

# Safety and Enforcement Division



## Monthly Performance Report, January 2016

### Safety Action Plan Deliverable #1

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### Disclaimer

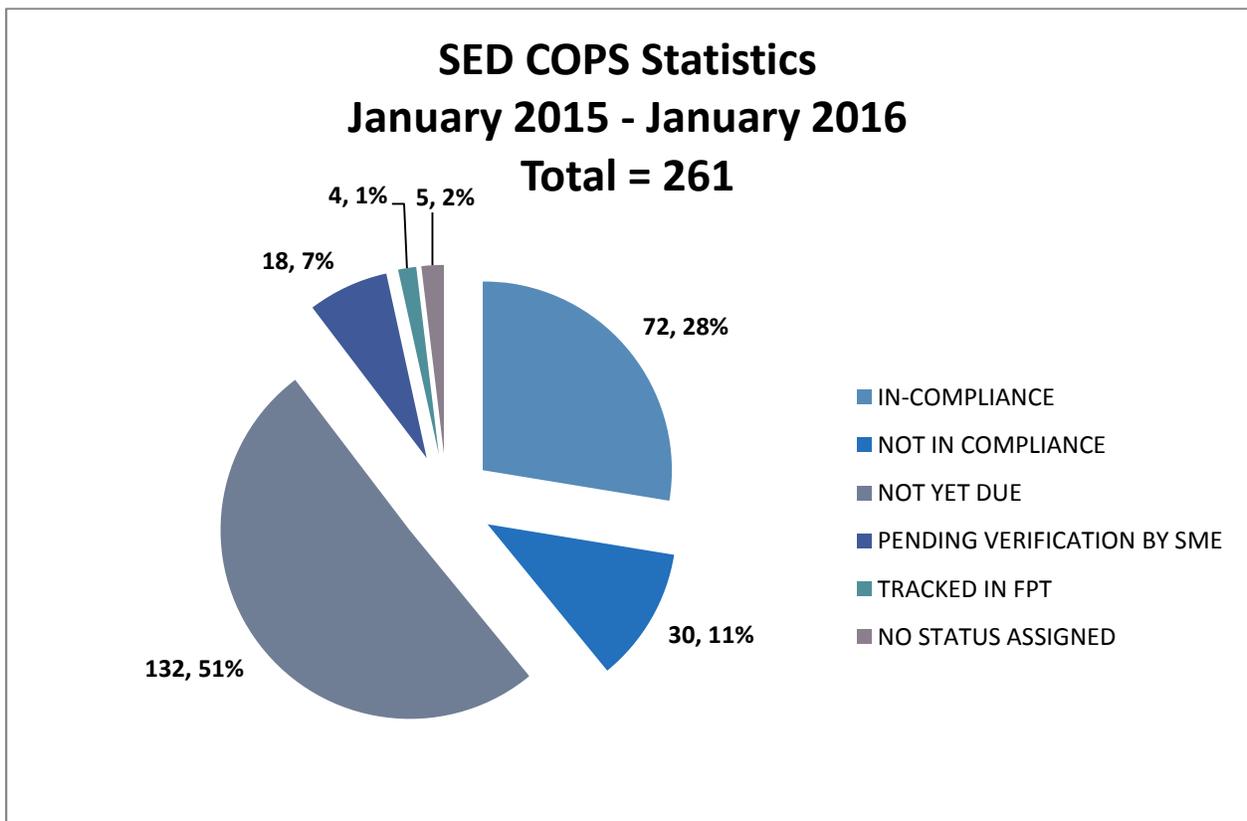
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This Report has not been approved or disapproved by the CPUC.

## COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

With the launch of the Commission’s new Compliance with Ordering Paragraphs (COPs) effort, SED is including our year to date summary statistics. Through January 2016, SED has 261 entries in the COPS system. During January 2016, there were 39 new entries, which are reflected in the totals below. These statistics cover all major program areas (Utility Safety and Enforcement, Rail, and Transportation) currently in SED. Note, the category of “tracked in financial payment tracker” (FPT) has been verified and has been deemed “in compliance” but is listed separately in the COPS tracker.



## NATURAL GAS SAFETY PROGRAM

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### STAFF CITATION PROGRAM

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As authorized by ALJ Resolution-274, SED Staff has citation authority for the enforcement of safety regulations for violations by Gas Corporations of General Order 112 and Title 49, Parts 191, 192, 193 and 199 of the Code of Federal Regulations.<sup>1</sup> During 2015, SED Staff issued a total of seven citations, totaling \$995,000. All were paid or settled. There have been no new citations issued since March 2015.

### INSPECTIONS

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- **2016 Inspections:** We have conducted 5 scheduled inspections in Q1, and have completed the final inspection report for 0 of these 5 inspections during 2016.
- **Pre-2015 inspection backlog remaining:**
  - 3 open inspections from 2013 (was 3 last month)
  - 6 open inspections from 2014 (was 7 last month)

### INCIDENT INVESTIGATIONS

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As of January 31, 2016, GSRB Staff have received 14 incidents year to date.

Backlog Metrics on Pre-2015 and 2015 Incident Investigations:

TOTAL reported in 2014	214	Percent
Open	1 <sup>2</sup>	0.5%
Closed	213	99.5 %

TOTAL reported in 2015	191	Percent
Open	64	28 %
Closed	127	72 %

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<sup>1</sup> General Order 112-F was adopted by the Commission on June 25, 2015, via D.15-06-044.

<sup>2</sup> Only one incident remains open prior to year 2014

The backlogged incidents<sup>3</sup> in CY 2015 are categorized as follows:

- 50 - Level 1 incidents
- 6 - Level 2 Incidents
- 6 – Level 3 Incidents
- 2 – Level 4 Incidents

### UTILITY SELF-IDENTIFIED VIOLATION (SIV) INVESTIGATIONS

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At the end of each year, the SIV process owner will conduct an annual review, which includes a trend analysis of systemic issues, determination of investigation effectiveness, and possible revision of investigation criteria. There were no new self-violations reported in January 2016.

### NATURAL GAS RELATED PROCEEDINGS

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- **Distribution Record Keeping (I.14-11-008) (Commissioner Peterman / ALJ Bushey) (Advocacy):** Hearings were conducted on January 19-21, 2016. Briefs are due on February 26, 2016, with Reply Briefs due on March 31, 2016.
- **Gas Safety OIR (R.11-02-019) (Commissioner Florio / ALJ Bushey) (Advisory):** Decision 15-06-044 Adopting Revised General Order (GO) 112-F signed by the Commission at its June 25, 2015 Commission Meeting. GO 112-F in Attachment A of D.15-06-044 is effective June 25, 2015; except that as to Sections 105, 122, 123, 125, 142, 143, 144, 145, and 162, the gas operators shall comply with these sections as soon as feasible but no later than January 1, 2017, unless compliance is extended for a particular provision pursuant to Rule 16.6 of the Commission’s Rules of Practice and Procedure or its successor. R.11-02-019 was closed in June, however, it was re-opened in July on an application for rehearing.
- **Citation Program OIR (R.14-05-013) (President Picker / ALJ Burcham) (Advisory):** On October 1, 2015, the Commission issued the scoping memo for Phase II for parties to respond to before November 2, 2015. GSRB, in an advisory role, summarized the parties’ opening and reply comments, and developed an initial response. GSRB will continue advising the commission and prepare for workshops and/or evidentiary hearings, as necessary.

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<sup>3</sup> Level 1: The incident did not result in injury, fatality, fire or explosion. Level 2: The incident did not result in injury, fatality, fire or explosion. The incident may have been reported due to Operator judgment. Level 3: The incident resulted in a release of gas but the incident did not result in injury, fatality, fire or explosion. Level 4: The incident resulted in injury, fatality, fire or explosion caused by release of natural gas from the Operator’s facilities.

- **Sempra Pipeline Safety Enhancement Program (A.14-12-016) (Commissioner Peterman/ALJs Long and Mason) (Advisory):** This proceeding deals with disposition of expenses in the balancing account for pipeline safety work. On December 4, 2015, the Office of Ratepayer Advocates (ORA) and The Utility Reform Network (TURN) submitted their reply briefs; the Southern California Generation Coalition (SCGC) submitted its recommendations; and Southern California Gas Company (SoCalGas) and San Diego Gas & Electric (SDG&E) submitted their reply brief to the CPUC.
- **Mobile Home Parks Pilot Program (Implementing D.14-03-021):** This decision established a three-year pilot program authorizing each California investor-owned utility to convert 10% of master-metered gas and/or electric Mobile Home Park spaces within its operating territory to direct utility service. The Pilot Program began on January 1, 2015, and will continue through December 31, 2017. No significant updates for January.

## ELECTRIC SAFETY AND RELIABILITY PROGRAMS

### ELECTRIC AND COMMUNICATION FACILITY PROGRAM: AUDITS AND INCIDENT INVESTIGATIONS

In January 2016, Electric and Communication Facility Safety Section Staff:

- Received 14 electric incidents and closed 13 previously reported electric incidents;
- Investigated 13 customer complaints;
- Delayed a planned audit while confidentiality issues are resolved.

#### Metrics for Facility Incident Investigations as of January 31, 2016

Electric and Communication Facilities	Level 1	Level 2	Level 3	Level 4	Total <sup>4</sup>
<b>Total open incidents</b>	8	10	16	25	59
<b>Total open 2016 incidents</b>	4	3	2	5	14
<b>Incidents reported in January 2016</b>	4	3	2	5	14
<b>Incidents closed in January 2016</b>	1	3	4	5	13
<b>Average closure time of incidents</b>	31 days	153 days	168 days	212 days	161 days

<sup>4</sup> Level 1: A safety incident that doesn't meet Level 2, 3, or 4 criteria. Level 2: Incident involved a power interruption not due solely to outside forces. Level 3: Incident involved damage estimated to exceed \$50,000 and caused, at least in part, by the utility or its facilities. Level 4: Incident resulted in a fatality or injury requiring hospitalization and that was caused, at least in part, by the utility or its facilities.

ELECTRIC AND COMMUNICATION FACILITY SAFETY: PROCEEDINGS

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- **Investigation into Incident (I.15-11-006) (Commissioner Randolph/ALJ Kimberly) (Advocacy):** A subcontractor was fatally injured in a Southern California Edison Company underground vault in Huntington Beach. ESRB currently is undertaking discovery in this proceeding.
- **Fire Safety Rulemaking (R.15-05-006) (Commissioner Florio/ALJ Kenney) (Advocacy):** The Fire Threat Mapping Independent Expert Team (IET) has submitted a Draft Map Review and Development Report, which included a draft Fire Map 1, and a public workshop has been held. The IET and party experts are trying to achieve a consensus Fire Map 1 proposal. The Final Map Review and Development Report, along with final recommendations, are scheduled to be submitted in February 2016.
- **Applicability of Right-of-Way Rules to CMRS Carriers (R.14-05-001) (Commissioner Randolph/ALJ Kenney) (Advocacy):** This proceeding considered amendments to General Order 95 to provide CMRS carriers with nondiscriminatory access to public utility infrastructure, including poles. ESRB reviewed the Proposed Decision issued in October 2015, filed comments, and met with Commissioner offices to brief them on SED's position and safety concerns with the PD. On January 28, 2016, the Commission issued D.16-01-046 adopting GO 95 amendments and closing the proceeding. ESRB will update GO 95 to incorporate the adopted changes and will undertake other follow-up work directed by the decision.
- **Citation Rulemaking (R.14-05-013) (President Picker/ALJ Burcham) (Advisory):** ESRB has summarized opening and reply comments in Phase II of this proceeding, and continues to provide advisory support regarding Phase II issues.
- **Physical Security of the Electric System (R.15-06-009) (President Picker/ALJ Kelly) (Advocacy):** Phase I will address physical security for electric supply systems, and additional phases will address disaster and emergency preparedness plans for electrical corporations and regulated water companies. A prehearing conference was held on October 29, 2015. ESRB is waiting for a scoping memo or further guidance in the proceeding.
- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ Halligan) (Advisory):** The Commission adopted D.16-01-032 on January 28, 2016, approving refinements to the Energy Storage Procurement Framework and Design and adopting a process for developing a safety inspection plan and protocols for energy storage facilities. ESRB will continue to provide advisory support to help determine best practices related to energy storage, and the proper way to inspect such facilities.
- **Electric Reliability Reporting (R.14-12-014) (President Picker/ALJ Yip-Kikugawa and ALJ Fortune) (Advisory):** On January 14, 2016, the Commission adopted D.16-01-008 which closed the proceeding. ESRB's advisory role has concluded.
- **Distributed Energy Resources (R.14-08-013) (President Picker/ALJ Fitch) (Advisory):** A workshop is planned during February 2016 to examine utility proposals regarding Locational Net Benefits Analysis methodology and Demonstration Project B contained in

their July 1, 2015 Distribution Resources Plans. ESRB is preparing for this workshop, and will continue to review the issues and provide advisory support.

- **Net Energy Metering (R.14-07-002) (President Picker/ALJ Simon) (Advisory):** On January 28, 2016, the Commission adopted D.16-01-044. The proceeding remains open for consideration of rate-setting issues. However, ESRB has concluded its advisory role in the proceeding.
- **Distribution Level Interconnection (R.11-09-011) (President Picker/ALJ Bushey) (Advisory):** The proceeding addresses improvements to distribution level interconnection rules and regulations for certain classes of electric generators and electric storage resources. ESRB will continue to review documents and attend scheduled workshops to evaluate any potential safety issues.

### ELECTRIC AND COMMUNICATION FACILITY SAFETY: REPORTS AND OTHER ACTIVITIES

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- **Caltrain Modernization Project:** ESRB, Rail Safety, Energy Division, and staff from Legal continue to meet with Caltrain and review documents related to the design and construction of Caltrain's proposed 25 kV electrification project between San Jose and San Francisco. ESRB is reviewing Caltrain's proposed electrification operating procedures and proposed rules, with the next meeting planned for March.
- **Long Beach Outages Investigation:** On July 15 and July 30, 2015, fires and explosions in underground electric vaults caused power outages that affected thousands of Long Beach customers for several days. On August 15, 2015, another fire occurred in an underground vault with additional outages. ESRB is conducting a full investigation of the outages and is drafting an investigation report.
- **General Order 174 Substation Program:** D.12-10-029, which adopted substation inspection programs, requires the electric utilities to hold annual best practice workshops in 2014, 2015 and 2016, and for ESRB staff to attend the workshops and to report on them in 2016. ESRB attended the final meeting on January 29, 2016 and will issue a report, as required by D.12-10-029.
- **Transmission Maintenance Coordination Committee (TMCC):** TMCC is an advisory committee to help the CAISO develop, review and revise Transmission Maintenance Standards. ESRB attends quarterly meetings, most recently on January 21, 2016.
- **Smart Inverter Working Group (SIWG):** ESRB continues to attend the weekly meetings of the SIWG when available.
- **Utility Diagnostic Testing:** ESRB surveyed the three largest investor owned utilities regarding the types of diagnostic testing and inspections they perform on distribution system switches, transformers and capacitors. ESRB's report will compare the utilities' practices to national best practices and industry standards. The draft report is in internal review.
- **Database Update Project:** ESRB is working with a consultant to update the Facilities Section database. The database was migrated in January, with faster and more efficient access.

**ELECTRIC GENERATION SAFETY AND RELIABILITY: INVESTIGATIONS, INSPECTIONS, AND AUDITS**

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No electric generation incidents were reported in January 2016.

The Electric Generation Safety and Reliability Section staff performed the following in January 2016:

- Conducted seven power plant inspections for forced and planned outages.
- Continued follow-up work from 2015 audits of the Gateway, Redondo Beach, Los Esteros, and Inland Empire power plants. Please see audit status and milestones for each plant in the table below.

2015 Power Plant Audit Status	Gateway	Redondo Beach	Los Esteros	Inland Empire
<b>Audit Preparation and Planning</b>	Completed	Completed	Completed	Completed
<b>On-site Audit at Plant</b>	Completed	Completed	Completed	Completed
<b>Issue Notice of Violation to Plant</b>	Completed	Completed	Completed	Completed
<b>Evaluate Plant’s Corrective Action Plan</b>	Completed	Completed	In progress	In progress
<b>Monitor and Track Plant’s Corrective Actions Until Completion</b>	In progress	In progress	-	-

**ELECTRIC GENERATION SAFETY AND RELIABILITY: PROCEEDINGS AND OTHER ACTIVITIES**

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- **2012 Fatality at Kern Power Plant (I.14-08-022) (President Picker/ALJ Vieth) (Advocacy):** On July 23, 2015, the Commission approved an all-party settlement for PG&E to pay a \$5.6 million penalty (a \$2.3 million fine to go to the General Fund, with the remainder as cost disallowances) and to implement company-wide corrective actions, including improved contractor safety oversight and incident causal evaluation procedures. On January 20, 2016, PG&E submitted documentation to ESRB regarding PG&E’s compliance with December 31, 2015 deadlines in the Kern OII settlement.
- **Gas Supply Curtailment to Power Plants:** ESRB completed a confidential report on staff’s investigation of the February 6, 2014, curtailment by Southern California Gas Company (SCG) of gas supply to power plants in southern California. The report includes several recommendations to minimize future occurrence of such events. In January 2016, ESRB completed an addendum containing SCG’s and CAISO’s responses to the recommendations. No additional follow-up action is required at this time.

## UTILITY RISK ASSESSMENT AND MANAGEMENT

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### REVIEWING SAFETY & RISK IN GENERAL RATE CASES

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In the recent years, CPUC has initiated General Rate Case (GRC) process reform, with a primary goal of ensuring proper consideration of safety-related expenditure proposals in the GRCs. One major initiative has come out of the Rulemaking to Develop a Risk Informed Decisionmaking Framework for Safety in General Rate Cases (R.13-11-006/D.14-12-025). This proceeding established a new paradigm for considering: a) how utilities identify and prioritize Safety Risks, b) how that translates into GRC spending requests, and c) how well they performed after funding approval. The proceeding established three new processes:

- **Safety Model Assessment Proceeding (SMAP):** applications in which the Commission and stakeholders review/evaluate utility risk models.
- **Risk Assessment Mitigation Phase (RAMP):** process that begins one year before a utility files a GRC application; this includes opening an investigation into how utilities are applying the Risk Models approved under SMAP, and how that has determined what Safety investments they will seek.
- **Accountability reports:** after a GRC decision, this requires two accountability reports annually covering a) Did IOU spend the money as they said/CPUC approved, if not why not and b) what was the Safety impact of that spending?

This new model for evaluation of safety in GRC is in the early stages of implementation. Last year, the utilities filed their first SMAP applications, which are currently being reviewed by the CPUC (consolidated in A.15-05-002, et al.). The first utilities to have an entire GRC go through this process will be San Diego Gas & Electric and Southern California Gas Company, which will file their RAMP information in fall of 2016.

SED Risk Assessment staff produces reports on risk and safety aspects of GRC filings based on the testimony, and it promotes reporting requirements for safety related expenditures that anticipate this new paradigm. The Risk section in its advisory role assists the assigned office in scoping a particular proceeding based on testimony to ensure that safety issues as adequately addressed.

PROCEEDING UPDATES

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- **Safety Model Assessment Proceeding (A.15-05-002, et al) (President Picker/ALJ Kersten) (Advisory):** On January 25, 2016, Risk staff convened the fifth in a series of public workshops devoted to reviewing and analyzing utility applications for Safety Risk Assessment Models. In this workshop, intervenors TURN and Indicated Shippers proposed an alternative approach to the utilities' models for ranking safety risks that would incorporate a spectrum of uncertainty into the analysis. The Mussey Grade Road Alliance provided performance metrics related to wildfire risks. SED staff begin organizing a technical working group to try to reach consensus safety performance metrics. Staff also continued drafting an evaluation report, which will be due in first quarter 2016.
- **Gas Leak Abatement OIR (R.15-01-008) (President Picker/ALJ Kersten) (Advisory):** SED Staff concluded a series of technical working group meetings to identify and discuss "Best Practices" for leak identification, management and repair. On January 5, 2016, the group discussed best practices related to natural gas storage facilities, and on January 19-20, the group convened for two-days of in-person meetings to continue the discussion of storage facility practices, and to organize the compiled spreadsheet of identified best practices so it may be submitted to the Commission for review. Staff began formulating a list of recommendations to accompany the spreadsheet compilation. A draft of the joint CPUC/CARB analysis of the May 15, 2015, gas leak survey reports is currently in review by CARB management and will be forwarded to the CPUC in mid-February for finalization.
- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ Halligan) (Advisory):** On January 28, 2016, the Commission approved D.16-01-032 on Track One issues. The decision directs SED to establish within 90 days a technical group to consider appropriate safety-related issues for facility inspections of grid-connected storage operated by utilities.
- **Public Records Act Revisions Rulemaking (R. 14-11-001) (President Picker/ALJ Lirag) (Advisory):** Working with the Assigned Commissioner's Office and Legal Division, SED Staff organized the agenda for a workshop it will moderate in early February to devise a matrix of how to treat various documents subject to Public Records Act requests.
- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ Bushey) (Advisory):** Risk Section has completed the selection process for an Expert Witness/consultant for this investigation, and is proceeding with contract finalization. Staff has issued two data requests to PG&E and continues to work with the utility to sort through issues related to claims about confidentiality of documents and narrowing the expected volume of responses in certain cases to focus on substantive issues.
- **SDG&E/SoCal Gas General Rate Case (A.14-11-003/004) (President Picker/ALJs Wong and Lirag) (Advisory):** SED staff meets regularly with Assigned Commissioners' advisors to review and evaluate the proposed settlement and non-settled issues that could implicate safety and reliability. Staff also responded to legislative inquiries about the Risk and Safety Report that it authored in March 2015, regarding gas safety issues.

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- **PG&E 2017 General Rate Case (A.15-09-001) (President Picker/ALJ Roscow) (Advisory):** Staff is preparing data requests for information to be included in a report on risk and safety aspects of the GRC filing for first quarter 2016.
- **Electric Vehicle Charging Pilots; SDG&E (A.14-04-014) (Commissioner Peterman/ALJ Wong) and SCE (A.14-10-014) (Commissioner Peterman/ALJs Farrar & Hieta) (Monitoring):** The CPUC in January issued final decisions adopting revised EV Charging pilots for these utilities: SCE, D.16-01-23 and SDG&E, D.16-01-045. Both decisions contain similar requirements for safety considerations, including training and certification of non-utility staff installing charging stations and safety certification of equipment. Hearings for the PG&E proceeding (A.15-02-009) have been deferred pending possible settlement discussions. SED will recommend safety requirements similar to those adopted for the other utilities.
- **Physical Security of the Electric Supply System (R.15-06-009) (President Picker/ALJ Kelly) (Advisory):** Risk Assessment staff has an advisory role for this proceeding, which has been deferred into 2016 as a result of budget cuts.

### HIRING, TRAINING AND OTHER ACTIVITIES

- Staff has created a best practices document covering safety issues for permitting of energy storage devices at residential level that was posted on the Commission’s revised public website at <http://www.cpuc.ca.gov/General.aspx?id=8863>  
Staff will continue working with industry and others to promote these best practices among local authorities having jurisdiction (AHJ).

### MONITORING THE WHISTLEBLOWER WEBSITE

The Risk Section has been overseeing intake for complaints that arrive via a “whistleblower” application on the Commission’s web site.

### STATISTICS - 1/01/16 TO 1/31/16

Note: This is for complaints filed using the on-line Whistleblower Application ONLY.

Confirmed or Possible Whistleblower Complaints						
	CAB	Transportation	Electric Safety	Gas Safety	Telco Fraud	Rail
<b>January</b>	0	0	1	0	0	0
<b>Total 2016</b>	0	0	1	0	0	0

Invalid Whistleblower Complaints Converted to Standard Complaints							
	CAB	Transportation	Electric Safety	Gas Safety	Telco Fraud	Rail	Outside Agencies Referral
<b>January</b>	0	0	0	0	0	0	0
<b>Total 2015</b>	0	0	0	0	0	0	0

Test, Incomplete or Duplicate Whistleblower Complaints	
<b>January</b>	0
<b>Total 2016</b>	0

**CONCLUSION**

The number of Invalid and Incomplete Whistleblower Complaints has decreased since changes to website were made in June, as expected.

**OFFICE OF RAIL SAFETY**

**RAILROAD SAFETY- ROSB**

In the month of January 2016, SED Staff’s Railroad Operations group completed the following:

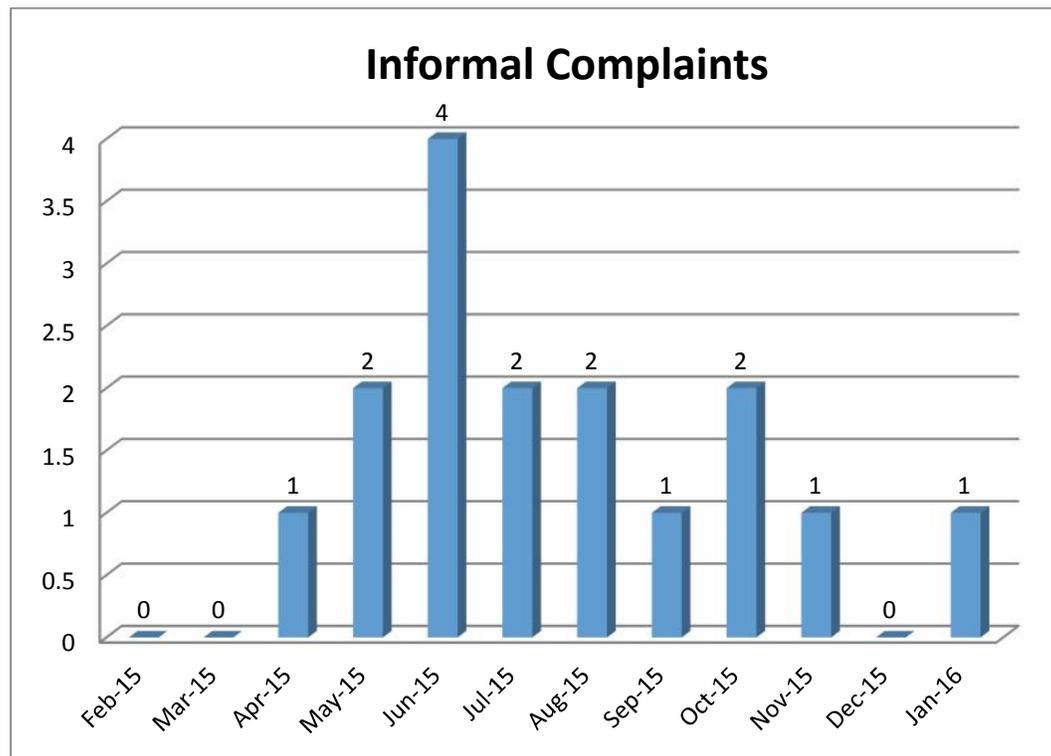
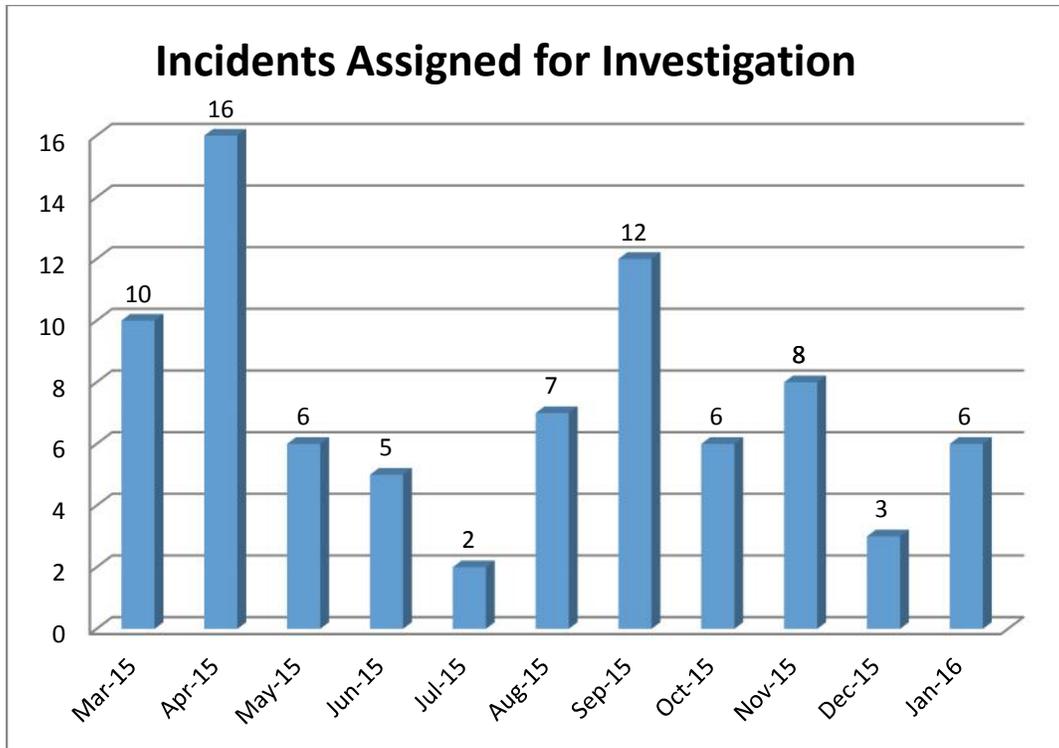
New Incidents Investigated	6
Informal Complaints Investigated	1
Safety Assessments/Reviews	9
Compliance Actions	693
Major Inspections Completed - Such as Focused Inspections	6
Operation LifeSaver Presentations	1

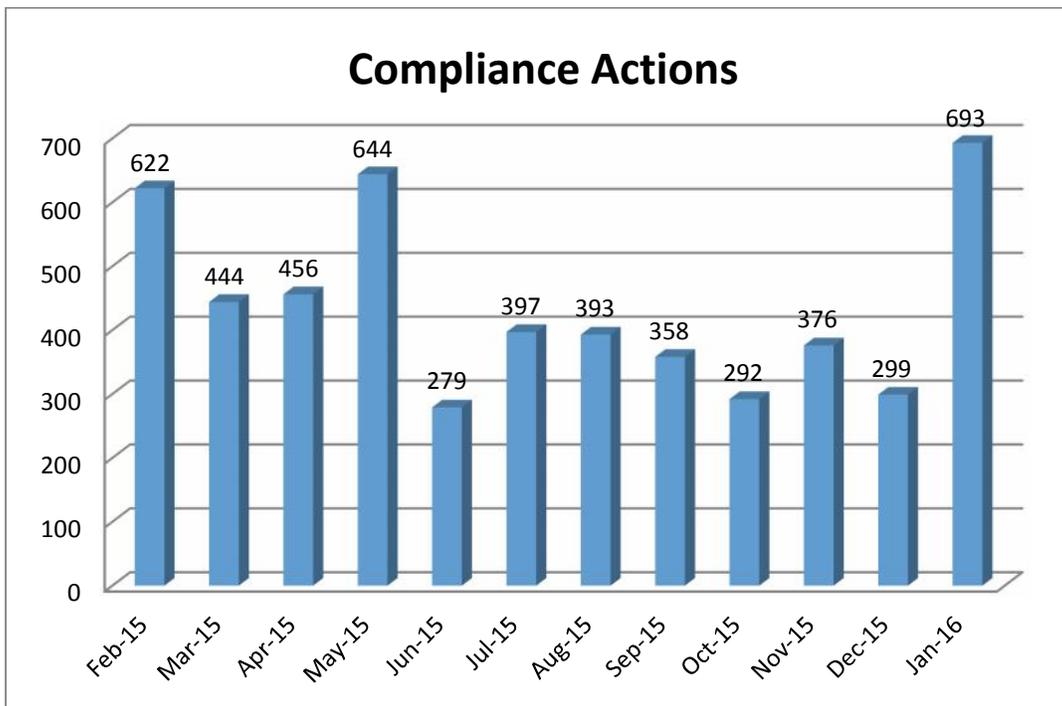
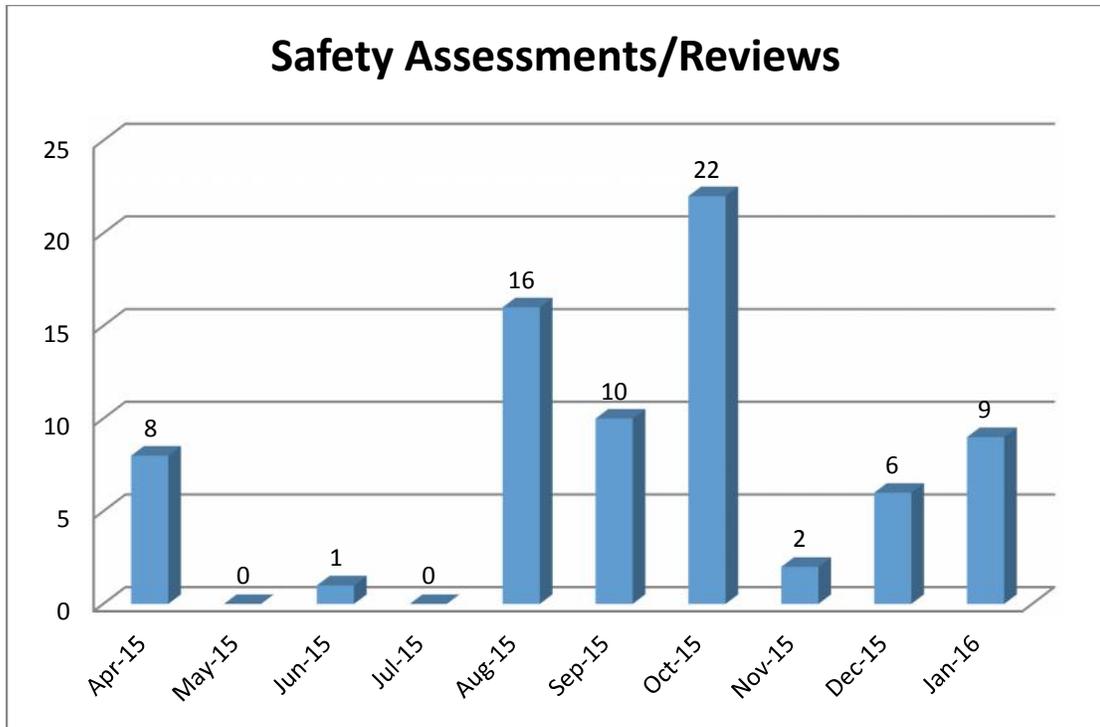
## ROSB INSPECTIONS, INVESTIGATIONS & FIELD ACTIVITIES

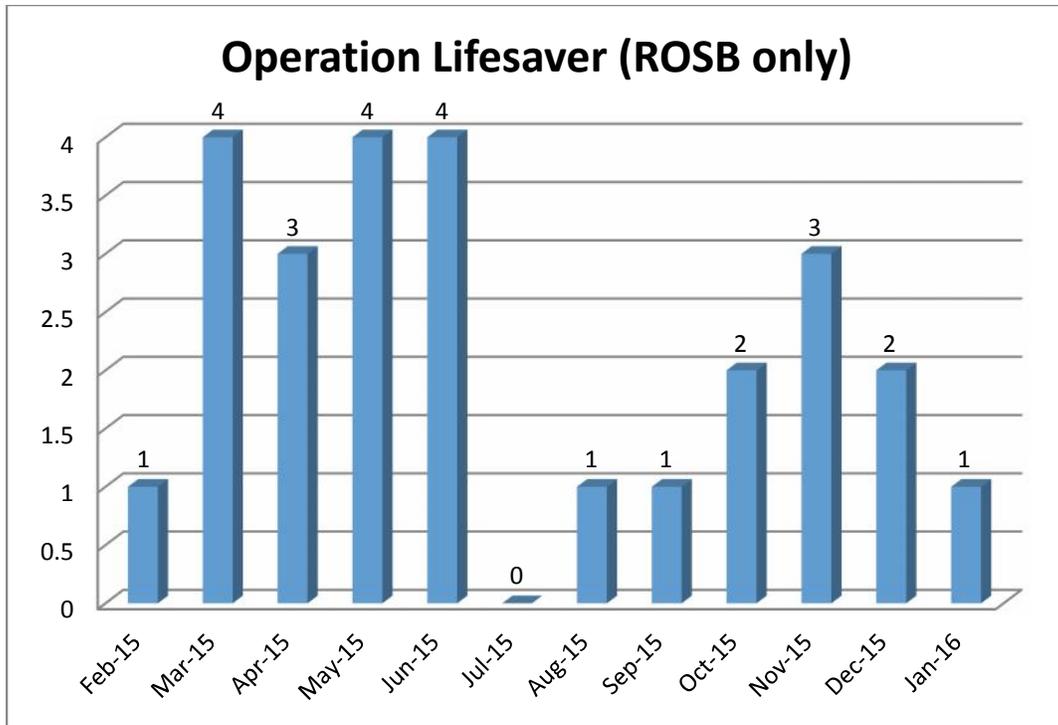
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- **January 11-15, 2016:** Four ROSB inspectors specializing in Motive Power & Equipment visited railroad properties along the US-Mexico border to inspect rolling stock for compliance to the Code of Federal Regulations (CFR) and CPUC General Orders. The inspection documented 10 locomotive defects, 37 car defects and one civil penalty was recommended for a locomotive being past due of its required periodic inspection. After each inspection an inspection report was generated documenting results and presented to the railroad on the property for the railroad to take remedial action. The inspection was beneficial from the perspective that it allowed the four inspectors to work as one, focusing on RR compliance to safety standards and covering a large area. Similar inspections will be conducted at another area in the future.
- **January 11-15, 2016:** Recently four ROSB inspectors specializing in Operating Practices attended the Federal Railroad Administration's (FRA) Positive Train Control (PTC) training class. The week long class focused on PTC simulator training and inspections which were held at the Association of American Railroads' and FRA's Transportation Technology Center, Inc. (TCCI) located East of Pueblo, Colorado. TCCI is considered "a world-class transportation research and testing organization, providing emerging technology solutions for the railway industry throughout North America and the World. TCCI is operated under a care, custody, and control contract with the FRA; the 52-square mile secure and remote site operates with a vast array of specialized laboratories and track. TCCI enables isolated testing for all categories of freight and passenger rolling stock, vehicle and track components, and safety devices." The training for the ROSB Inspectors attending featured class room training, a day of operating individual locomotive simulators field inspections, observations from the head end of a locomotive and ground, and finally a test to evaluate and determine competence. All of the ROSB Rail Safety Inspectors attending scored at the top of the class of trainees.

- **January 13, 2016:** Two ROSB inspectors conducted several observations of railroad bridges of the San Joaquin Valley Railroad (SJVR), Goshen Subdivision in Visalia, California. Several defects were found including CPUC General Order walkway defects and FRA track defects and were included in official reports. SJVR management was notified of the conditions in order to take proper remedial action. SJVR also provided a plan for correcting the conditions found and is reporting their progress regularly to the CPUC.
- **January 26, 2016:** Two ROSB inspectors conducted an inspection of Freight Containers and Intermodal Portable Tanks containing hazardous materials at the Union Pacific Railroad (UP) intermodal operation facility at the Port of Oakland. At the UP facility, the inspectors inspected eleven freight containers containing hazardous materials, opening one, with no defects found. They also inspected two intermodal portable tanks with no defects found. Overall, three of the freight containers had placarding problems which resulted in defects being cited and corrected. The inspection was successful in emphasizing to both the railroads and shippers that safe shipment of hazardous materials is a top priority. More inspections are planned for the near future.
- **January 27, 2016:** Three ROSB inspectors were in attendance at the BNSF Railroad's Richmond Site Safety Committee meeting which also included representatives from the Maintenance of Way, Mechanical, Signal, Telecom and Transportation departments. The Richmond Site Safety Committee encompasses the area from the Richmond Terminal east to the Pittsburg area. Among the many subjects discussed were personal injuries and Risk Identification and Mitigation (RIM), CPUC General Order (GO) 26-D (clearances) and GO 118-A (walkways) and conditions along with track clearance markings. These items directly relate to the committee's emphasis on preventing personal injuries and risk assessment, identification and mitigation.







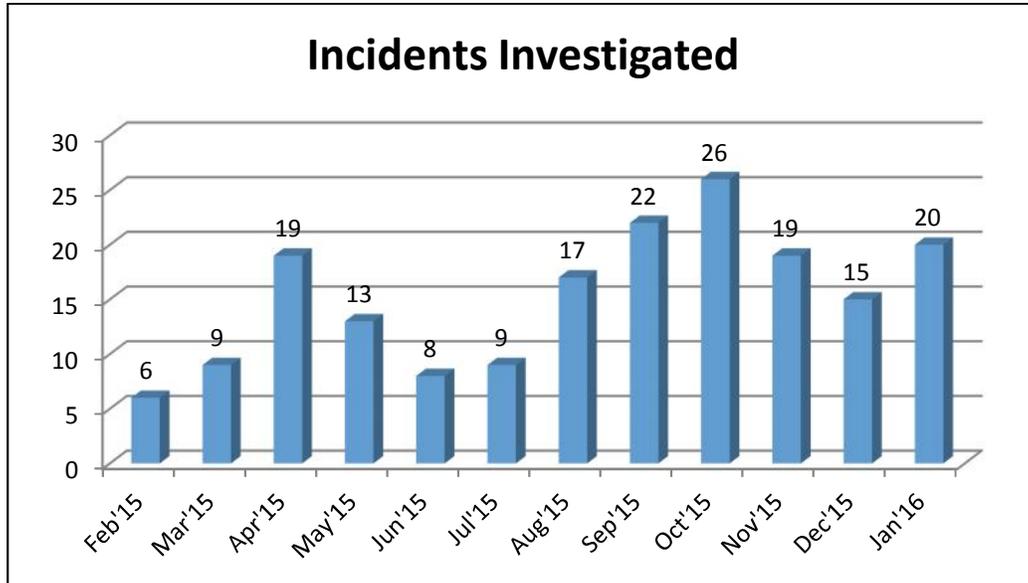
## RAIL CROSSINGS

In the month of January 2016, the Rail Crossings and Engineering Group completed the following:

	Open at Period Start	New During Period	Closed During Period	Open at End of Period
<b>Incident Investigated 2015</b>	57	13	20	50
<b>New Incidents in January 2016</b>	0	9	1	8
<b>Informal Complaints Investigations</b>	28	0	1	27
<b>Safety Assessments/Reviews</b>	0	28	28	0
<b>Environmental Reviews</b>	0	182	182	0
<b>Proceedings, Resolutions and G.O. 88-B Reviews</b>	44	5	19	30
<b>Operation LifeSaver Presentations</b>	0	3	3	0
<b>Staff Training</b>	0	2	2	0

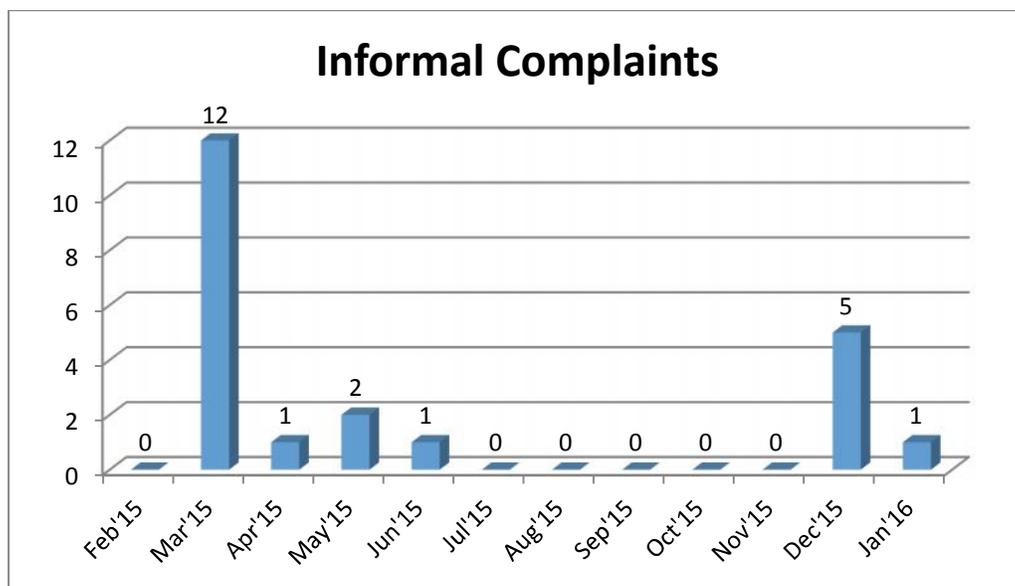
## RAIL CROSSING INCIDENT INVESTIGATIONS

- In January 2016, the Rail Crossings and Safety Branch engineers received nine new crossing incidents and completed 1 investigation in relation to the new incidents and 20 investigations related to the 2015 crossing incidents.



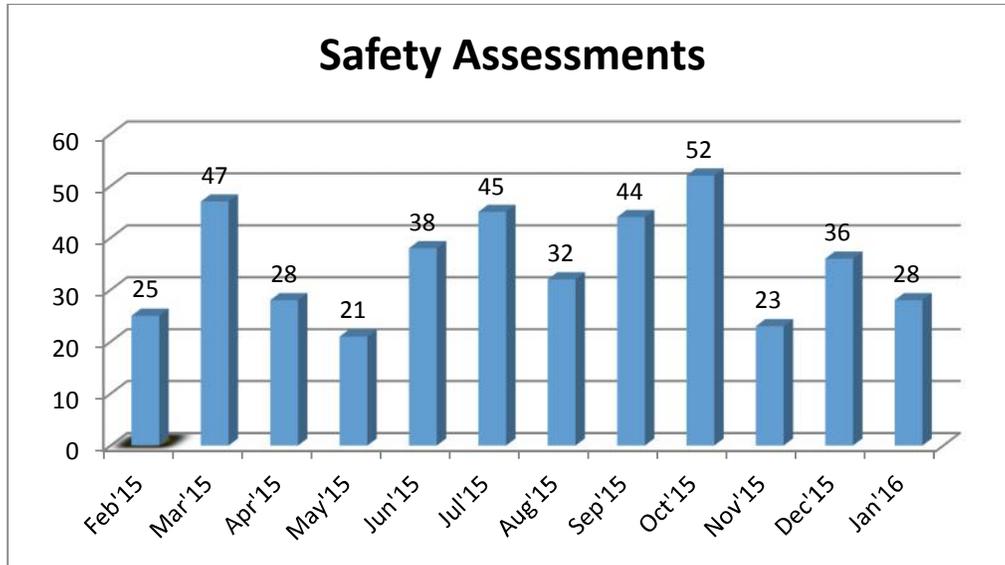
#### INFORMAL COMPLAINTS

- In January 2016, engineering staff did not receive a new complaint and closed one complaint involving existing highway-rail crossings.



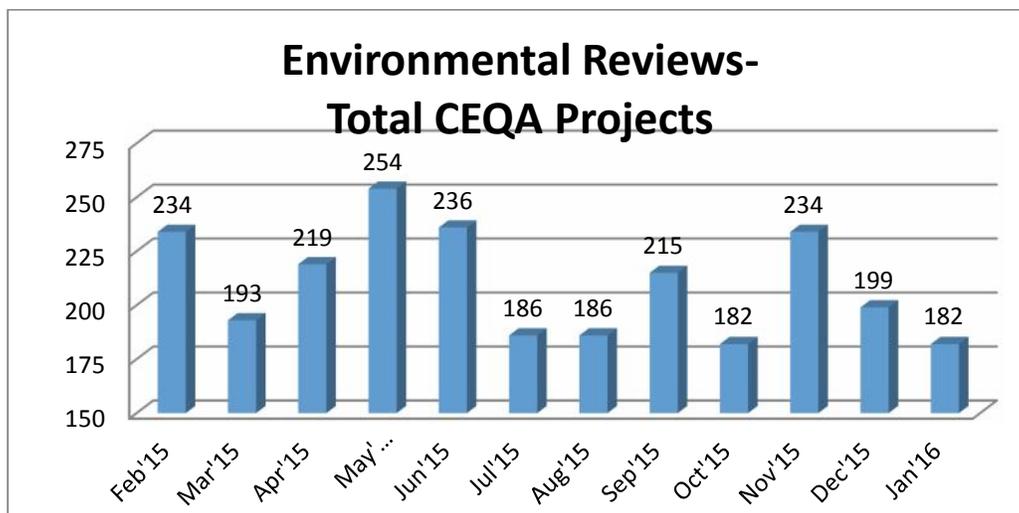
SAFETY ASSESSMENTS AND REVIEWS

- In January 2016, staff completed 28 safety assessments involving communications, field inspections, and diagnostic reviews with railroads and local agencies.



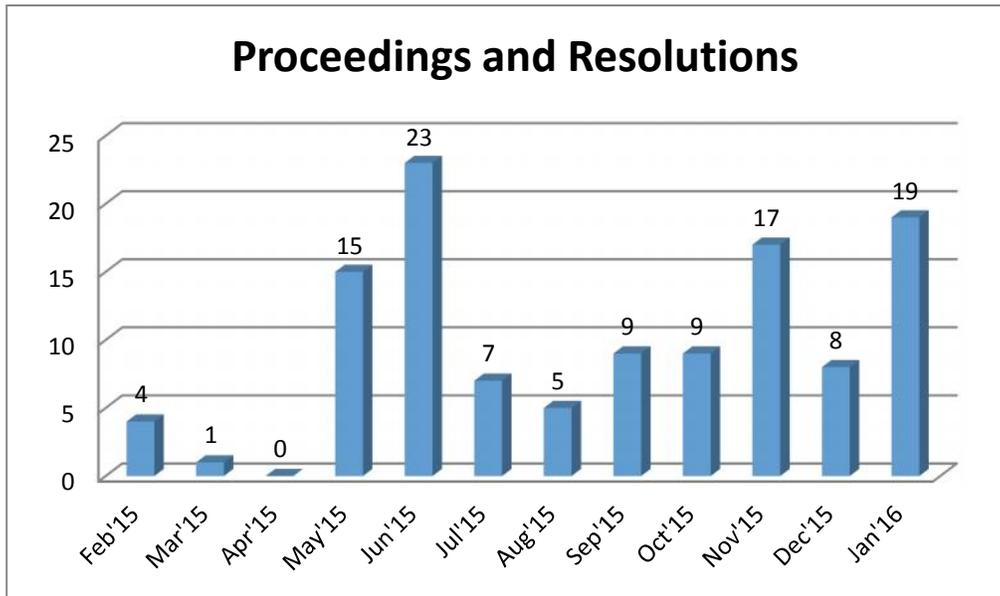
ENVIRONMENTAL REVIEWS

- In January 2016, staff reviewed 182 CEQA reports. When railroads and local agencies plan new projects or developments, staff reviews the documents submitted by the agencies for safety impacts to crossings. The review addresses safety issues in highway-rail crossing design and nearby intersections during the design phase of the projects.



PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

- In January 2016, engineering staff received two new proceedings, one resolution request, and two General Order 88-B applications. RCEB staff also closed one proceeding and 18 General Order 88-B applications.



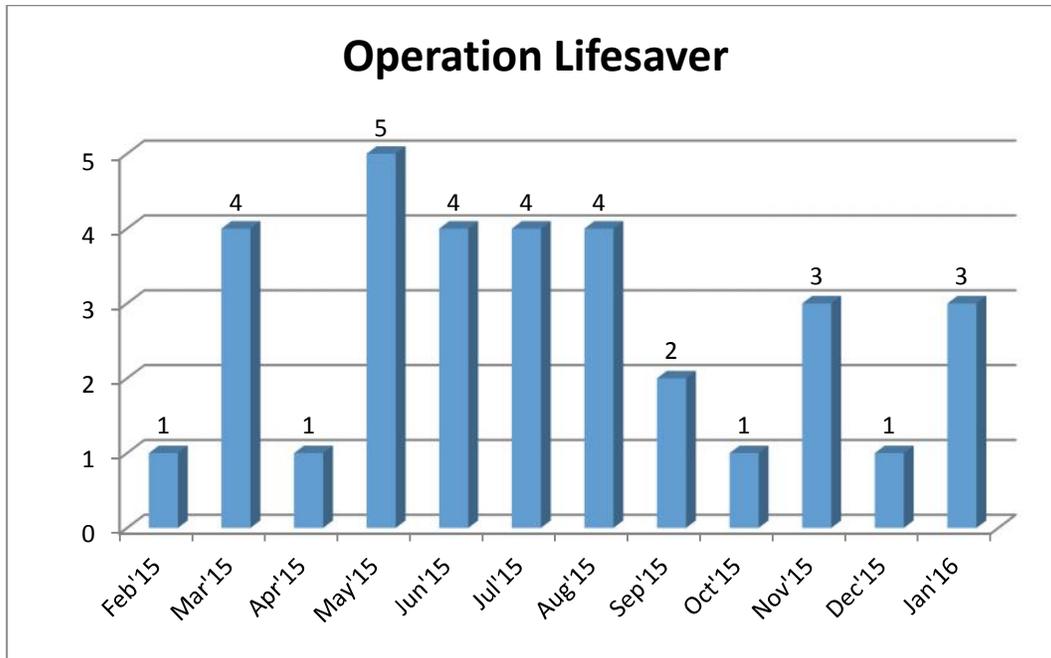
- **A.14-12-003** – Application of the City of San Diego requests a rehearing for the construction of a new Park Boulevard crossing over the Metropolitan Transit System and Burlington Northern Santa Fe tracks. On January 29, 2016, Legal Division served a Decision denying the request for rehearing.
- **G.O.88B – LA-3026 and LA-3025** – The Los Angeles County Metropolitan Transportation Authority requests authority to alter two at-grade crossings at Wardlow Road and Spring Street in the City of Long Beach, Los Angeles County. RCEB grants the authorization for the pedestrian improvements and it expires on January 28, 2019.
- **G.O. 88B – LA-2980, LA-2981, LA-3009, and LA-2912** – The Los Angeles County Metropolitan Transportation Authority requests authority to alter four at-grade crossings, Gage Avenue, Florence Avenue, Nadeau Street, and 92<sup>nd</sup> Street crossings over the shared rail corridor tracks of Union Pacific Railroad. RCEB grants the authorization for the pedestrian improvements and it expires on January 28, 2019.

- **G.O. 88B – SD-1580, SD-1581, SD-1582, SD-1583, SD-1034, SD-1035, SD-1337 and SD1338 –** The San Diego Association of Governments requests authority to modify, five grade separated highway rail crossings (bridges) of the California Department of Transportation Interstate 8 and Interstate 5, in the City and County of San Diego. The request also includes three additional grade separations at Ocean Beach Bike Path, Friars Road, and Tecolote Road, in the City and County of San Diego. RCEB grants the authorization for the modification and installation of the additional track and it expires on January 25, 2019.
- **G.O. 88B – SD-1420, Sd-1423, and SD-1642 –** The San Diego Association of Governments requests authorization to alter the Poinsettia Station Pedestrian crossings in the City of Carlsbad, San Diego County. RCEB grants the authorization to construct a grade separated pedestrian crossing under the tracks and it expires on January 28, 2019.
- **G.O. 88B –FRE-1040 and FRE 1480–** The California High Speed Rail Authority requests to alter State Route 180 grade separated crossing over Union Pacific Railroad tracks in the City and County of Fresno. RCEB grants the authorization two install two main tracks and it expires on January 15, 2022.
- **G.O. 88B – FRE-1043 and FRE-1044 -** The California High Speed Rail Authority requests to alter the Tuolumne Street grade separated crossing over two Union Pacific Railroad main tracks in the City and County of Fresno. RCEB grants the authorization two install two main tracks and it expires on January 20, 2019.
- **G.O. 88B – FRE-1232 -** The City of Reedley requests authorization to alter the Reed Avenue at grade crossing in the City of Reedley, in the County of Fresno. RCEB grants the authorization to modify and install the crossing improvements and it expires on January 27, 2019.

### OPERATION LIFESAVER INC.

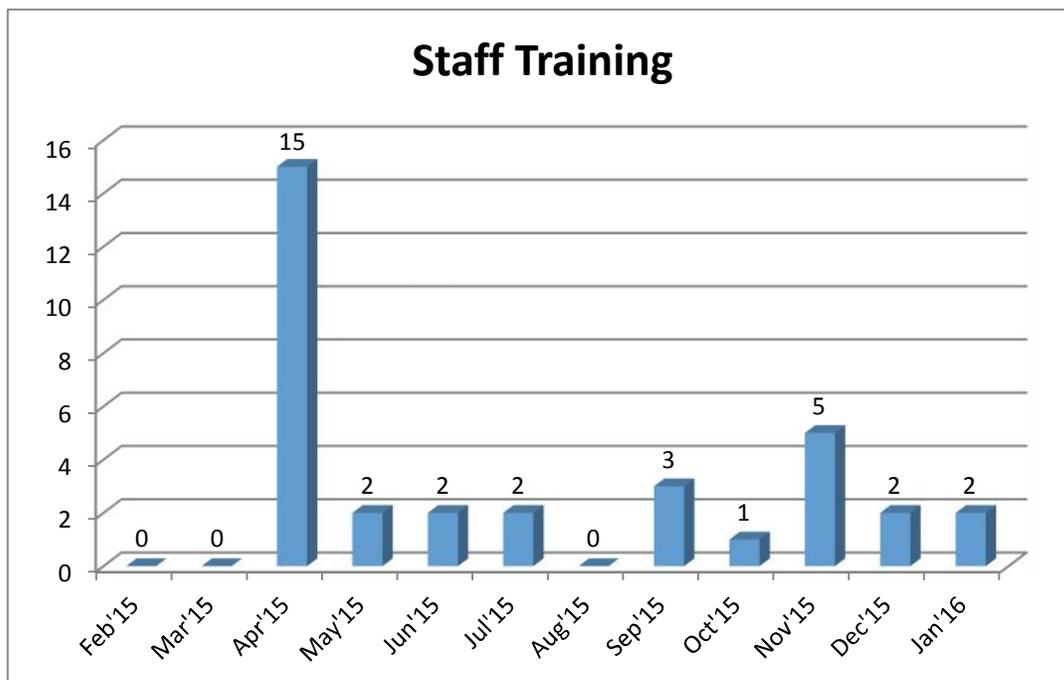
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- In January 2016, staff completed three Operation LifeSaver Inc. presentations. RCEB staff presented the OLI, “See Tracks Think Train” safety message at the Galt Greer Elementary School, the San Joaquin AgVenture event, and the Consumes Oaks Drivers Education class. The audience consisted of 500 K-8 students at the elementary school, 155 K-8 students at the AgVenture event, and 38 teen drivers at the Consumes Oaks High School.



#### RCEB STAFF TRAINING

- In January 2016, two staff members completed the defensive driver certification training.



## STATISTICS SUMMARY

Incidents -2016	
Incidents Year to Date	13
Fatalities Year to Date	5
Injuries Year to Date	2

- In January 2016, RCEB received 10 incidents related to highway-rail crossings, one incident request for assistance from RTSB, and two right-of-way incidents that were near crossings. The total number of incidents that RCEB is investigating is 13. The injuries resulted in five fatalities and two injuries.

## RAIL TRANSIT - RTSB

- In January 2016, the Rail Transit Safety Branch (RTSB) completed the following:

### RAIL TRANSIT INSPECTIONS

- RTSB inspectors performed four inspections.

### CORRECTIVE ACTIONS PLANS

- Opened six new Corrective Action Plans due to incidents, internal safety audits, and inspections.
- No Corrective Action Plans were closed

### INCIDENT INVESTIGATIONS

- In December 2015, 17 incidents were reported by Rail Transit Agencies (RTAs).<sup>5</sup> In January 2016, 11 incident investigations were closed by RTSB.

<sup>5</sup> Per General Order 164-D, the Commission must be immediately notified by rail transit agencies of incidents if they include one of the following: a fatality at the scene, or where an individual is confirmed dead within 30 calendar days of a rail transit-related incident; an injury to two or more individuals requiring immediate medical

### PROCEEDINGS / RESOLUTIONS

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- **Resolution ST-165** – Resolution approving RTSB’s Triennial Review of Bay Area Rapid Transit (BART). This was adopted by the Commission on January 28, 2016.
- **Resolution ALJ-322** – Resolution adopted by the Commission on December 3, 2015, which affirmed Citation # 1503001, issued to Sacramento Regional Transit District (SRTD) pursuant to Resolution ST-163. Resolution ST-163 had issued a \$10,000 fine to SRTD in response to an incident which occurred on February 17, 2015, where a light rail vehicle traveled out of a maintenance shop without any personnel aboard. The vehicle came to a stop after traveling 1.5 miles, with minor property damage but no injuries resulting from this uncontrolled movement. ALJ-322 denied SRTD’s appeal to the citation and closed the proceeding, K.15-04-008.

Pending items for the Resolution’s Ordering Paragraph:

*4) Sacramento Regional Transit District (SRTD) shall develop a clear operating rule regarding the deadman control (General Order (GO) 143-B, Section 4.12) and the interlocking door (GO 143-B, Section 4.10) safety devices. This operating rule shall be included in SRTD’s annual System Safety Procedure Plan (SSPP). SED will review and approve the operating rules and the SSPP, or request modifications.*

*5) Within 90 days from the date of this resolution, Sacramento Regional Transit District shall:*

*(a) Reexamine all of its maintenance activities and safety practices to update its System Safety Procedure Plan (SSPP) which includes a comprehensive procedure and training program designed to reinforce the importance of safety devices and to effectively ensure against future like incidents of unattended and uncontrolled Light Rail Vehicles;*

*(b) Develop and implement an updated SSPP and programs to train, retrain, certify, recertify, supervise, and oversee the safety practices of its employees;*

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attention away from the scene; property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities, and non-transit property that equals or exceeds \$25,000; a collision at an at-grade crossing; a mainline derailment; a collision with an individual on a rail right-of-way; a collision between a rail transit vehicle and a second rail transit vehicle, or a rail transit non-revenue vehicle; an evacuation due to life safety reasons.

(c) Prepare and submit these procedures in the form of an updated SSPP in compliance with General Order (GO) 143-B, GO 164-D and all other Commission rules and regulations as determined by Safety and Enforcement Division (SED); and

(d) Implement the approved updated SSPP, as soon as it is approved by SED, as soon as practicable thereafter.

6) Within 60 days from the issuance of Sacramento Regional Transit District's submission of an updated System Safety Procedure Plan (SSPP), ordered in the preceding Ordering Paragraph 5, the Commission's Safety and Enforcement Division will review and approve the SSPP or request modifications.

- **Resolution ST-181** – Resolution which grants the Request of the San Francisco Bay Area Rapid Transit District for Approval of the Safety and Security Certification Plan for the Hayward Maintenance Complex Project. This resolution was voted on and approved by the Commission on 12/17/2015. The ordering paragraphs grant the request of the San Francisco Bay Area Rapid Transit (BART) District for approval of the Safety and Security Certification Plan for the Hayward Maintenance Co. BART will file revisions of the Safety Certification Plan with Commission staff for review and approval. BART will submit the Safety and Certification Verification Report with the proper Commission staff as required by General Order 164-D, Section 12, at least 21 days prior to placing the facility in service.
- **R.09-01-020 Order Instituting Rulemaking (OIR) – To Consider Roadway Worker Protections by Rail Transit Agencies in California (Commissioner Peterman/ALJ Kim):**

On October 31, 2013, the Commission issued an Interim Decision (D.13-10-073) adopting GO 175 for Roadway Worker Protections on California's Rail Transit Systems. Since that time, SED submitted three staff reports to the assigned ALJ, and held numerous meetings with RTAs and unions representing their workers in order to explore key issues. Staff then met individually with four RTAs, and through their recommendations determined that a need exists for General Order revisions providing safety redundancies.

On April 2, 2015, SED filed its second addendum to its staff report for R.09-01-020. This addendum included substantive and significant clarification changes to the report, in order to address party comments on areas such as the of definitions for several key terms, identification of required protection levels, required safety equipment, and others.

On April 4, ALJ Kim sent out the revised CPUC Staff memo and proposed GO 175-A.

On April 7, 2015, she issued a ruling seeking comments from parties on the staff report. Several RTAs responded with comments by the due date of April 22, 2015.

- **I.13-09-012 (OII) – CPUC Staff v. San Francisco Municipal Transportation Agency (SFMTA) (President Picker/ALJ Mason) (Advocacy):** This investigation involves SFMTA’s failure to properly produce un-redacted documents in response to a subpoena, stemming from an accident which occurred on December 1, 2012, resulting in a fatality. On February 13, 2015, the ALJ issued his Presiding Officer’s Decision (POD), imposing fines on SFMTA of \$210,500 for Violating Rule 1.1 and \$1,000 for contempt.

On March 16, 2015, SFMTA filed an appeal to this Decision. SFMTA’s arguments are that 1) they had no notice that it may be in violation of Rule 1.1, 2) they were not provided an opportunity to object before incurring fines for noncompliance, 3) the record does not support the ALJ’s finding that SFMTA violated Rule 1.1, and 4) the record does not support the ALJ’s finding of contempt. SFMTA requested that the Commission overrule the POD and dismiss the proceeding.

On August 27, 2015, the Commission adopted D.15-08-032, Modified Presiding Officer’s Decision, upholding the previously imposed fines of \$210,500 and \$1000, as well as closing the proceeding.

On September 25, 2015, SFMTA submitted a filing that includes 1) an application for rehearing of the decision, 2) an application for oral argument, and 3) a request for suspension of the order to pay fines. SFMTA’s arguments are based upon the principles of due process, privacy, a lack of need for the subpoena, a denial of the alleged contempt, and the amount of the issued fine.

On October 12, 2015, SED filed a reply to SFMTA’s application for a rehearing. SED re-stating its prior arguments and supported the Modified Presiding Officer’s Decision that the \$210,500 fine for Rule violations and \$1,000 fine should be enforced.

- **I.14-01-005 Order Instituting Investigation (OII) – CPUC Staff v. San Francisco Municipal Transportation Agency (SFMTA) (Commissioner Peterman/ALJ Bushey) (Advocacy):** On January 16, 2014, the Commission issued an investigation of SFMTA for several violations of Public Utilities Code and Commission General Orders, including violation of the settlement agreement in the 2011 OII proceeding against SFMTA (I.11-02-017), attempting to prevent staff’s inspection, and threatening behavior towards CPUC inspectors. Staff provided written testimony, and took part in hearings based on the matters above.

On November 26, 2014, the presiding officer issued a proposed decision, which found that Staff did not make its case. Staff filed an appeal of the presiding officer’s decision.

On August 27, 2015, the Commission adopted a modified decision, D.15-08-031, and imposed a \$10,000 fine on SFMTA for failure to fully enact its own blue light/blue flag safety procedures, but stayed it for two years from the effective date of the decision on the condition that SFMTA properly enact a safety enhancement plan and not be subject to further enforcement proceedings at CPUC. The Decision also contained a finding that SFMTA had violated safety inspection requirements in attempting to prevent Staff’s inspection from occurring and is therefore required to pay a \$10,000 fine, as well. The Decision closed the proceeding.

On October 13, 2015, both parties jointly submitted a required compliance filing identifying the composition of the working group and identify of executive contacts.

Pending items from D.15-08-031 ordering paragraph 3e:

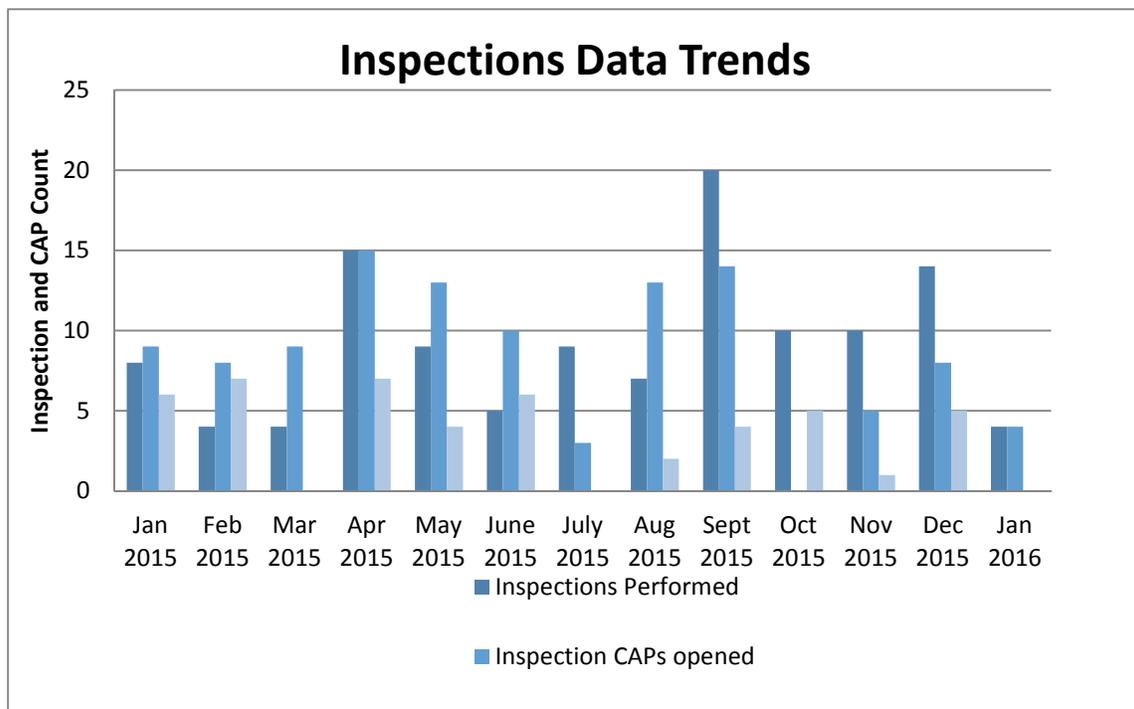
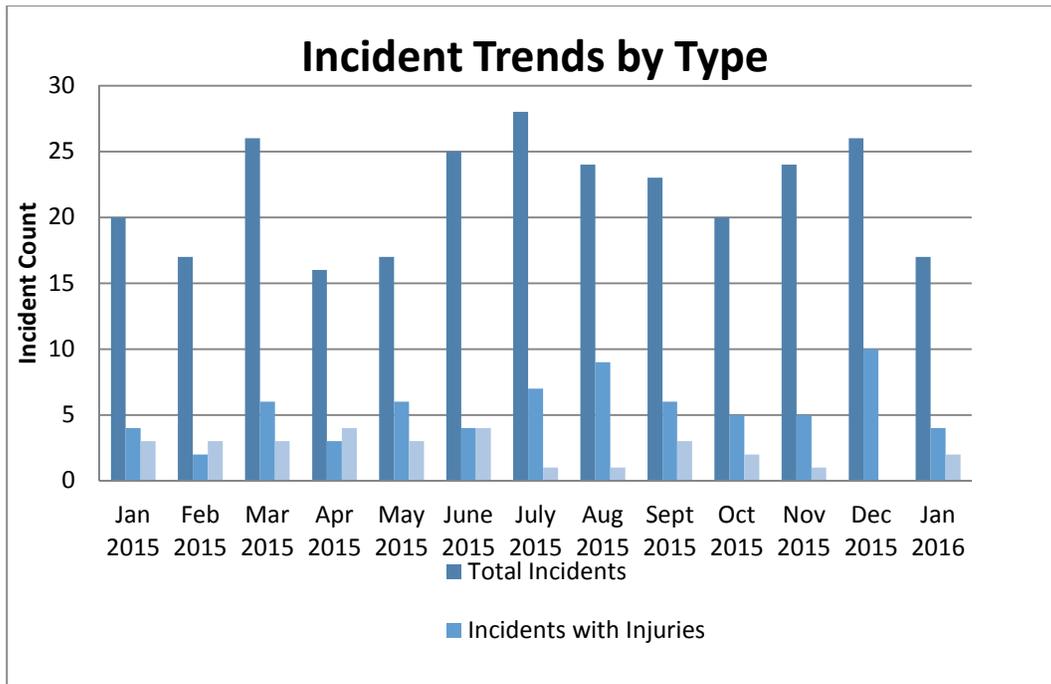
*No later than two years after the effective date of this order, the parties shall submit a compliance filing setting forth the status of safety enhancement efforts and whether the Commission has initiated any further formal investigations of San Francisco Municipal Transportation Agency. If the compliance filing shows no further formal investigations, the fine imposed in Ordering Paragraph 1 is permanently suspended.*

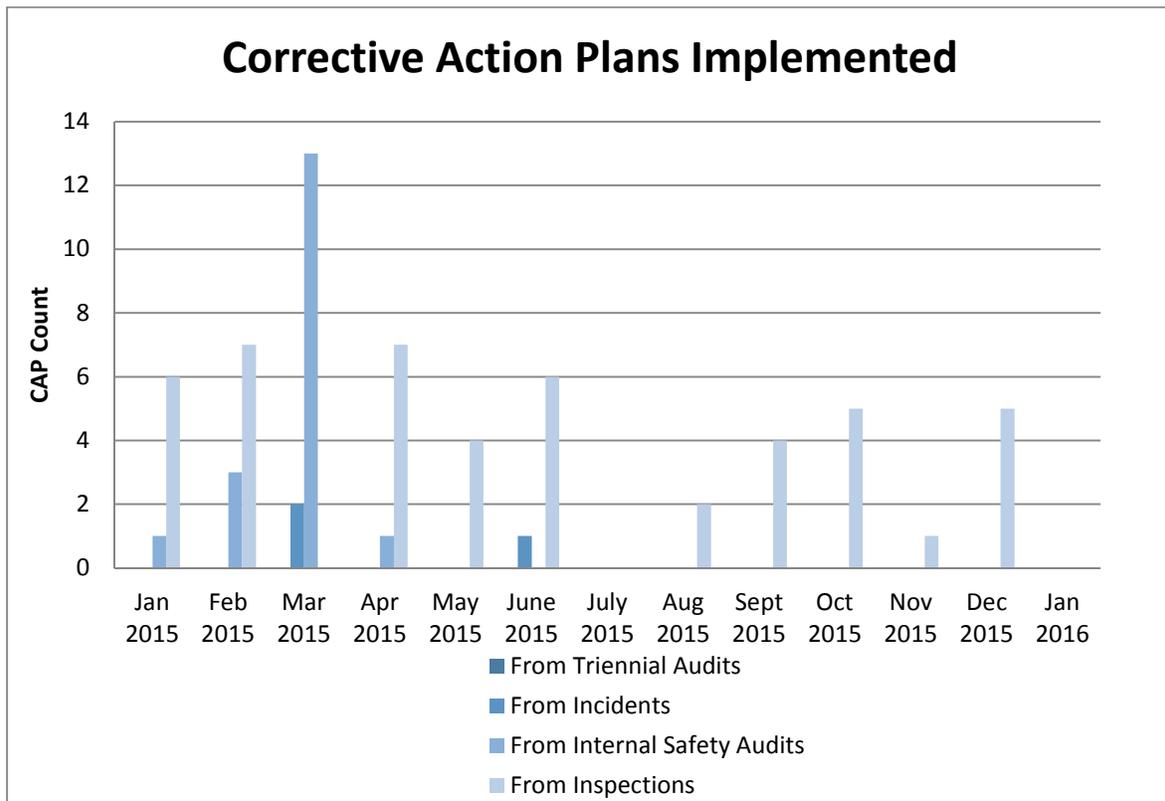
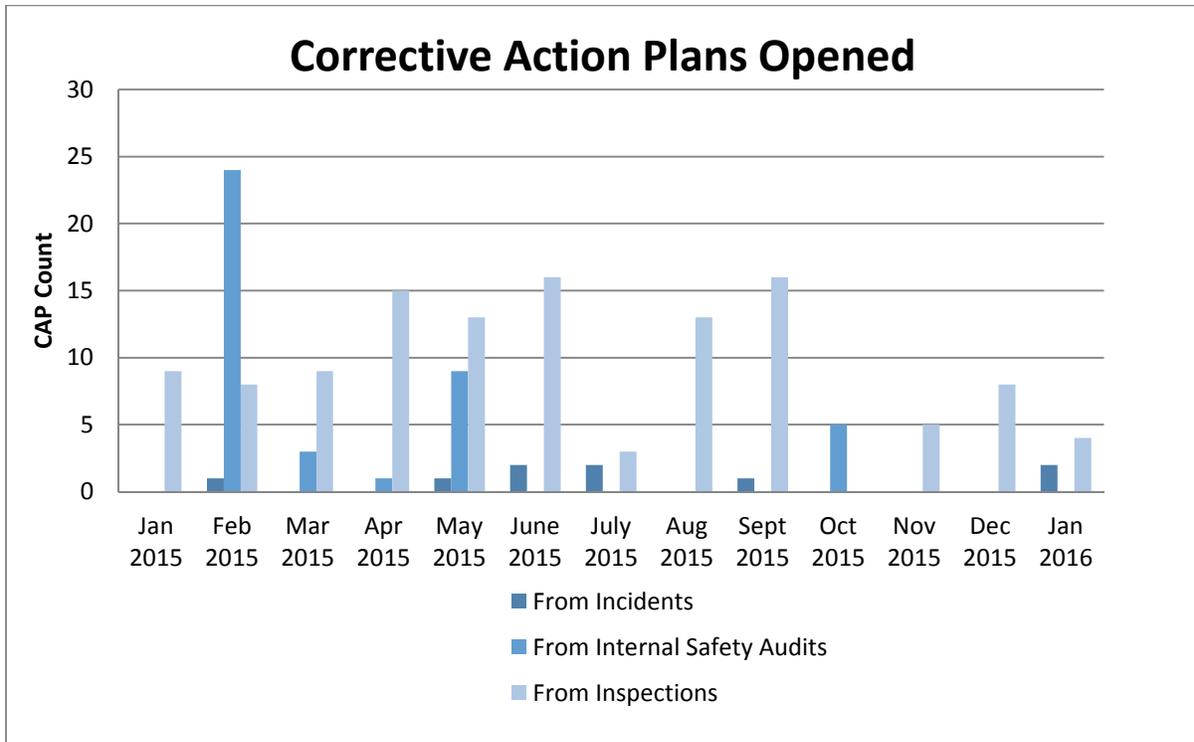
STATISTICS SUMMARY

<b>Investigations</b>	
Incidents Reported	17
Incident Investigations Closed	11
Complaints Investigated	1
Rail Transit Inspections	4
Triennial Audits	0

<b>Corrective Action Plans</b>	
<b>New Corrective Action Plans</b>	<b>6</b>
From Triennial Audits	0
From Incidents	2
From Internal Safety/Security Audits	0
From Rail Transit Inspections	4
<b>Closed Corrective Action Plans</b>	<b>0</b>
From Triennial Audits	0
From Incidents	0
From Internal Safety/Security Audits	0
From Rail Transit Inspections	0

ONGOING DATA / TRENDS





## UTILITY ENFORCEMENT BRANCH

### (CONSUMER PROTECTION AND FRAUD INVESTIGATIONS)

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#### KEY ENFORCEMENT ACTIVITIES

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- **Mesa Crest (I.15-06-018) (Commissioner Sandoval/ALJ Wilson) (Advocacy):** SED and Mesa-Crest have agreed to enter into a nondisclosure agreement for Mesa to share confidential information pertaining to offers from potential buyer(s) of Mesa. The scheduled January 11 evidentiary hearing was postponed, and a status call with the ALJ is scheduled for March 1, 2016.
- **TC Telephone (I.16-01-012) (Commissioner Randolph/ALJ Wilgrube) (Advocacy):** The Commission adopted an Order Instituting Investigation (OII) to determine if TC Telephone switched consumers' telephone service providers without obtaining third party verifications (TPVs) of the consumers' consent. SED alleged that TC Telephone switched approximately 850 consumers' presubscribed telephone service providers to itself without obtaining independent TPVs of the consumers' consent required by law.
- **Robocall Fact Sheet:** Staff, in coordination with CAB and Legal, drafted a robocall fact sheet that will be posted on the Commission's website. The fact sheet defines robocalling, identifies when and how automatic dialing announcing devices (ADADs) can be used legally, and provides links to information on robocalls and ADADs provided by the Federal Trade Commission (FTC) and Federal Communications Commission (FCC).
- **Payphones at Airports:** Staff met with UEB's payphone inspectors to plan yearly inspections of payphones in the airports, to check compliance with SB 50. This bill was passed by the Legislature a year ago to ensure that payphones that accept credit card payments have appropriate signage to warn users that card-initiated calls may be much more expensive than coin-operated calls. Additionally, the bill requires that, on payphones that accept credit card payments, the operator shall provide a quotation of its complete rates and charges for the call, and permit the consumer to terminate the telephone call before the call is connected.
- **Lifeline Wireless Fraud:** Staff initiated an investigation into a wireless telephone company for possible lifeline fraud. Under the California LifeLine Program, discounts on cell phone services are provided to qualified households. Only one discount per household is allowed. Based on CAB complaints and whistleblower contacts, staff is investigating a wireless company that may have violated Commission statutes by signing multiple and duplicate applications on a single household.
- **Slamming and Misrepresentation:** Staff initiated an investigation into a telephone company for possible slamming and misrepresentation. Under PU Code 2889.5, the telephone company must obtain a third party verification of a consumer's consent before switching the consumer's presubscribed telephone service provider to itself. Based on CAB complaints and whistleblower contacts, staff is investigating if the

telephone company “slammed” consumers and misrepresented itself as the consumers’ presubscribed telephone company.

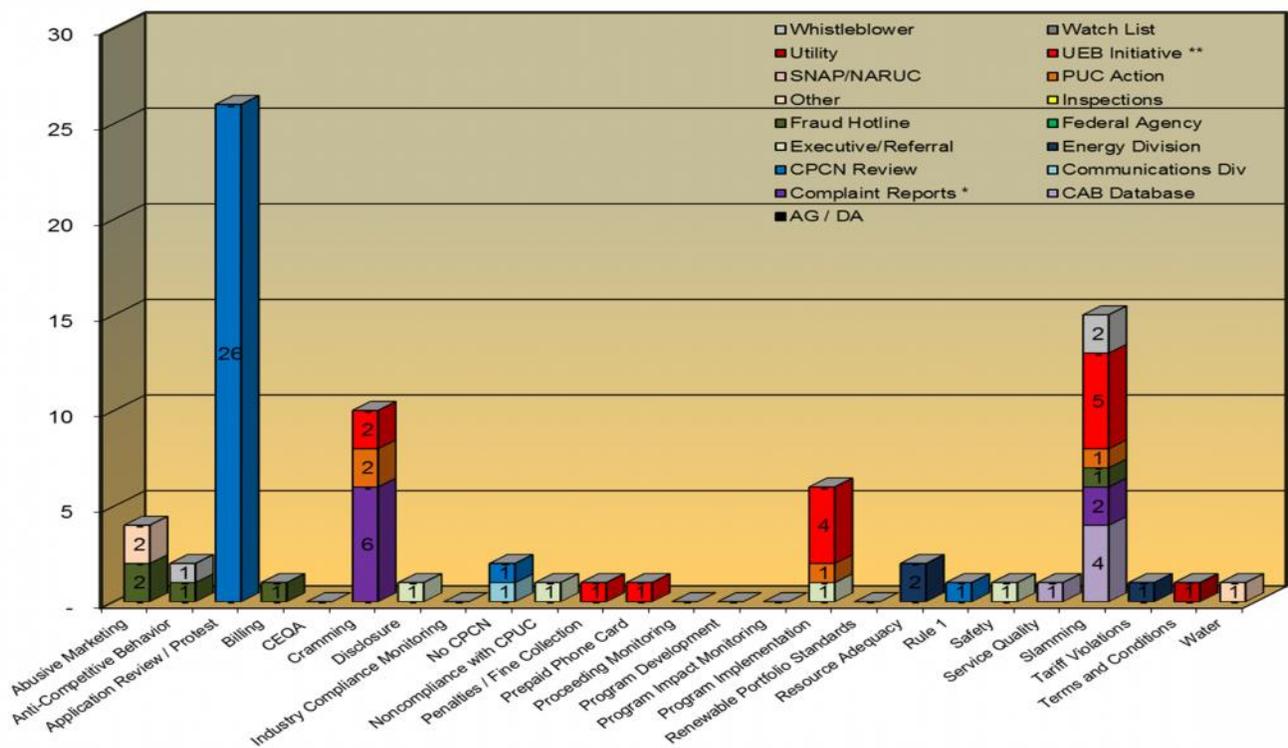
### OUTREACH, TRAINING AND OTHER ACTIVITIES

- UEB purchased an on-line training on the process of preparing pleadings and discovery. Key topics of this training, which can be viewed on-demand by staff at his or her computer, include the elements of initial case pleadings, types of motions filed within an action, crafting discovery requests to opposing parties, and preparing proper and complete discovery responses. All UEB investigative staff are required to view this training by the end of 2016.

### ONGOING ENFORCEMENT ACTIVITIES

UEB is currently working on a total of 78 cases. Investigations center primarily on Application Protests, Cramming, and Slamming. UEB’s cases come from a variety of sources, with Application Reviews, Consumer Complaints, and UEB’s own initiation playing key roles.

Cases by Types and Sources as of January 31, 2016



\* Complaint Reports consist of aggregated data from the CIMS database, Billing Aggregator Reports, and Billing Telephone Companies.

\*\* Actions taken on Utility Enforcement Branch’s own initiative to meet Branch/Division goals and/or improve internal processes.

## TRANSPORTATION ENFORCEMENT BRANCH

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### POLICY PROCEEDINGS

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- **TNC Rulemaking (R.12-02-011) (ALJ Mason/Commissioner Randolph) (Advocacy):** On January 25, 2016, Assigned Commissioner issued proposed decision on Phase II issues.
- **Passenger Stage Corporation Certificate Rulemaking (R.09-12-001) (ALJ Colbert/Commissioner Florio) (Advisory):** A Petition for Modification reopened the proceeding. Awaiting a Ruling or Proposed Decision.

### ENFORCEMENT PROCEEDINGS

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- **TNC Rulemaking (R.12-12-011)(ALJ Mason/Commissioner Randolph) (Advocacy):** Order to Show Cause regarding Rasier's and Lyft's failure to submit data as required by the Commission. On January 14, 2016 – Commission adopted D.16-01-014, Modified Presiding Officer's Decision Finding Rasier in contempt, in violation of Rule 1.1.

### ENFORCEMENT CITATION APPEAL PROCEEDINGS

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- **FC-682 (Long): Joe Santanella dba Shuttle It (TCP 28677):** Imposes a \$1,000 fine for failure to provide documents. Prehearing teleconference held on January 26, 2016.
- **FC-718 (Mason): Joseph Elias dba Showtime Transportation (TCP 29245):** Imposes a \$4,000 fine for operating while suspended, insurance violations, and General Order violations. Respondent is located in Stockton. Evidentiary hearing scheduled for February 26, 2016.
- **FC-745 (Farrar): Farid Nikkhoo dba Limo Zone (TCP 31548):** Imposes a \$1,000 fine and order to release business records for violations of the Public Utilities Code and General Order 157-D. On January 5, 2016, carrier signed the settlement agreement and withdrew appeal.

### CARRIER APPLICATION PROCEEDINGS

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Transportation staff is working on a total of 19 carrier application proceedings in an advisory or advocacy role.

- **Silverado Stages, Inc./A.13-10-023/Examiner Malashenko (Advisory):** Carrier failed to respond to multiple communication attempts. Awaits Proposed Decision.
- **Adriana O'Farrell, dba Metro Express of California/A.14-03-005/Examiner Malashenko (Advisory):** Carrier failed to respond to multiple communication attempts. Awaits Proposed Decision.

- **RidePal Inc./A.13-12-014 (Commissioner Randolph/ALJ Mason) (Advocacy):** Proposed Decision withdrawn by ALJ on December 3, 2015. On December 4, 2015, applicant's counsel moved to withdraw representation.
- **Kong Da Express/A.14-10-016/Examiner Malashenko (Advisory):** Awaits Proposed Decision.
- **Curtin Maritime/A.15-01-005 and Avalon Freight Services/A.14-10-015 (Commissioner Randolph/ALJ Farrar) (Advisory):** Seeks CPCN to operate as a vessel transport of freight between Port of Long Beach and all points on Santa Catalina Island, and between any points on Santa Catalina Island. On January 22, 2016, the ALJ issued a Proposed Decision denying Avalon's request for CPCN and granting Curtin Maritime's request; alternate Proposed Decision by Commissioner Randolph grants both requests.
- **Kiddy Cab Shuttle, Inc./A.15-01-012/Examiner Malashenko (Advisory):** Carrier not responsive to multiple communication attempts. Awaits Proposed Decision.
- **MR Shuttle LLC /A.15-04-024/Examiner Malashenko (Advisory):** Awaits Proposed Decision.
- **Airport Connection, Inc. dba Roadrunner Shuttle /A.15-07-011/Examiner Malashenko (Advisory):** Awaits Proposed Decision.
- **Shawky Ismail, doing business as Air Shuttle & Limousine /A.15-07-021/Examiner Malashenko (Advisory):** Issued January 20, 2016, D.16-01-027 grants application and closes proceeding.
- **Kidzjet Inc/A.15-08-008/Examiner Malashenko (Advisory):** Awaits Proposed Decision.
- **Blue & Gold Fleet, L.P. (A.15-08-009) (ALJ Ayoade/Commissioner Randolph) (Advocacy):** Application for Authority to adjust fares on Its Vessel Common Carrier service on San Francisco Bay between Tiburon and authorized points in San Francisco. Prehearing conference set for March 29, 2016.
- **PropSF, LLC (A.15-08-014) (ALJ Edmister/Commissioner Randolph) (Advisory):** Application for authority to operate as a scheduled vessel common carrier between points in Redwood City, Alameda, San Rafael, Emeryville, Oakland, San Leandro, and San Francisco and to establish a ZORF. Applicant filed an amended application on January 20, 2016.
- **Let's Go Now! LLC/A.15-08-020/Examiner Malashenko (Advisory):** Application for authority to provide service between Modesto, Stockton and Tracy and SFO. Awaits Proposed Decision.
- **Megabus West, LLC / A.15-08-021 / Examiner Malashenko (Advisory):** Application to revise rates and Zone of Rate Freedom for existing service between Anaheim, Los Angeles, Burbank, Oakland, San Jose, San Francisco and Sacramento. Awaits Proposed Decision.
- **Gallo Express, LLC/A.15-08-026/Examiner Malashenko (Advisory):** Application for authority to provide service between San Diego, Imperial, Orange, Los Angeles, San Bernardino, Riverside, Kern, Tulare, Fresno, Monterey, Santa Clara, San Francisco, Alameda, and Sacramento and establish a Zone of Rate Freedom. Awaits Proposed Decision.

- **Erasmus Sanchez, doing business as Sanchez Express/A.15-09-008/Examiner Malashenko (Advisory):** Awaits Proposed Decision.
- **Swoop Shuttle Service LLC, doing business as Swoop/A.15-11-004/Examiner Malashenko (Advisory):** Application for authority to provide service on/within California Polytechnic University in San Luis Obispo. Awaits Proposed Decision.
- **Tideline Marine Group, Inc. DBA Tideline Water Taxi/A.15-12-021/Examiner Malashenko (Advisory):** Application for authority to provide unscheduled, on-call water taxi service and scheduled service between points in the San Francisco Bay. Comment period ended January 23, 2016.
- **El Monte Transportation LLC / A.15-12-024 / Examiner Malashenko (Advisory):** Application for authority to provide on-call transportation of passengers and baggage between San Diego, Imperial, Orange, Los Angeles, San Bernardino, Riverside, Kern, Tulare, Fresno, Monterey, Santa Clara, San Francisco, Alameda, and Sacramento counties. Comment period ended January 28, 2016.

### CONSUMER INTAKE COMPLAINT SETTLEMENTS

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This month, TEB Consumer Intake staff negotiated settlements for 10 consumers for over \$9,000 in restitution from carriers. Successful and appropriate intervention provides faster restitution to consumers, and reduces the number of cases assigned to an investigator.

- **CIU 20150080 – Sunrise Cleaning Service dba Move In Move Out, Long Beach (Unlicensed).** Carrier refunded \$935 for overcharges.
- **CIU 20150395 – Uribes Brothers Trucking, Inc. dba Gold Medal Moving and Storage, Santa Ana (MTR 191010).** Carrier paid \$62.30 to shipper for overcharges.
- **CIU 20150393 – Greystone Relocation Concierge, Los Angeles (Unlicensed).** Carrier refunded \$3,708.90 for overcharges.
- **CIU 20150417 – Daniels Moving and Storage Inc., Santa Fe Springs (MTR 69771).** Carrier paid \$1,157 to shipper for loss and damage.
- **CIU 20150427 – Its About Time Transportation LLC dba Prime Time Shuttle, Costa Mesa (TCP 30287).** Carrier refunded \$200 for failure to provide contracted service.
- **CIU 20150455 – Zafarjon Rahmatov dba West Coast Moving & Storage Services Inc., Tarzana (MTR 191135).** Mover damaged the complainant's wood floors and stairs during move on 5/14/15, but later repaired the damage on 1/19/16 at an approx. cost of \$750.
- **CIU 20150486 – Rideshare Port Management LLC dba Prime Time Shuttle, Hawthorne (TCP 11415).** Carrier refunded \$660 for reimbursement of parking expenses.
- **CIU 20150495 – Greyhound Lines Inc. dba Boltbus, Dallas (TCP 00001).** Carrier refunded \$163.65 for failure to provide service and taxi fare.

## California Public Utilities Commission | Safety and Enforcement Division

- CIU 20160003 – Express Moving Network Inc. dba Best Moving Van Lines, Santa Clara (MTR 190590). Carrier paid \$81 to shipper for loss and damage.
- CIU 20160069 – Charles Cunningham dba Cunningham Moving and Storage Corporation, San Francisco (MTR 96660). Carrier reduced bill by \$2,000 for overcharges.

### ENFORCEMENT INVESTIGATIONS

January 2016 Investigation Activity	Passenger Carriers	Moving Companies
<b>New investigations</b>	10	8
<b>Completed investigations</b>	32	17
<b>Open Investigations as of January 31, 2016</b>	124	79
<b>Cease and Desist Orders</b>	12	11
<b>Administrative Citations</b>	1	1
<b>Fines Assessed</b>	\$500	\$3,000

### LAX ONSITE CITATION PROGRAM

January 2016 Activity				
CPUC Citations	LAX PD Citations	Vehicles Impounded	Cease & Desist Notices	Fines Collected
1	4	2	1	\$1,000

### OUTREACH, TRAINING AND OTHER ACTIVITIES

- Staff is working with IT on an electronic exam for moving company applicants. TEB completed revisions to the exam, and IT is developing the electronic format. IT is selecting a tablet model with the appropriate functionalities. Once selected, IT will download the exam to several tablets. The electronic exam will benefit both Staff and applicants. Staff will no longer manually grade lengthy exams, and applicants will know immediately whether they passed or failed the exam.
- In January, Staff held its standing monthly workshop at LAX to train airport officers, local law enforcement and carriers on California Codes and CPUC regulations related to passenger carriers and how to enforce and comply with those rules and statutes.

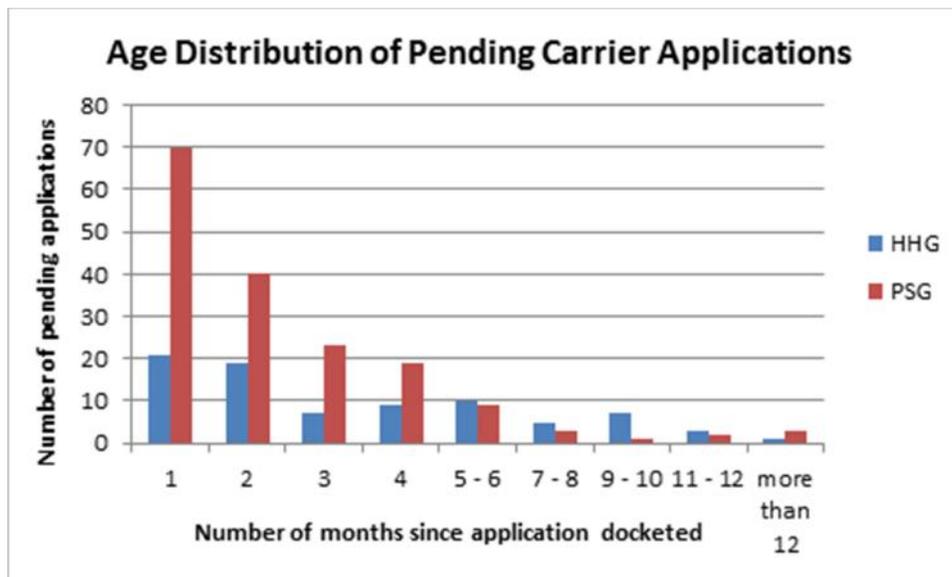
APPLICATIONS, PERMITS AND REVOCATIONS

January 2016 Permit Activity	Passenger Carriers	Moving Companies
Carrier applications received by TEB	231	25
Carrier Permits Issued by TEB	303	2
Total new permits pending as of January 31, 2016	140	76
Total permitted carriers as of January 31, 2016	8944	1059
Permits suspended and revoked by TEB, primarily for lack of insurance.	611	94
Permits subsequently reinstated	330	54
Voluntary suspensions (requested by carrier)	33	-
Voluntary revocations (requested by carrier)	24	-
TEB requests for bus terminal inspections issued to CHP	163	-

In January 2016, TEB reached the six-month mark of an incremental pilot program to improve the application process, to: 1) optimize staff resources and efficiency; 2) issue permits more quickly; and 3) reduce the application backlog.

In January 2014, the rolling backlog of pending permits averaged over 1,000 on any given day. After needed process improvements, on January 31, 2016, the backlog was down to 140 applications for passenger carriers (PSG) and 76 for household goods carriers (HHG).

As of January 31, 2016, TEB docketed all applications within one to two days of receipt. Roughly 40% of passenger and household goods carriers submit complete application materials within 30 days of the date TEB receives the initial application, 84% within three months, and 95% within six months.



TRANSPORTATION NETWORK COMPANY APPLICATIONS

Date received	DBA	Carrier#	Application Status
3/9/2015	Zira Int. Inc.	PSG0035377	TEB received the Applicant's Commercial Insurance Policy on November 11, 2015. Policy did not meet statutory requirements. Applicant working with insurance company.
10/30/2015	Vidality Rides, LLC	PSG0035953	Carrier failed to respond to a final deficiency notice issued December 30, 2015.