

**By Paul Peirce**  
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## **West Penn settles fatal Hempfield power line case for \$105M**

West Penn Power Co. dropped an appeal of a record \$109 million Allegheny County jury verdict and agreed to pay \$105 million to the family of a Hempfield woman who died in 2009 when a power line fell on her.

The settlement was announced on Wednesday as Judge Michael A. Della Vecchia was set to hear oral arguments in the utility's appeal of the wrongful death award in a lawsuit brought by the family of Carrie Goretzka, 39, of West Hempfield Drive.

West Penn spokesman Scott Surgeoner confirmed the proposed deal but said the company would have no other comment.

According to testimony during a four-week trial last year, Goretzka suffered severe burns over 85 percent of her body on June 2, 2009, when a 7,200-volt power line fell on her when she went outside with her cellphone to alert the utility that the power lines were burning in trees in her back yard.

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The tragedy on a clear and sunny day was witnessed by Goretzka's two young daughters, Chloe and Carlie, now 8 and 6, and her mother-in-law, Joann, 69, of Elizabeth Township.

Attorney Shanin Specter of Philadelphia, who represented Goretzka's husband, Michael; their daughters; and Joann Goretzka, said the agreement effectively concludes the case.

On Dec. 5, jurors unanimously found West Penn workers didn't properly splice a power line in Goretzka's yard and did not respond to concerns her husband raised twice before the fatal accident about the same line falling.

“This is West Penn saying the jury got it right,” Specter said.

“West Penn's decision to drop their appeal and pay \$105 million is a ringing endorsement of the jury's verdict by holding West Penn responsible for Carrie Goretzka's death and awarding nearly exactly that amount to compensate her family and punish the company,” he said.

Specter argued during the trial that the accident was caused by West Penn crews who did not properly clean the power lines with a wire brush before splicing them. The failure prompted rust at the connections that caused the splice to overheat and fail, he said.

Joann Goretzka attempted to help but was burned as she tried to approach her daughter-in-law. She and her granddaughters watched as Carrie Goretzka was trapped for more than 20 minutes as they waited for utility crews to turn off the power so firefighters could pull her from underneath the line.

Goretzka died three days later despite her badly burned arm being amputated in an effort to save her life.

The wrongful death settlement occurs about a week after West Penn settled a related enforcement action by the Pennsylvania Public Utility Commission.

The agreement includes an \$86,000 fine and requires West Penn to retrain its workers on how to splice power lines and to inspect any existing splices for potential problems. The utility agreed to use infrared devices to check connections on its lines in Southwestern Pennsylvania.

The commission must finalize the agreement.

Specter said the settlement amount is \$4 million less than the jury's verdict because “we had to give West Penn a little bit of an incentive to resolve the case — but just a little bit.”

Specter has maintained the remedial actions West Penn is taking are at least as important as the money Goretzka's family will receive.

“It should have happened a long time ago by the utility on its own and, if not by the utility by the PUC on its own,” Specter said. “They should be proactive. They shouldn't be reactive.”

PUC press secretary Jennifer Kocher defended the response, saying the agency began reviewing the case days after Goretzka's death. She acknowledged the agency didn't file a formal complaint until June.

That's when the PUC accused West Penn of not properly maintaining the Goretzkas' power line, and others that were similarly spliced. Specter contends that happened only after his firm gave the PUC evidence uncovered during the investigation of the Goretzka case.

Specter said in a letter to the PUC in January 2012 that West Penn maintenance workers gave sworn statements that they were trained to clean power lines with knives and other tools instead of wire brushes, which Specter and the power line's manufacturer contend was the only method to keep the spliced lines from failing.

Kocher said the PUC could still accept, reject or modify the regulatory settlement — including the fine — depending on the findings of an administrative law judge.

[\*See more Goretzka coverage ...\*](#)