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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

PUBLIC HEARING

November 3, 1999
Jefferson City, Missouri
Volume 1

Proposed Rule 4 CSR 240-18.010)
Safety Standards for Electric) Case No. OX-2000-175
and Telephone Utilities and)
Rural Electric Cooperatives.)

BEFORE:

MORRIS L. WOODRUFF, Presiding,
REGULATORY LAW JUDGE.

REPORTED BY:

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1 P R O C E E D I N G S

2 (Written Entries of Appearance filed.)

3 JUDGE WOODRUFF: This is the public hearing
4 in the consideration of a proposed rule that has been
5 proposed by the Commission on 4 CSR 240-18.010 called
6 Safety Standards for Electric and Telephone Utilities
7 and Rural Electric Cooperatives. And this is a
8 hearing on the proposed amendment that was filed by
9 the Commission. It's also been denominated as Case
10 No. OX-2000-175 for purposes of the Commission.

11 We'll start out with -- by giving the
12 attorneys who are here the opportunity to make any
13 brief opening statements, if they wish, and then
14 we'll also have an opportunity to present any
15 witnesses that they would like to have the Commission
16 consider.

17 So we'll start with Mr. Dennis Frey.

18 MR. FREY: Thank you, your Honor.

19 Should we have an oral entry of appearance,
20 as well, or --

21 JUDGE WOODRUFF: Have you prepared the
22 written --

23 MR. FREY: Yes, sir.

24 JUDGE WOODRUFF: Just announce who you are.
25 You don't need to go through the --

1 MR. FREY: Okay. Dennis Frey, representing
2 the Staff of the Missouri Public Service Commission.
3 The hearing today is for the purpose of
4 hearing public comment on a proposed change to
5 Rule 4 CSR 240-18.010, which involves the substitution
6 of the indicated provisions, Parts 1, 2, and 3 and
7 Sections 1, 2 and 9 of the American National Standard
8 National Electric Safety Code, the 1997 Edition to
9 replace the 1993 edition.
10 Staff is in support of the proposed rule
11 change.
12 That's it, your Honor.
13 JUDGE WOODRUFF: Thank you.
14 Mr. Dandino?
15 MR. DANDINO: Your Honor, the Office of
16 Public Counsel filed a written statement in support of
17 the proposed rule, and we have nothing further than
18 that written statement. Thank you.
19 JUDGE WOODRUFF: Thank you.
20 Mr. Frey, do you have any witnesses you want
21 to testify?
22 MR. FREY: We have Mr. James L. Ketter here,
23 Judge Woodruff. In the event that you would like to
24 question him, he's more than willing to take the
25 stand.

1 JUDGE WOODRUFF: Okay. I would like to have
2 him take the stand just to answer one question.
3 Please raise your right hand.
4 (Witness sworn.)
5 JUDGE WOODRUFF: Thank you.
6 You may be seated.
7 JAMES L. KETTER testified as follows:
8 QUESTIONS BY JUDGE WOODRUFF:
9 Q. And your name is James L. Ketter; is that
10 correct?
11 A. That's correct.
12 Q. And what is your position with the
13 Commission?
14 A. I am an engineer on the Staff in the
15 Electric Department of the Public Service Commission.
16 Q. Okay. Now, before I ask the question, is
17 there anything you want to tell the Commission, for
18 the record?
19 A. The Staff has -- supports this update in the
20 Code. The previous edition is the 1993 edition that
21 is currently adopted in Chapter 18, and this
22 rulemaking is to adopt the current edition in the
23 Code, which is 1997.
24 Q. Okay. Were there substantial changes made
25 in the Code?

1 A. No substantial changes. Wording changes,
2 clarifications. One of the biggest things was the
3 Code now puts the metric tables first in front of the
4 previous order of having the feet and inches first.
5 There is just an inclination to keep the metric
6 standard in front of the public.

7 Q. Well, there has been no opposition noted in
8 the written comments to the rule change, but there was
9 one comment filed by the Small Telephone Company Group
10 regarding the proposed revision. And the Small
11 Telephone Company Group suggested that provisions
12 should be added to the rule that would require that
13 the changes would go -- would take place only on a
14 going-forward basis. Are you familiar with that
15 comment?

16 A. Yes.

17 Q. Does Staff have a reaction to that?

18 A. The current Code and -- the 1993 Code and
19 the '97 edition that's subject to this rule change has
20 an applicability section that talks about new
21 installations and existing installations, and it
22 indicates that these rules shall apply to all new
23 installations and extensions, so it appears that the
24 applicability section addresses the ongoing basis,
25 and, also, further, that existing installations do not

1 need to be altered with the adoption of this new Code.

2 Q. So that I understand it, then, the
3 going-forward basis is inherent in the Code?

4 A. It addresses it in different terms, but it
5 just indicates that new construction would be done in
6 compliance with the Code in effect when the
7 construction was completed.

8 Q. So this won't require them to go back and
9 make changes to existing structures?

10 A. That's correct. No changes will be required
11 on a retroactive basis.

12 JUDGE WOODRUFF: Okay. That's all of the
13 questions I had. Thank you.

14 You can step down.

15 Anything else, Mr. Frey?

16 MR. FREY: No, your Honor. Thank you.

17 JUDGE WOODRUFF: Mr. Dandino, do you have
18 anything you want to present?

19 MR. DANDINO: I have nothing further, your
20 Honor.

21 JUDGE WOODRUFF: Okay. With that, then, we
22 will be adjourned.

23 Thank you very much.

24 WHEREUPON, the public hearing at Jefferson
25 City, Missouri, was concluded.

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