAL _____ NAME OF EMPLOYER: _____

INJURIES _____

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

LOCATION OF ACCIDENT SITE Jesse Branch Coal Company just south of Phelps, Kentucky.

DESCRIPTION OF ACCIDENT The victim was installing a pole top cut-out when the wrench he was using slipped and came into contact with an energized primary conductor causing an arc to start between conductors. Victim was apparently wearing all necessary personal safety equipment and the injuries that he received appeared to have been caused when his clothes were ignited by the arc.

SOURCE OF INFORMATION Todd Jones and Charles Burchett of Appalachian Power Company; Summary accident report from Kentucky Power Company; onsite investigation.

VIOLATIONS OF COMMISSION REGULATIONS The utility's summary written report was not received until June 31, 1987, following a telephone request by the Commission staff on June 30, 1987. This is in violation of 807 KAR 5:006, Section 24, which states that a summary written report shall be submitted within seven days of the date of an accident.

RECOMMENDATIONS In order for the utility to be in compliance with 807 KAR 5:006, Section 24 it needs to submit a summary written report within seven days of the date of an accident.

LINE CLEARANCES

	<u>As Measured</u>	<u>Minimum Allowed by NESC</u>
A. AT POINT OF ACCIDENT		
Phase conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Phase conductor to structure:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to structure:	<u>N/A</u>	<u>N/A</u>
Communication conductor to structure:	<u>N/A</u>	<u>N/A</u>
B. AT LOWEST POINT OF SPAN		
Phase conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Neutral conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>
Communication conductor to ground elevation:	<u>N/A</u>	<u>N/A</u>

C. SPAN LENGTH N/A

Date the line or facilities were constructed: N/A

Utility: Kentucky Power Company

Date: 6-12-87 Time 4:35 P.M.

Approximate temperature: 65 Degrees F

Measurements made by: N/A

Submitted by: *Jeffrey R. [Signature]*