

## West Penn Power agrees to fine, changes after Goretzka lawsuit

West Penn Power Co. has agreed to pay an \$86,000 fine to the state Public Utility Commission and drastically alter its maintenance procedures on utility lines in light of the 2009 electrocution of a Hempfield woman, according to an agreement filed Wednesday with the agency that oversees utility operations.

The tentative agreement, which must be finalized by the PUC, requires the Greensburg-based utility to inspect and make any necessary repairs to its power lines as a result of the June 2, 2009, accident when a utility line fell onto Carrie Goretzka, 39, outside her home on West Hempfield Drive on a clear, sunny day.

Goretzka, whose two young daughters witnessed the electrocution, was trapped under the 7,200-volt power line. She suffered burns over 85 percent of her body and died three days later.

In December, an Allegheny County jury ordered the utility to pay Goretzka's husband, Michael, and their daughters \$109 million in damages in a civil trial. The utility has appealed the damage award — a record in a civil case in that county — arguing it is excessive.

The family's attorney, [Shanin Specter](#), of Kline & Specter in Philadelphia, brought the case to the PUC's attention in a complaint filed a year ago. He alleged improper installation and maintenance of power lines and warned of an ongoing threat to public safety.

Specter hailed the tentative agreement.

"This is a good day for the people of Southwestern Pennsylvania," Specter said. "I'm heartened by the agreement to fix the power lines, but it shouldn't have taken the death of Carrie Goretzka and our investigation of West Penn Power to get this done."

West Penn Power believes the proposed settlement, which is subject to review by the PUC, "speaks for itself," spokesman Scott Surgeoner said.

The utility's appeal of the Goretzka lawsuit remains in litigation and the company does not comment on such matters, Surgeoner said.

Specter recalled the deposition of multiple utility employees during the civil trial who said they were trained to clean power lines with knives and other tools — or didn't clean them at all — instead of using the required wire brushes. He said the recent verdict award and PUC's agreement show that such maintenance failures can create "burnouts" where lines are connected with automatic splices.

In June, the PUC's Bureau of Investigation and Enforcement, acting on Specter's initial complaint, filed a nine-page complaint and asked the commission to fine West Penn \$86,000 and force remedial measures.

The agreement requires that West Penn modify its training program within three months to ensure that all

linemen and supervisors are properly trained in automatic splice installations within one year.

PUC staff would be permitted to observe the training sessions, and follow-up quarterly discussions would be held on the program's progress, the agreement states.

**The agreement stipulates:**

- Inspections be made of all of the utility's lines in its primary distribution system using infrared technology, which can detect potential burnout, and splices at risk of failure must be removed and replaced.
- Inspection and remedial measures must be completed within three years.
- Subsequent spot checks of lines are mandated.
- A third-party independent contractor, with the selection approved by the PUC, must review the utility's inspection and maintenance procedures.

During the trial, it was disclosed that the same power line that killed Goretzka had fallen five years earlier and damaged the family's property.

The \$109 million verdict includes \$48 million in compensatory damages for Carrie Goretzka, her husband, two children and mother-in-law, and \$61 million in punitive damages.

[More on the Goretka case ...](#)