

Safety and Enforcement Division



Monthly Performance Report

April 2018

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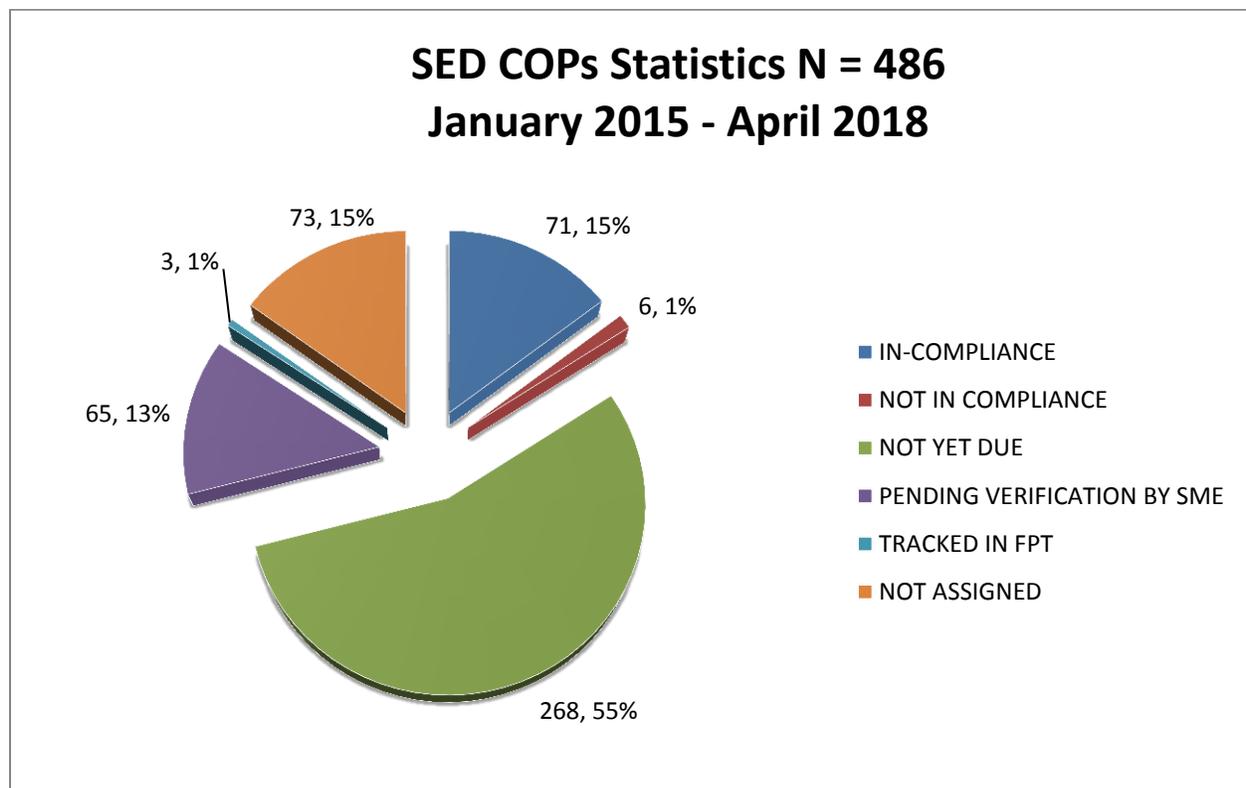
This Report has not been approved or disapproved by the CPUC.

COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

Through April 30, 2018, SED shows 486 total entries in the COPS system; with 71 reaching compliance (15%), 268 (55%) not yet due for compliance, and 6 (1%) currently remaining out of compliance. The remaining 141 (29%) are either pending verification or yet to be assigned.

During April 2018, there were 20 new OPs recorded to the COPS database for the Safety & Enforcement Division.

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

STAFF CITATION PROGRAM

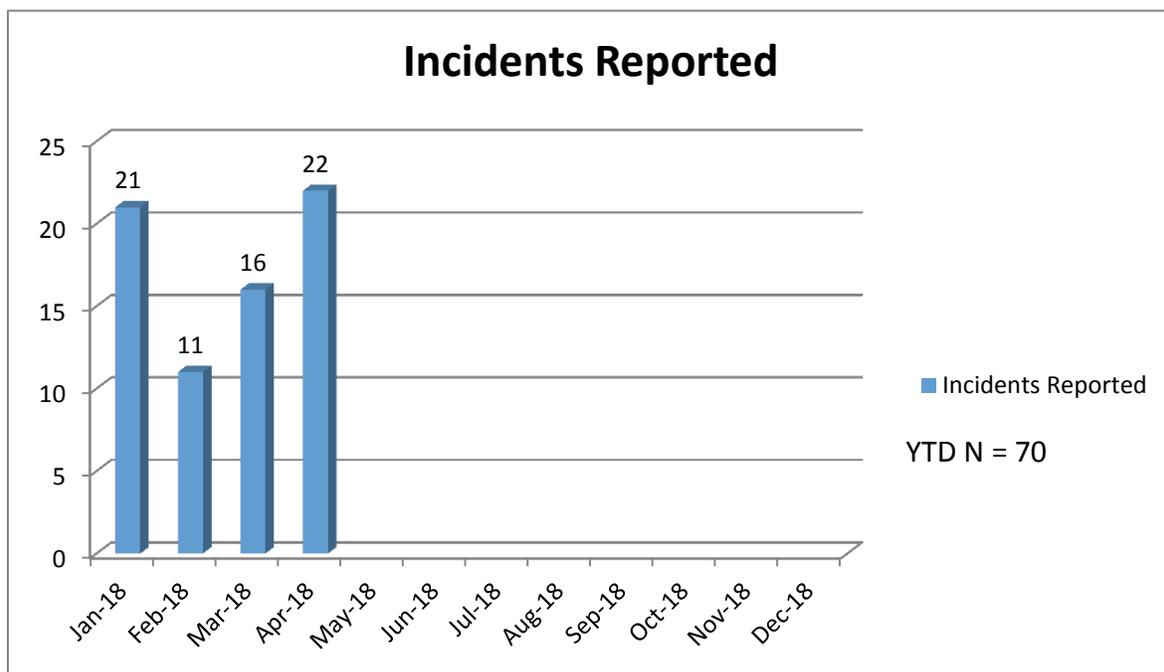
Citation Number	Utility	Amount	Violations	Date Cited	Appealed	Status
D.16-09-055 G.17-05-001	Southwest Gas	\$ 200,000	192.1007 (c)	6/1/2017	Yes	SWG Appealed Citation, SED and SWG entered a settlement and has an executed Settlement Agreement with SWG to amend DIMP procedures. SED completed a corrective action audit in December 2017 and verified corrective actions. The CPUC approved this settlement on 3/1/2018. SWG paid \$175,000 on 3/26/2018 - case closed.
Total Cited 2017		\$ 200,000				

INSPECTIONS

	2017	2018
Conducted	78	12
Final Report Completed	77	1

INCIDENT INVESTIGATIONS

As of April 30, 2018, GSRB Staff received 70 incidents year to date.



The CY 2018 incidents¹ are categorized as follows:

- 41 – Level 1 incidents
- 26 – Level 2 Incidents
- 1 – Level 3 Incidents
- 2 – Level 4 Incidents

UTILITY SELF-IDENTIFIED VIOLATION (SIV) INVESTIGATIONS

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 self-identified violations reported in April.

NATURAL GAS RELATED PROCEEDINGS

- **Gas Safety OIR (R.11-02-019) (Commissioner Guzman Aceves/ALJ Kersten) (Advisory):** The proceeding amended General Order GO 112-F, made fully effective no later than January 1, 2017. R.11-02-019 was closed in June 2015, however, it was re-opened after various applications for rehearing were filed by intervenors including the Utility Workers Union of America, the Office of ratepayer Advocates and the City of San Carlos. In February 2017, D. 17-02-015 disposed of a joint rehearing request from the San Carlos and ORA. In addition, Pacific Gas and Electric Company filed a petition to modify Decision 15-06-044 on January 31, 2017, on issues related to cost recovery. Disposition of PG&E's petition and UWUA's application is pending. On August 11, 2017, SED filed a subsequent petition to modify D. 15-06-44, seeking to conform GO 112F to more stringent federal regulations. The matter is pending.
- **Mobile Home Parks Pilot Program (Implementing D.14-03-021) (ALJ Semcer/Commissioner Rechtschaffen):** This decision established a three-year pilot program authorizing each California investor-owned utility to convert 10 percent of master-metered gas and/or electric Mobile Home Park spaces within its operating territory to direct utility service. San Diego Gas & Electric Company (U902M) filed A.17-05-008/ A.17-05-007 for Approval to Extend the Mobile Home Park Utility Upgrade Program. The Commission on September 29, 2017, extended the program through the end of 2019 via Resolution E-4878.
- **Citation Program OIR (R.14-05-013) (President Picker/ALJ Burcham) (Advisory):** Decision 16-09-055 was issued on September 29, 2016. Some key points are listed below:
 - An administrative limit of no more than \$8 million for each citation.
 - Utility reporting of self-identified potential violations is voluntary.

¹ 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.

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- Utilities need not notify city and county officials of a self-identified potential violation unless staff requires it.

This proceeding was reopened on February 21, 2017, as Senator Jerry Hill issued a petition for modification requesting the Commission to modify the decision to keep in place, rather than weaken, the mandatory reporting requirements that were imposed under ALJ-274. In March, several parties filed comments to Senator Hill's request, and Hill filed reply comments in early April. The matter is pending.

Pipeline L-1600 Replacement (A.15-09-013) (Commissioner Randolph/ALJ Kersten) (Advisory):

The Pipeline Safety & Reliability Project involves replacing existing Line 1600 with a new and larger gas transmission pipeline (Line 3602). The goal is to address the pipeline safety requirements for the existing Line 1600 and expand the capacity of the SDG&E's gas transmission system. In April of 2018, SED provided several responses to ALJ's questions/queries in regards to the safety of Line 1600. On May 2, 2018, the ALJ issued the Proposed Decision (PD) **denying** SDG&E and SoCalGas' application for the following:

- Certificate of Public Convenience and Necessity for the Proposed "Pipeline Safety and Reliability Project" (also known as Line 3602 Pipeline);
- Reclassification of Gas Pipeline 1600 from transmission service to distribution service and associated reduction of pipeline operating pressure from 512 psig to 320 psig; and
- Redefinition of the existing CPUC's Reliability Criterion consistent with Decision 06-09-039.

This PD may be heard, at the earliest, at the Commission's June 21, 2018, Business Meeting.

ELECTRIC SAFETY AND RELIABILITY PROGRAMS

ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM

In April 2018, Electric Safety and Reliability Branch:

- Received six electric facilities incident reports and closed 10 previously reported electric facilities incident investigations;
- Investigated 21 customer safety and reliability complaints;
- Performed two Electric Distribution audits;
- Issued three Notice of Violation letters/reports.
- Held an in-house pole loading calculation training.
- Submitted a third data request to PacifiCorp regarding its GO 166 filing requesting supplemental information about their fire management plans.

Metrics for Facility Incident Investigations as of April 30, 2018

Electric and Communication Facilities	Level 1	Level 2	Level 3	Level 4	Total ²
Total open incidents	7	7	51	46	111
Total incidents reported in 2018	3	1	4	17	25
Total incidents closed in 2018	3	5	19	10	37
Total open 2018 incidents	3	1	3	14	21
Incidents reported in April 2018	1	1	0	4	6
Incidents closed in April 2018	0	1	4	5	10

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS

- Investigation into Long Beach Incident (I.16-07-007) (President Picker/ALJ Cooke) (Advocacy):** Decision 17-09-024 adopted a Settlement Agreement between Southern California Edison and the SED on September 28, 2017. Under the settlement, SCE will pay a \$4 million penalty and spend \$11 million on various system enhancement projects intended to reduce the chance of public injury, reduce the risk of future system failures, and to improve the utility’s operational awareness and network maintenance. ESRB is currently monitoring SCE’s work to ensure compliance with the settlement agreement.
- Creation of a Shared Database or Statewide Census of Utility Poles and Conduit (R.17-06-028); Communications Provider Access to Poles (I.17-06-027); Competitive Local Exchange Carrier Wireless Facilities on Poles (R.17-03-009) (Commissioner Picker/ALJ Mason/ALJ Kenney) (Advocacy):** On June 29, 2017, the CPUC voted to consolidate R.17-03-009 with the new R.17-06-028 and I.17-06-027. ESRB staff filed a prehearing conference statement addressing issues relevant to R.17-06-028 and I.17-06-027. On April 25, 2018, ALJ Mason issued a notice of Public Participation Hearing scheduled for May 9, 2018 in San Bernardino. On April 26, 2018, the Commission issued Decision (D.) 18-04-007 amending the Right-of-Way Rules (ROW Rules) to provide competitive local exchange carriers (CLECs) with expanded nondiscriminatory access to public utility infrastructure for the purpose of installing antennas and other wireless telecommunications facilities. D.18-04-007 closed R.17-03-009.

² 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.

- **Fire Safety Rulemaking (R.15-05-006) (President Picker/ALJ Kenney/ALJ Kao) (Advocacy):** In March, the Commission approved D.18-03-020, effectively closing this rulemaking proceeding, pending the filing of an accounting ledger that details map development expenditures. SED is developing its recommendation on whether the Commission should have a proceeding on wind maps, due to be filed on June 14.
- **Proceeding to Consider Amendments to GO 95 (R.17-10-010) (Commissioner Picker/ALJ Mason/ALJ Goldberg) (Advocacy):** As directed in D.16-01-046, SED filed P.17-03-004 to adopt, amend, or repeal rules in GO 95. In response to SED's petition, the Commission opened R.17-10-010 in October 2017, to consider the amendments discussed in SED's petition. Pursuant to the ALJ ruling, on November 15, SED and all interested parties met and developed a proposed schedule for the proceeding. On November 29, SED submitted combined comments and prehearing conference statements. Pending.
- **Repealing/amendments to Rule 18 OF GO 95 (R.16-12-001) (President Picker/ALJ Kenney) (Advocacy):** In response to an SED petition for rulemaking, the Commission opened this proceeding to consider amendments to, and possible repeal of, Rule 18 of GO 95. On October 6, 2017, SED and a majority of parties filed a joint motion requesting that the Commission adopt the Settlement Agreement attached to the motion, which would modify Rule 18 and ask the Commission to approve other related provisions. On April 27, 2018, the Commission issued a Proposed Decision (PD) approving the settlement agreement and addressing related procedural issues. ESRB is currently reviewing the PD for potential comments. Pending.
- **Physical Security of the Electric System and Disaster and Emergency Preparedness (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly) (Advocacy):** Phase I addresses physical security for electric supply systems, and Phase II addresses disaster and emergency preparedness plans for electrical corporations and regulated water companies. In April, SED participated in a workshop planning call for Phase II. The first Workshop for Phase II is scheduled for May 30, 2018 at Cal OES's headquarters.
- **Distributed Energy Resources (R.14-08-013) (President Picker/ALJ Mason/ALJ Allen) (Advisory):** On September 28, 2017, the Commission adopted a Decision that addressed Track 1 Demonstration Projects A (Integration Capacity Analysis) and B (Locational Net Benefits Analysis). A Joint Amended Scoping Memo and Amended Ruling was issued on January 24, 2018, which sets out the preliminary scope of the issues, invites party comments, determines the categorization and need for hearing, and designates the Presiding Officer in the rulemaking. A Proposed Decision (PD) was issued on February 20, 2018, which addresses the issues identified in Track 3, Sub-track 2, and provides a framework for Grid Modernization Guidance for future General Rate Cases. ESRB will continue to review the issues and provide advisory support.
- **SB 1028 (Hill) "Electrical corporations: wildfire mitigation plans":** In September 2016, the Governor signed SB 1028, which requires each electrical corporation and each publicly owned electrical utility or electrical cooperative to annually file a wildfire mitigation plan. ESRB established a team consisting of two Senior Utilities Engineers (Specialists) and one Utilities Engineer to establish a new program dedicated to wildfire mitigation practices. In April 2018, SED attended a working group meeting with CAL FIRE to discuss the

development of a collaborative review process for wildfire mitigation plans submitted by electrical corporations. SED and CAL FIRE identified potential subcommittees for efficient completion of upcoming tasks and established CAL FIRE points of contact for each one. In addition, SED and CAL FIRE continued to work on signing legal documents to allow broader communication and information sharing for the purpose of conducting investigations and anticipate completion soon

- **SCE Appeal of Twentynine Palms Citation (K.18-03-008) (ALJ Kim) (Advocacy):** ESRB investigated an incident that occurred on August 1, 2015 in Twentynine Palms, involving the failure of a cross arm and a resulting overhead conductor clearance problem. The incident caused injury to 3 individuals. On February 12, 2018, SED issued a \$300,000 citation to SCE for violations related to the incident. SCE appealed the citation on March 14, 2018. On March 23, 2018, SED filed a Compliance Filing regarding SCE's appeal pursuant to Resolution ALJ-299. Pending.

REPORTS AND OTHER ACTIVITIES

- **Transmission Maintenance Coordination Committee (TMCC):** TMCC is an advisory committee to help the CAISO develop, review and revise Transmission Maintenance Standards. ESRB is a member of TMCC and attends quarterly meetings.

ELECTRIC GENERATION SAFETY AND RELIABILITY PROGRAM

ESRB performed the following generation-related activities in April 2018:

- Continued investigation of a turbine generator fire at High Winds that occurred on March 2, 2018.
- Completed the investigation report of Metcalf Energy Center's January 9, 2018, intruder fatality incident.
- Received and reviewed Topaz Audit corrective action plans.
- Continued to work on both the facility audit and an investigation of a fatality incident that occurred on March 6, 2017, at Sentinel Energy Project in North Palm Springs.
- Continued investigation of an injury incident that occurred on April 8, 2017, at La Paloma Generating Station in McKittrick.
- Completed draft report of the Delta Energy Center Power Plant audit.
- Issued an audit notice for the El Segundo Generating Station.
- Monitored 15 planned outages reported by natural gas and renewable power plants.
- Held a series of in-house trainings on electric generating facilities.
- Attended an out-of-state EUCL training on Utility-Scale Solar Power Plant Fundamentals training.

Metrics for Generation Incident Investigations as of April 30, 2018

Electric Generation Incidents	Level 1	Level 2	Level 3	Level 4	Total ³
Total open incidents	0	0	1	2	3
Total incidents reported in 2018	0	0	1	2	3
Total incidents closed in 2018	0	0	1	2	3
Total open 2018 incidents	0	0	1	0	1
Incidents reported in April 2018	0	0	0	0	0
Incidents closed in April 2018	0	0	0	0	0

UTILITY RISK ASSESSMENT AND SAFETY ADVISORY

REVIEWING SAFETY & RISK IN GENERAL RATE CASES

The Risk Assessment & Safety Enforcement Division on March 30, 2018, issued its evaluation of Pacific Gas & Electric’s Risk Assessment Mitigation Phase (RAMP, I.17-11-003) and conducted a workshop about its report on April 16 in San Francisco. PG&E’s RAMP comprised 22 top risks for gas and electric operations and cross-cutting activities; six of those risks were directly related to the PG&E Gas Transmission and Storage rate case (GT&S, A.17-11-009).

Rather than detail each of the 22 risks during the workshop, SED staff selected six risks as illustrative of their findings and recommendations:

- Chapter 2: Failure to Maintain Capacity for System Demands
- Chapter 3: Measurement & Control Failure with Release of Gas and Ignition Downstream
- Chapter 11: Wildfire
- Chapter 14: Contractor Safety
- Chapter 16: Motor Vehicle Safety

³ Level 1: A safety incident that doesn’t meet Level 2, 3, or 4 criteria. Level 2: Incident that occurred during an Electric Alert, Warning or Emergency (AWE). Level 3: Incident resulted in a significant outage that was due, at least in part, to plant equipment and/or operations. Level 4: Incident resulted in a fatality or injury requiring hospitalization and was caused, at least in part, by plant equipment and/or operations.

Chapter 22: Climate Resilience

In general, Staff found that PG&E met the established RAMP filing criteria with few minor exceptions. Each risk included a description of mitigation projects and proposed plan that included a set of mitigations with rationale as to why they best mitigate risk in accordance with PG&E's goals. Each risk chapter provided two sets of alternative mitigations with varying degrees of explanation to rationalize their rejection.

If there was a theme to the PG&E RAMP, it would be "evolution in modeling tools and continual improvement in approach" as this filing and the process it describes may be characterized as an advance in many regards. However, this evolution has also brought additional complexity to PG&E's risk methodology, including a greater reliance on probabilistic risk assessment, a new modeling tool, and refined attempts to illustrate how the components of the analysis fit together. New to this RAMP was PG&E's methodology for quantifying each risk category's Multi-Attribute Risk Score (MARS).

Key Areas of Strength:

- The model for stand-alone risks consistently produced results in accordance with inputs.
- The model incorporates probabilistic determinations of risk and risk reduction.
- With the cross-cutting model PG&E has made a first attempt at calculating relative risk scores and risk reduction; which adds to the discussion of what is the best way to approach functional risks affecting multiple operations across the organization.
- This filing builds on lessons learned from the first RAMP filing by the Sempra Utilities.
- Though densely packed with information, the opening Chapters A and B provided helpful information required for understanding the key attributes of its RAMP filing.
- Providing Lessons Learned throughout the filing was constructive in understanding the current state of evolution of its RAMP and potential areas of improvement for future RAMP filings and in the S-MAP.

Key Areas for Improvement:

- PG&E did not provide a MARS or RSE for existing controls because they wanted to focus the forward looking nature of its programs and to understand the potential risk reduction associated with new mitigation investments. However, without the relative context provided by RSEs and MARS for existing controls, it is very difficult to assess the relative benefit provided by the proposed mitigations. Therefore, Staff strongly recommends that

PG&E provide MARS and RSE for all controls on the same basis developed for mitigations for their future RAMP filings.

- The risk owner and SME inputs should be fully explained throughout the chapters and model. The outputs of the model reflect these choices and without transparency into these key inputs the value of the model outputs could be called into question.
- A more rigorous review of the data, data sources, and data integrity should be done to identify and correct any errors and to vet the input data prior to completing the RAMP.
- Without having access to the modeling software it is difficult to see how the results of the complex model flow throughout the model.
- The cross-cutting model duplicates some risks already addressed in the stand-alone risk chapters, and there is confusion in defining the risk, risk drivers and how mitigations link to risk drivers. Because PG&E's cross-cutting model is novel and has not been vetted in the S-MAP proceeding, there may be a need for a deeper review and evaluation than can be provided here. Should the cross-cutting analysis remain among features that parties to the current S-MAP model settlement negotiations can agree upon for a common approach, refinement of a methodology for cross-cutting risks should be a priority in the next S-MAP cycle.

PROCEEDINGS

- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ Allen) (Advisory):** Evidentiary hearings on limited aspects of the Safety Culture investigation were held in San Francisco on April 11. PG&E President and Chief Operating Officer Nick Stavropoulos and Chief Safety Officer John Higgins were the main witnesses for the utility, responding to questions about executive compensation, board of directors' involvement in safety decisions, and PG&E's "One Safety Plan" developed in partial response to the 2017 NorthStar consulting report and recommendations. Opening briefs are due by May 11, and replies May 25. Parties were invited to address what next steps the Commission should take in the proceeding, including possible workshops or a staff report on PG&E's compliance with the NorthStar report.
- **Gas Leak Abatement OIR (R.15-01-008) (Commissioner Rechtschaffen/ALJ Kersten) (Advisory):** On March 15, 2018, the respondent gas companies filed compliance plans to implement 26 Best Practices for planning, training and detection/quantification and elimination of methane leaks on the natural gas systems in California. RASA along with Air Resources Board staff are reviewing the plans, and held a workshop on April 19 in San Francisco to provide utilities with the opportunity to review major components of their plans and proposed research and development/pilot programs. Environmental stakeholders raised concerns that the proposed pilot programs were insufficiently detailed as to goals and milestones. RASA staff has scheduled follow-up meetings with PG&E and Sempra utilities to assess the need for supplemental information before compliance plan approval is granted. Also in March, Staff issued the data request templates for the 2017 leak surveys, which will be due in mid-June.

- **Safety Model Assessment Proceeding (A.15-05-002, et al) (Commissioner Rechtschaffen/ALJs Kersten & Fogel) (Advisory):** Representatives of the Joint Utilities and the Joint Intervenors signaled that they have reached a settlement of issues in the S-MAP, which will be filed on May 2. The parties asked for expedited comment schedule on the proposed settlement. Several issues not subject to settlement are pending, including guidance to small utilities on how to incorporate risk in their GRCs, and Energy Division proposal for structuring Risk Spending Accountability reports. These matters will be subject to rulings expected during May.
- **Sempra Utilities 2019 General Rate Case (A.17-10-007/008 consolidated) (President Picker/ALJ Lirag)** The test year 2019 GRC applications were filed October 6, 2017. SED will be reviewing the testimony to evaluate how the utilities have incorporated elements of the Risk Assessment Mitigation Phase (RAMP) evaluation, and provide ongoing support regarding safety issues. A pre-hearing conference was held January 4, and a scoping memo issued to establish the schedule of the case. A revised scoping memo on April 30, removed from consideration policies related to reconnection of service for gas customers, which should be addressed in a different forum. In early March, SDG&E made an informational filing detailing how its previous RAMP process has been integrated into the GRC. The Commission at its April 26 business meeting voted to close the RAMP proceeding by approving D. 18-04-016.
- **Pacific Gas & Electric RAMP (I.17-11-003) (Commissioner Rechtschaffen/ALJ Roscow)** See detailed summary above.
- **SCE 2017 General Rate Case (A.16-09-001) (President Picker/ALJs Roscow & Wildgrube) (Advisory):** Evidentiary hearings wrapped up during the first week of August. No additional issues related to risk or safety was raised during cross-examination of witnesses. A Proposed Decision is currently being drafted to include supplemental testimony on issues raised by the 2017 federal tax reform act.
- **Physical Security of Electric Infrastructure (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly) (Advisory)** In January, RASA staff published a whitepaper updating the status of physical security issues at the state and federal level. Also, staff has evaluated the Joint Utility Proposal and submitted recommendations for Commission consideration. Parties submitted comments on the recommendations in February. A Phase 1 decision is pending. A PHC for Phase 2, involving community engagement in utility emergency plans, was held March 15. A scoping memo for Phase 2 is pending, which will establish a schedule for workshops in the continuing rulemaking.
- **Utility Poles (I.17-06-027/R.17-06-028) (Commissioner Picker/ALJs Mason and Kenney) (Advisory)** The Investigation and Rulemaking into possible creation of a shared database or statewide census of utility poles and conduit was initiated on June 29, 2017. This proceeding is to consider strategies for increased and non-discriminatory access to poles and conduit by competitive communications providers, the impact of such increased access on safety, and how best to ensure the integrity of the affected communications and electric supply infrastructure going forward. A PHC was held December 5, 2017. On February 8, 2018, Parties filed comments on the structure of a form for possible database of utility poles and facilities, and access to information contained in a data base. A public participation hearing (PPH) was scheduled for May 9 in San Bernardino County. This proceeding is consolidated with R.17-03-009 that considers whether and how our existing

Rights-of-Way Rules should be applied to wireless support facilities (lines and antennas). On April 26, D. 18-04-007 was issued to amend the Right-of-Way Rules (ROW Rules) set forth in Decision 16-01-046 to provide competitive local exchange carriers (CLECs) with expanded nondiscriminatory access to public utility infrastructure for the purpose of installing antennas and other wireless telecommunications facilities. The adopted amendments to the ROW Rules include a default “per-foot fee” for CLECs’ wireless pole attachments.

- **Undergrounding Rule 20A (R.17-05-010) (Commissioner Picker/ALJs Hecht & Wildgrube) (Advisory)** This rulemaking was launched May 11 to review policies and funding mechanisms for the overhead to underground conversion program administered by electric utilities for cities and other jurisdictions. A PHC was held September 11, 2017, and a scoping memo is pending. SED will monitor the proceeding with an interest in adding safety as one of the program eligibility criteria. On January 18, ALJ Eric Wildgrube was co-assigned to the proceeding.
- **2018 Energy Storage Solicitations (A.18-02-016/A.18-03-001/-002)(Commissioner Peterman/ALJ Stevens)** A PHC was scheduled May 1 to review procedural aspects of the electric utilities’ 2018 proposals for procurement to meet the CPUC’s goal of adding over 2,850 MW of energy storage systems (ESS). SED offered support for continuation of technical working group to review safety requirements in contracting. Staff is also reviewing data responses from the utilities identifying locations of storage facilities that are subject to SED safety inspections.

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. Whistleblower protections are afforded to utility employees and contractors who report potentially unsafe or illegal practices.

STATISTICS - 1/01/18 – 04/30/2018

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
January	0	0	0	0	0	0
February	0	1	0	0	0	1
March	0	1	1	1	0	0
April	0	0	0	0	1	0
Total 2018	0	2	1	1	1	1

Invalid Whistleblower Complaints Converted to Standard Complaints							
	CAB	Transportation	Electric Safety	Gas Safety	Telco/Utility Fraud	Rail	Referred to Outside Agency
January	0	0	1	0	0	0	0
February	0	0	0	0	0	0	0
March	0	0	0	0	0	0	0
April	0	0	0	0	0	0	0
YTD	0	0	1	0	0	0	0

Test, Incomplete or Duplicate Whistleblower Complaints	
January	3
February	8
March	3
April	0
YTD	14

OFFICE OF RAIL SAFETY

RAILROAD SAFETY – ROSB

In the month of April 2018, SED Staff’s Railroad Operations group completed the following:

Railroad Operations Safety Branch	Apr-18	YTD 2018
New Incidents Investigated	7	28
Informal Complaints Investigated	1	6
Safety Assessments/Reviews	24	55
Compliance Actions	1013	3776
Major Inspections Completed	5	15
Operation Lifesaver Presentations	17	35

ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

April 2, 2018: CPUC railroad safety inspectors and senior staff from both Railroad Operations and Safety Branch (ROSB) and the Railroad Crossing Engineering Branch (RCEB) conducted a cross branch focus inspection of the Los Posas road grade crossing in the city of Camarillo CA.

The inspection centered on risk assessment of the Los Posas road grade crossing (DOT Crossing #745870K) that intersects with the Union Pacific Railroad at mile post 410.4 on the Santa Barbara Subdivision. Inspectors from both the RCEB and ROSB branches performed an observation of the Los Posas road southbound approach to the UPRR grade crossing, noting the warning devices; approach signage; road signs; electrical, cable and telephone poles and any road obstructions that pose a risk to the approaching vehicles' line of sight.

The observation team identified both road signage and electrical telephone poles that obstruct the view of the railroad warning lights while approaching the grade crossing when proceeding southbound on Los Posas road. This particular road crossing was selected for the joint inspection for the simple reason that it has been identified as a crossing that is at high risk for train/vehicle collisions. In the past two years there have been multiple incidents at this site, and the ROSB investigators have expressed serious concerns over the visibility of signals and signage as the crossing is approached from the north (and heading south) on Las Posas road. As such they have recommended it to the attention of the crossings group.

While no regulatory defects were identified, video was taken from a point north of the crossing that shows the crossing activation as a train approaches. The video makes it clear that there are confusing aspects to the signal indications from the perspective of oncoming motorists. The traffic light turns to red as the gates are activated, but then turns back to green before the train arrives. The flashing railroad crossing lights are also obscured by a telephone pole placed in front of the crossing, making the warning difficult to see.

Our resolution was to open an RMSR identifying this issue, and to present the findings of the RMSR to officials of the railroad. The Crossings Inspectors noted that this crossing is slated for an upgrade, but that solution is still several years away. It is hoped that the railroad and Caltrans will respond in the short term by making some simple changes to improve visibility.

April 2, 2018: CPUC railroad safety inspectors performed routine inspections of the Burlington Northern Santa Fe Railway Grade Crossings between Stockton Mormon Yard and Escalon. The inspectors identified an Emergency Notification System Informational Sign that was not visible from the road at the Van Allen Grade Crossing. The ENS Sign was located on the flashing light signal assembly behind the flashing warning lights located on the West Lane of the crossing. This crossing is a heavily traveled rural road located between Stockton & Escalon. The Code of Federal Regulations 49 CFR Subpart E-Part 234.301(1) States: The signs placed and maintained at the grade crossings that display the information necessary for the public to report an unsafe condition at the grade crossing to the dispatching railroad by telephone. Also 234.311(b) (1) ENS Sign Placement & Maintenance States: Railroads are responsible that the ENS Sign (1) is conspicuous to users of the roadway or pathway by day and night.

The CPUC railroad safety inspectors notified the railroad signal manager, who agreed with the inspectors' findings and said that the crossing would be brought into compliance within 20 days. On April 15, 2018 CPUC railroad safety inspectors conducted a follow-up inspection and noted that the Emergency Notification System Informational Sign that formerly was not visible from the road at the Van Allen Grade Crossing, has been brought into compliance and is visible from a vehicle stopped on the West side of the crossing located at Van Allen Road. No regulatory action was issued since the BNSF Railway took reasonable measures to resolve this issue.

April 2, 2018: CPUC railroad safety investigator conducted a routine inspection on freight equipment at the BNSF yard located in Riverbank. The inspection revealed missing side bearing components on freight car ATSF622437 located on the "A" end of the car, right (AR) and left (AL) sides. The missing Top Cap Assemblies are not in compliance with Title 49 CFR Part 215.119 (c)(1), which states, "a railroad may not place or continue in service a car, if the car has – (c) a side bearing in any of the following conditions: (1) Part of the side bearing assembly is missing or broken". Side bearings serve as support elements on the truck bolster. The function of the side bearing is to support the underside of the car body bolster in the event the car leans to one side or the other. When a car operates around a curve, the car body can lean to the

outside or inside of the curve based on the speed at which it is traveling. The car body, which is normally supported entirely by the body centerplate, can tip or roll up on the outer edge of the body centerplate. If there were no additional means of support, the car body, in extreme cases, could tip on its side, resulting in a derailment, which could lead to injuries or fatalities to the public or railroad employees.

The CPUC railroad mechanical safety investigator notified the BNSF management of the unsafe condition and the car was placed in bad order status so it could be repaired before further train movement. NOTE: It is not common to find missing side bearing components.

April 19, 2018: CPUC Railroad Safety Investigators conducted a routine inspection of compliance with state general orders and Code of Federal Regulations on the BNSF San Bernardino Subdivision, Porphyry yard. This location is in the city of Corona. This area is a switching yard where equipment is stored until brought to the rail customers' business location. While conducting a routine inspection staff noted two occurrences where train crews had not complied with Federal regulations and carrier rules. According to carrier rules and Federal law, GCOR 8.8 and 49 CFR Part 218.103(b)(8), "After operating a switch, ensure that when not in use, each switch is locked, hooked, or latched, if so equipped." Failure to place the lock or hook properly can result in a derailment.

Staff notified the manager that was responsible for this territory about the noncompliance and was informed that a manager would be dispatched to correct the issue immediately. In addition, staff recommended a civil penalty be assessed for noncompliance with the federal regulations.

April 25, 2018: A safety Inspector from ROSB created a Risk Management Status Report dated August 12, 2014, documenting a public safety concern at the Clark Street grade crossing (DOT 760857J) located in the town of El Centro, Imperial County, in the South-East corner of the State.

The matter concerns close call reports at this crossing that indicated drivers rushed through the crossing to beat the train. The close call reports were submitted by the train crews and eventually were brought to the attention of the Office of Rail Safety. The ROSB Inspector

visited the crossing and actually witnessed drivers speeding through the grade crossing, while the train conductor stood close to the street trying to warn drivers that a train was exiting the railroad yard. The engineer also sounded the locomotive horn as required by regulation at all public and private crossings. This crossing is equipped only with a crossbuck sign and flashing light.

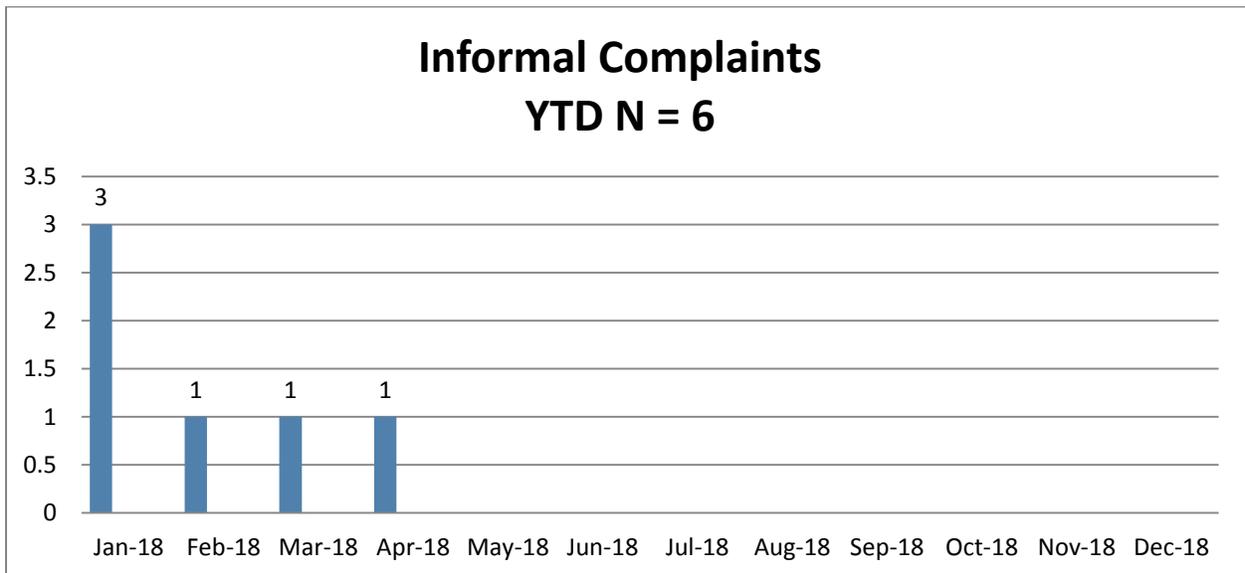
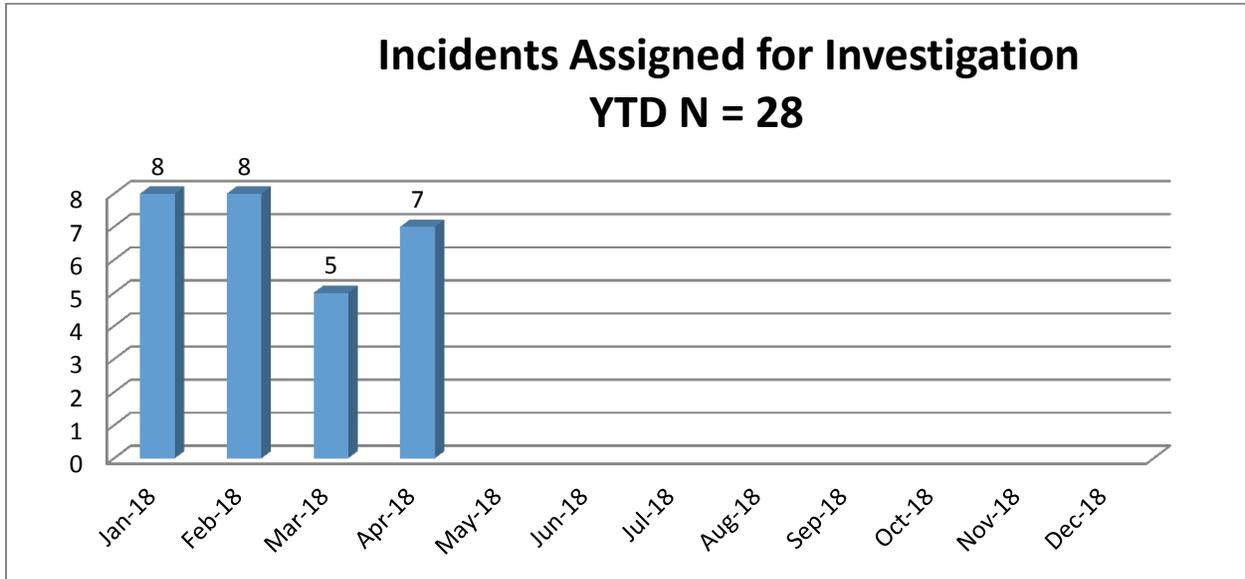
Since that day meetings have been held to discuss the safety concern, and were attended by representatives from Imperial County, from the city of El Centro, UPRR Personnel, CPUC, and Law Enforcement, in which all agreed that crossing arms would be a significant improvement for public safety. The UPRR also recognized the crossing as a TIER 1 meaning that an incident is likely to happen based on driver speed (40 mph posted), traffic volume and lack of crossing arms.

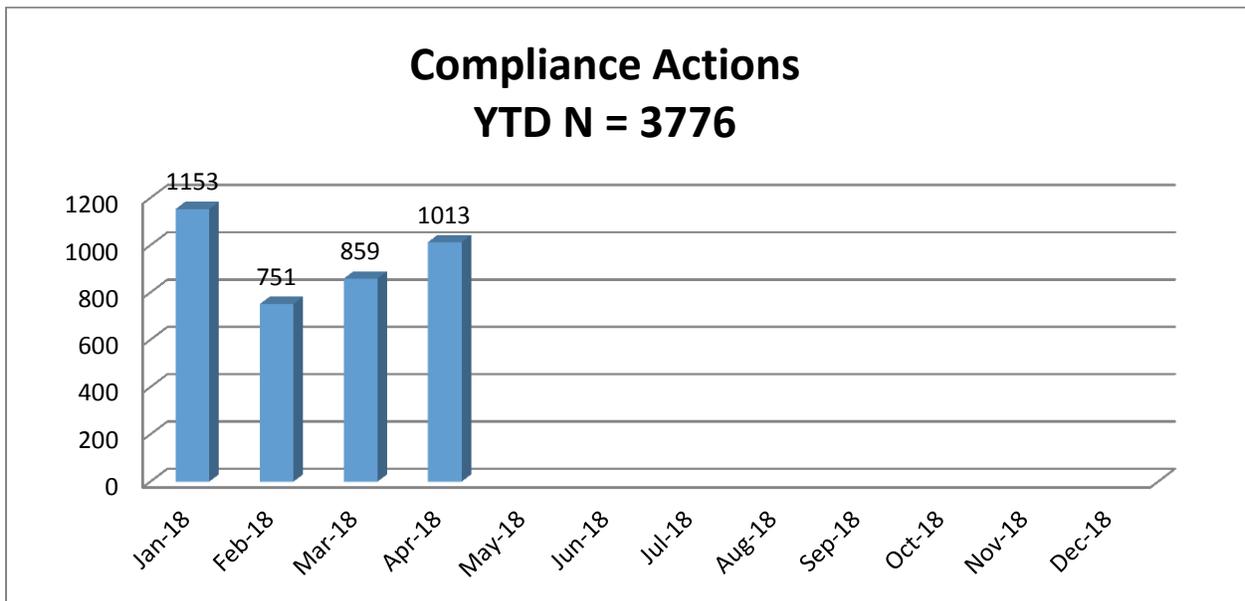
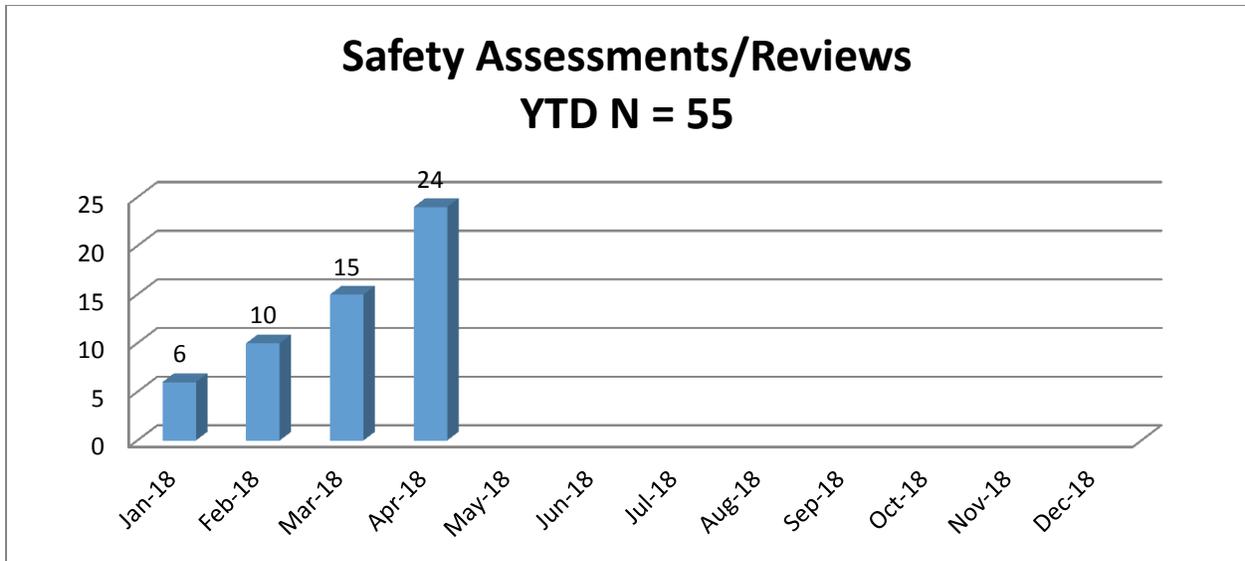
On April 18, 2018, a UPRR Special Agent contacted the CPUC inspector, and informed him that crossing arms were now installed, and functional, and informed him that a safety enforcement event will be held at the grade crossing to educate the public about the 'new' crossing arms.

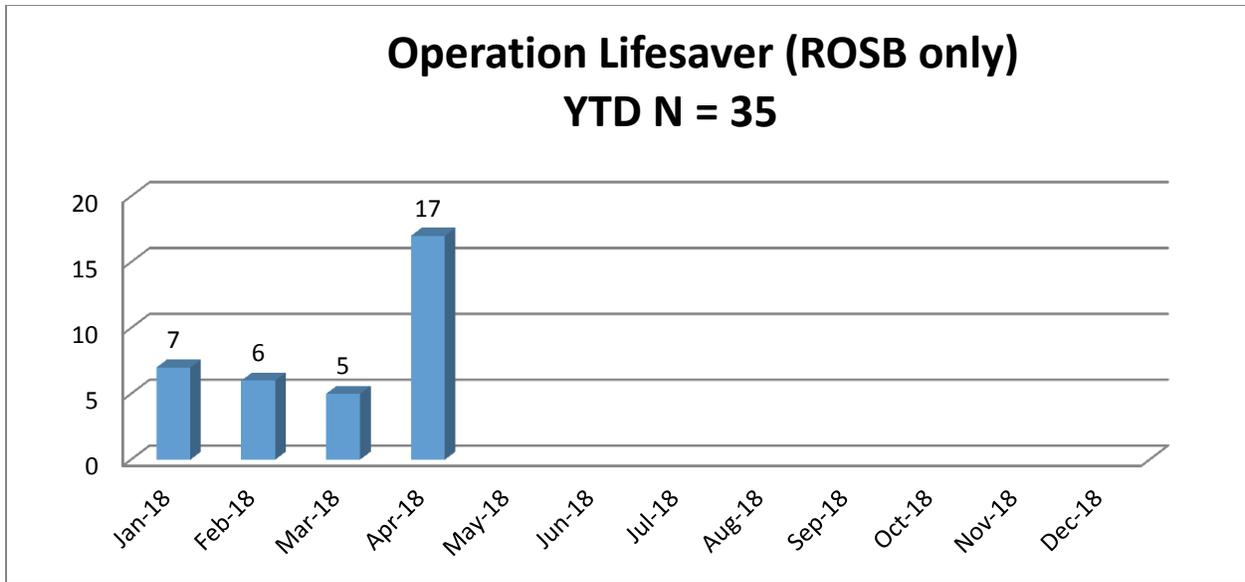
April 26, 2018: A CPUC Inspector from the ROSB was informed on March 6, 2018 by RCES about excessive vegetation near the passive grade crossing at Jessup Road, a dirt road, located about 10 miles west of the town of El Centro, Imperial County.

On March 13, 2018, the MP&E Inspector visited the area and confirmed the safety concern. Specifically, a driver South-bound on Jessup Road heading to the crossing, is not able to see a train approaching from the West at 40 mph due to heavy vegetation near the railroad track and on the west side of Jessup Road. From visiting the crossing, the ROSB Inspector then proceeded to the UPRR Yard in El Centro and expressed his safety concern to the local Manager of Yard Operations who immediately conveyed the concern to the Manager of Track Maintenance. The ROSB Inspector informed the manager that in addition to southbound drivers being unable to see an approaching train from the west, the heavy vegetation also represented a fire hazard. The MTM soon dispatched personnel to observe the area and they also confirmed the safety concern. In a subsequent telephone discussion on April 11, 2018, the MTM informed the ROSB Inspector that a weed abatement crew had been dispatched to remove weeds.

On April 26, 2018, the MP&E Inspector visited the area finding that the UPRR had removed the vegetation. While this situation did not involve a violation of any regulations, it did present a major risk factor which has now been alleviated.







OFFICE OF RAIL SAFETY

RAIL CROSSINGS AND ENGINEERING BRANCH - RCEB

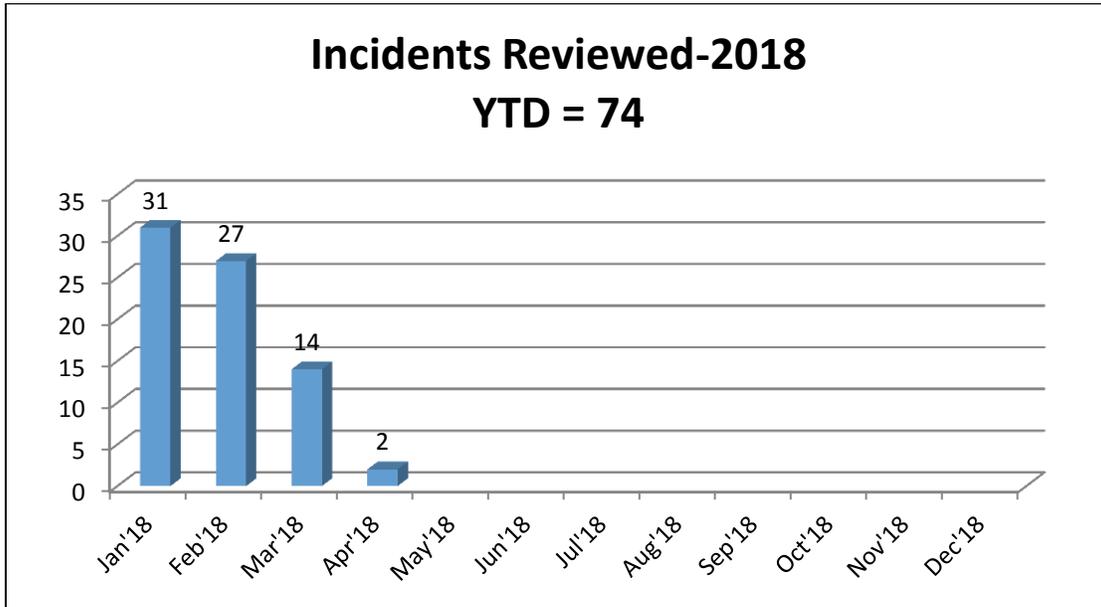
In the month of April 2018, the RCEB team completed the following:

	New	New YTD	Closed	Closed YTD
Crossing Incident Reviews	5	61	2	74
Safety Assessments/Quiet Zones/Reviews	37	113	37	113
Proceedings, Resolutions and G.O. 88-B Reviews	16	40	11	35
Operation LifeSaver Presentations	5	29	5	29

RAIL CROSSING INCIDENT INVESTIGATIONS

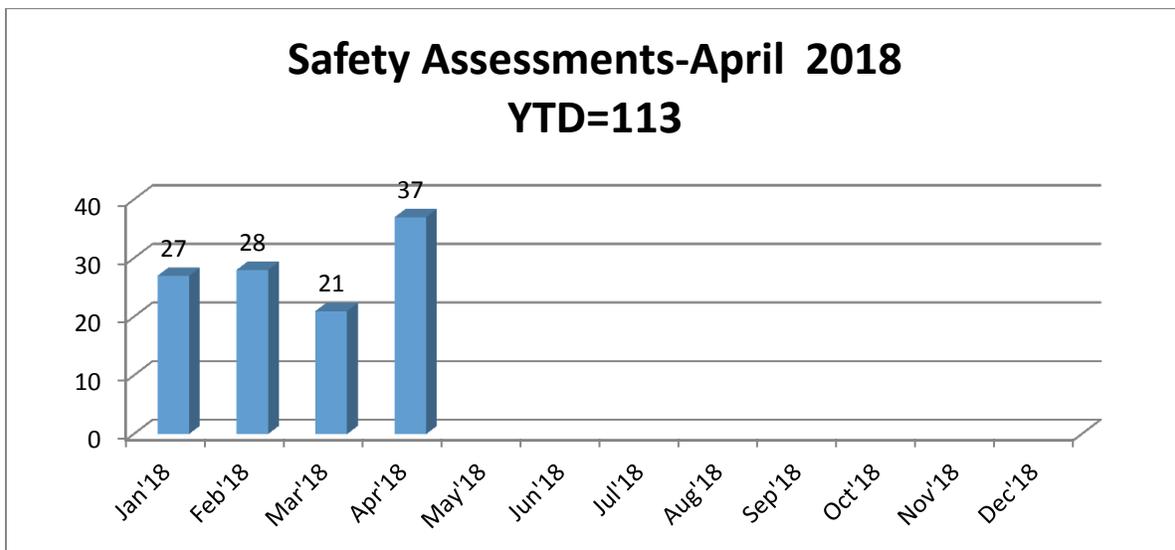
In April 2018, the Rail Crossings and Engineering Branch (RCEB) assigned five new incidents at highway-rail crossings. These collisions resulted in one fatality. RCEB also completed two crossing incident reviews reported at highway-rail incidents that resulted in one injury. RCEB

found that the October 2017 incident occurred along the rail right of way. RCEB will continue to monitor the crossings.



SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

In April 2018, RCEB completed 37 rail-crossing safety assessments involving: communications, field inspections, and diagnostic reviews with railroads and local agencies.



- 04/02/2018 Ventura County- Staff met with ROSB at several crossings to exchange knowledge and current issues based on staff’s respective rail expertise. Staff and ROSB

jointly recorded observations at the Las Posas Road highway-rail crossing in the light of the recent series of accidents occurring within the last 5 years. ROSB also shared with RCEB staff the current trespassing conditions occurring adjacent to a grade separated crossing at Seaward Avenue.

- 04/03/2018 Imperial County- Staff inspected various crossings in Imperial County related to ongoing projects, previously identified issues, and general inventory. The filed check found that SDAE corrected the DOT numbers along Imperial Highway, improved vegetation issues at the Noffsinger Road and Jessup Road crossings, and maintained signs at the English Road crossing. Staff updated the Gillespie Road crossing inventory, and noted rough crossings at Yocum Road, B Street, and Harris Road.
- 04/04/2018 San Diego County - Staff met with MTS bus and rail staff regarding a major project to reconfigure the bus bays at the Old Town Transit Center (OTTC), just south of the Taylor Street railroad crossing in San Diego. The project is to allow more buses to load in the area west of the tracks. The project directs patrons toward the existing tunnel beneath the railroad tracks, rather than Taylor Street. Buses will continue to enter the lot from eastbound Taylor Street, and will exit the lot further away from the railroad crossing. The project maintains fencing nearest the tracks in the current configuration.
- 04/04/2018 Alameda County - Staff met with representatives from the City of Berkeley and Union Pacific to discuss addition of bike lanes to the Gilman Street crossing.
- 04/05/2018 - Staff attended a webinar regarding Accessible Shared Streets, presented by the Federal Highway Administration and federal Access Board. The presentation summarized a recently published report that provides notable practices and considerations for accommodating pedestrians with vision disabilities on shared streets. The term “Shared Streets” refers to a condition similar to a pedestrian mall or mixed-use street. FHWA describes it as a street that includes a shared zone where pedestrians, bicyclists, and motor vehicles mix in the same space. Notable practices include designing for motor vehicle operating speeds between 5 and 15 mph (for pedestrian safety), and including design elements that suggest pedestrian priority.

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- 04/05/2018 Yolo County - Staff met with representatives of UPRR, County of Yolo, for follow-up mediation meeting in relation to A.17-10-009 to determine best path forward with mediation. The application is for altering, relocating or closing County Road 32A at grade crossing.
- 04/05/2018 Los Angeles County - Staff met with representatives from LADOT, Port of Los Angeles, and the Pacific Harbor Line to discuss the safety and compliance requirements for the Avalon Boulevard grade crossing in relation with the Wilmington Waterfront Project.
- 04/06/2018 CAMUTCD– Staff reviewed and concurred with Caltrans' 18A-RR-01 "Another Train Coming" sign proposal as submitted by the CTE Technical Committee recommendation.
- 04/09/2018 Kern County - Staff performed a closeout inspection of crossing alteration done at a pedestrian bridge over UPRR tracks and SR99 in McFarland. The roadway agency relocated the grade-separated structure approximately 200 feet south of original location with improved ADA compliant ramping and pathway enclosure.
- 04/10/2018 Kern County - Staff met with the High Speed Rail (HSR) CP4 team, BNSF, Caltrans, Kern County, and City of Wasco to discuss construction of a new rail-over-rail crossing at the Wasco Viaduct. The project will build HSR tracks above the existing BNSF tracks and will close the Wasco Avenue roadway. In addition, staff participated in the discussion to construct HSR tracks with grade-separations adjacent to BNSF tracks at Kern County McCombs Road and Merced Avenue.
- 04/11/2018 Ventura County - Staff met with the FRA, Port of Hueneme, Department of Navy, GWRR and City of Oxnard to discuss establishment of Quiet Zone at a number of adjacent grade crossings along GWRR/Ventura County Railroad near the Naval Base and Port of Hueneme. The FRA staff provided information on the steps by stakeholders to apply for authorization of a Quiet Zone.
- 04/11/2018 Contra Costa County - RCEB staff attended a meeting at the E Line BART facility in Antioch to review the completed changes that BART submitted on the Form G for 12 crossings.

- 04/11/2018 Preemption - Staff participated in the TRB Webinar: “Modern Traffic Signal Preemption at Highway-Rail Grade Crossings”. The presentation features research from the National Cooperative Highway Research Program (NCHRP)’s Synthesis 507: “Traffic Signal Preemption at Intersections Near Highway-Rail Grade Crossings.” The webinar provided highlights of current practices of traffic signal preemption deployed at intersections that are adjacent to highway-rail grade crossings in the United States and Canada.
- 04/13/2018 San Diego County - Staff met with North County Transit District - Coaster (NCTC) and City of Encinitas (City) regarding a grade-separated pathway proposed by the City below the NCTC track near El Portal Street. The group discussed clearance requirements, plans for a future second track, drainage, fencing/channelization, and a separate project to construct a roundabout at the adjacent roadway, among other details. A Formal Application to CPUC is under preparation by the City.
- 04/13/2018 San Mateo County - Staff met with Cal Train and Redwood City to discuss the utility conflict with the proposed cantilever foundation for the Whipple Avenue highway-rail crossing in Redwood City.
- 04/17/2018 San Bernardino County - Staff attended a field diagnostic for the proposed Orange Street Station that includes a pedestrian crossing.
- 04/17/2018 San Diego County - Staff inspected approximately 10 rail crossings along BNSF and MTS/SDTI tracks near National City and Chula Vista in San Diego County.
- 04/17/2018 San Bernardino County - Staff attended a field diagnostic for a proposed grade separated crossing at the Portola Ave over the I-10 freeway.
- 04/18/2018 Sacramento County - Staff met with representatives of Caltrans and SRTD to discuss Caltrans project to widen the Camellia Viaduct over SRTD and UPRR tracks.
- 04/18/2018 Los Angeles County - Staff field reviewed the Ramona Blvd. and Durfee Avenue grade crossings in the Cities of Baldwin Park and Pico Rivera respectively.
- 04/18/2018 San Diego County - Staff observed ongoing construction along the Mid-Coast light rail transit extension around the University of California, San Diego, including the proposed location for the realigned Campus Point Drive. SANDAG submitted an

application for authorization to construct the future roadway below the tracks. The aerial station platforms are currently under construction at the location.

- 04/19/2018 Los Angeles County - Staff met with representatives from City of La Mirada, CNC Engineering, BNSF and RailPros to discuss the safety and compliance requirements for signaling the Alondra/Phoebe intersection at approximately 185 feet east of the Alondra Boulevard grade crossing.
- 04/19/2018 San Mateo County - Staff performed an incident review and inventory inspection at the Fair Oaks Lane highway-rail grade crossing in Atherton.
- 04/20/2018 Monterey County - Staff performed an incident investigation and inventory inspection at an at-grade highway rail crossing in Chualar.
- 04/20/2018 Monterey County - Staff performed routine inventory inspections of at-grade highway rail crossings in Salinas and Chualar.
- 04/23/2018 Riverside County - Staff confirmed the completed Form G for the SR-91 corridor improvements.
- 04/24/2018 Los Angeles County - Staff field reviewed Temple Avenue grade crossing in the City of Pomona.
- 04/24/2018 Riverside County - Staff attended a diagnostic review for the proposed widening of the Placentia Ave grade separation crossing.
- 04/24/2018 Los Angeles County– RCEB issued a letter to Chandlers, UPRR and ACTA, conveying RCEB safety concerns with the Watson Road private crossings, and the Lomita Boulevard crossing. The letter indicates the parties involved exhausted all viable options for maintaining safe public access to Lomita Boulevard from Watson Road. RCEB discusses two options that eliminate public access and requests a written response by May 31, 2018.
- 04/25/2018 San Diego County -Staff observed MTS/San Diego Trolley trains operating near the Santee Town Center station. Staff observed some variation on how the trolleys sounded the Quacker-horn (75 dBA) and the regular horn (85 dBA) on approach to the crossings near the station.

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- 04/25/2018 MUTCD - Staff participated in FHWA Joint Webinar. Subjects included the new FRA GX Dashboard, discussion on MUTCD requirements for reflective tape on Crossbucks, compliance with Stop/Yield, and discussion on ENS signs.
- 04/25/2018 San Bernardino County – Staff attended the SBCTA Rail Passenger Rail Project (RPRP) Meeting #11. The RPRP is a progressive regional transportation project designed to connect residents, businesses and visitors to a variety of leisure, education, healthcare and other destinations.
- 04/27/2018 San Diego County - Staff attended the Roadway Worker Protection (RWP) course at North County Transit District in Oceanside, San Diego County.
- 04/30/2018 Santa Clara County - Staff met with RTSS, VTA, and Sunnyvale to discuss modifications at the private crossing at Innovation Way and Moffett Park Drive, in Sunnyvale.
- 04/30/2018 San Bernardino County - Staff confirmed the completion of the Junipero Avenue and Sierra Avenue projects in the city of Fontana.
- 04/30/2018 Santa Clara County -Staff met with RTSS, VTA, and the construction contractor at the Pacific Avenue/Mountain View pedestrian crossing. Staff findings cannot support the opening of the crossing as currently constructed without modifications.

PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

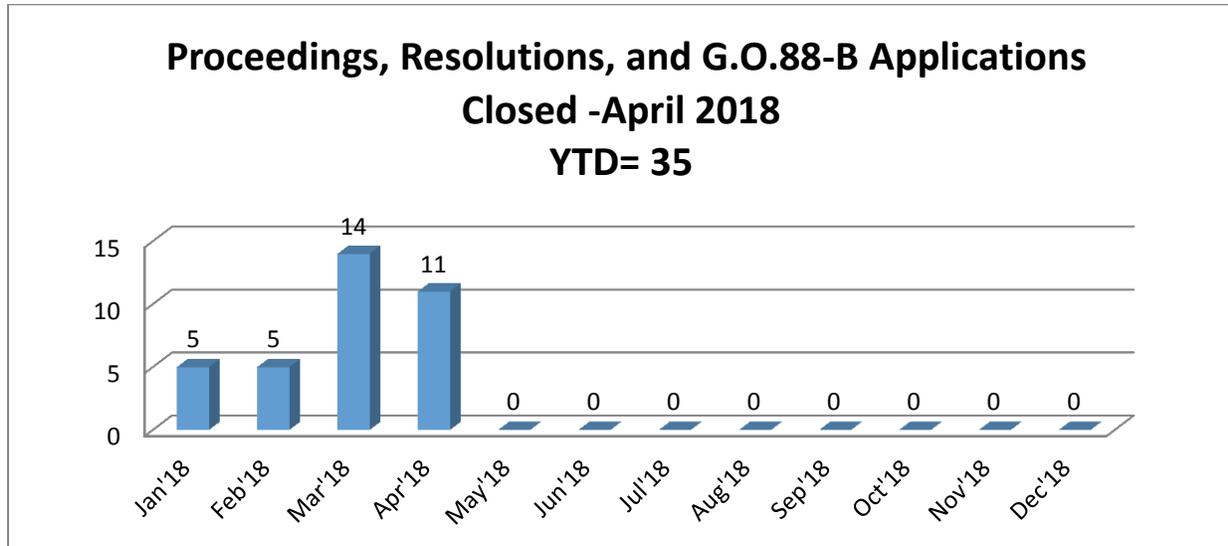
In April 2018, RCEB staff received eight new major proceedings requiring Administrative Law Judge (ALJ) review; and, eight new General Order 88-B applications for changes to existing crossings. This month, RCEB closed one formal proceeding with the ALJ, a Resolution, and nine General Order 88-B applications.

- PROC A1706003- On April 26, 2018, CPUC authorized the San Francisco BART to construct a grade separation over and under crossings in 12 intersections in Pittsburg, and Antioch, Contra Costa County. Staff reviewed the Form Gs filed to indicate completion of the project.

- Resolution SX-126 Monterey County– On April 26, 2018, RCEB closed the review that allows Caltrans to bring the SR 156 structure up to Caltrans safety standards without reconstructing the entire bridge. The variance from General Order 26 D –Clearances allows the continuation of the project since Caltrans constructed the existing bridge prior to the adoption of GO 26 D.
- GO 88B - XREQ 2017120003 Los Angeles County– The City of South Gate requested authority to modify two UPRR crossings on Atlantic Ave; interconnect them with a new intersection at Atlantic/Azalea West , and existing intersections at Atlantic/Firestone and Atlantic/Salt Lake Ave/Patata St. The review authorized the project and authorization expires in three years.
- GO 88B - XREQ 2017120004- Los Angeles County – The City of South Gate requested authority to modify the Firestone Blvd crossing by upgrading warning devices, adding medians and signaling adjacent intersection. The review authorized the project and authorization expires in three years.
- GO 88B - XREQ 2018030002 Fresno County – The California High Speed Rail Authority requested authority to eliminate the E. Floral Avenue at grade crossing and replace it with a grade separation bridge over BNSF tracks in Fresno County. The review authorized the project and authorization expires in six years.
- GO 88B - XREQ 2018030009 Fresno County – The California High Speed Rail Authority requested authority to eliminate the Avenue 12 at-grade crossing and replace it with a grade separation bridge over BNSF tracks in Fresno County. The review authorized the project and authorization expires in three years.
- GO 88B - XREQ 2018030010 Fresno County – The California High Speed Rail Authority requested authority to alter the Tulare Street at-grade crossing and replace it with two new underpass grade separations in relation to UPRR tracks in the Fresno City and County. The review authorized the project and authorization expires in three years.

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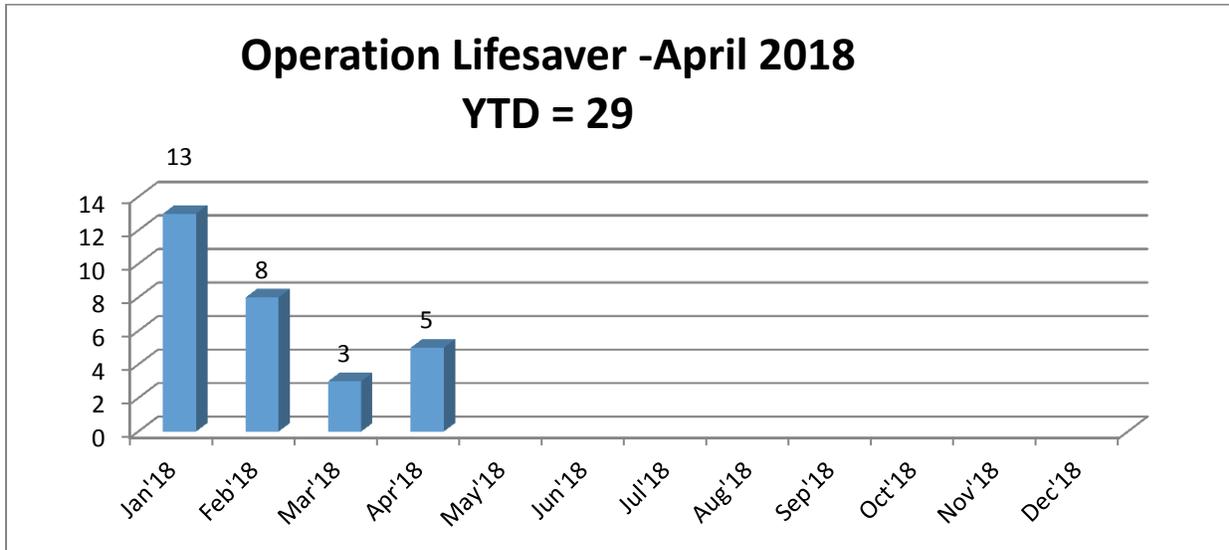
- GO 88B - XREQ 2018030011 Riverside County – The City of Riverside requested authorization to alter the Panorama Road at grade crossing in the City and County of Riverside. The project includes upgrades to the crossing and warning devices. The review authorized the project and authorization expires in three years.
- GO 88B - XREQ 2018030015 and XREQ 2018040001 Alameda County – The City of Oakland requested authority to alter two at grade crossings at 23rd and 29th Avenues in the City of Oakland, Alameda County. The project includes installation of street lighting, hatch markings, traffic islands and railroad preemption. The review authorized the project and authorization expires in three years.
- GO 88B - XREQ 201804002 Shasta County – Caltrans requested authority to alter the existing Interstate 5 Grade Separated highway-rail crossing in the City of Anderson, Shasta County. The project plans to constrict a replacement vehicular bridge with a minimum vertical clearance of 23 feet 4 inches. The review authorized the project and authorization expires in three years.



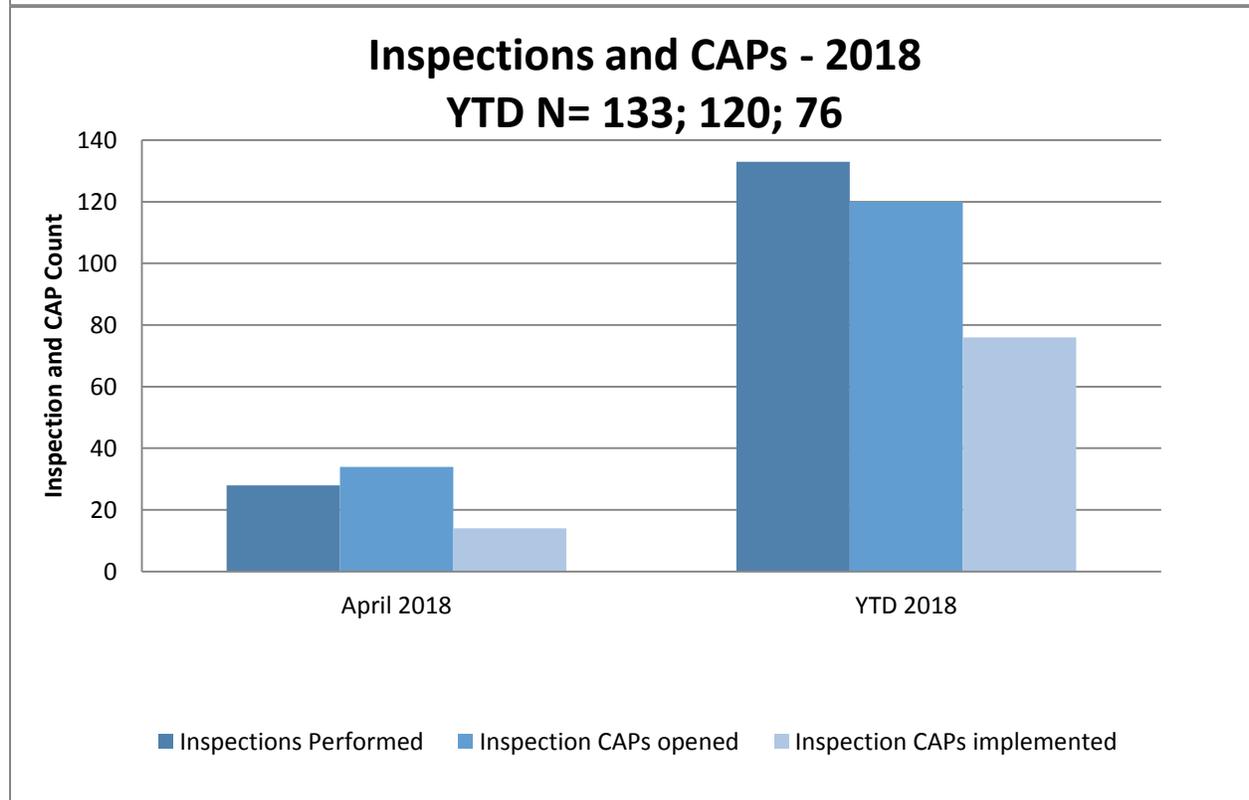
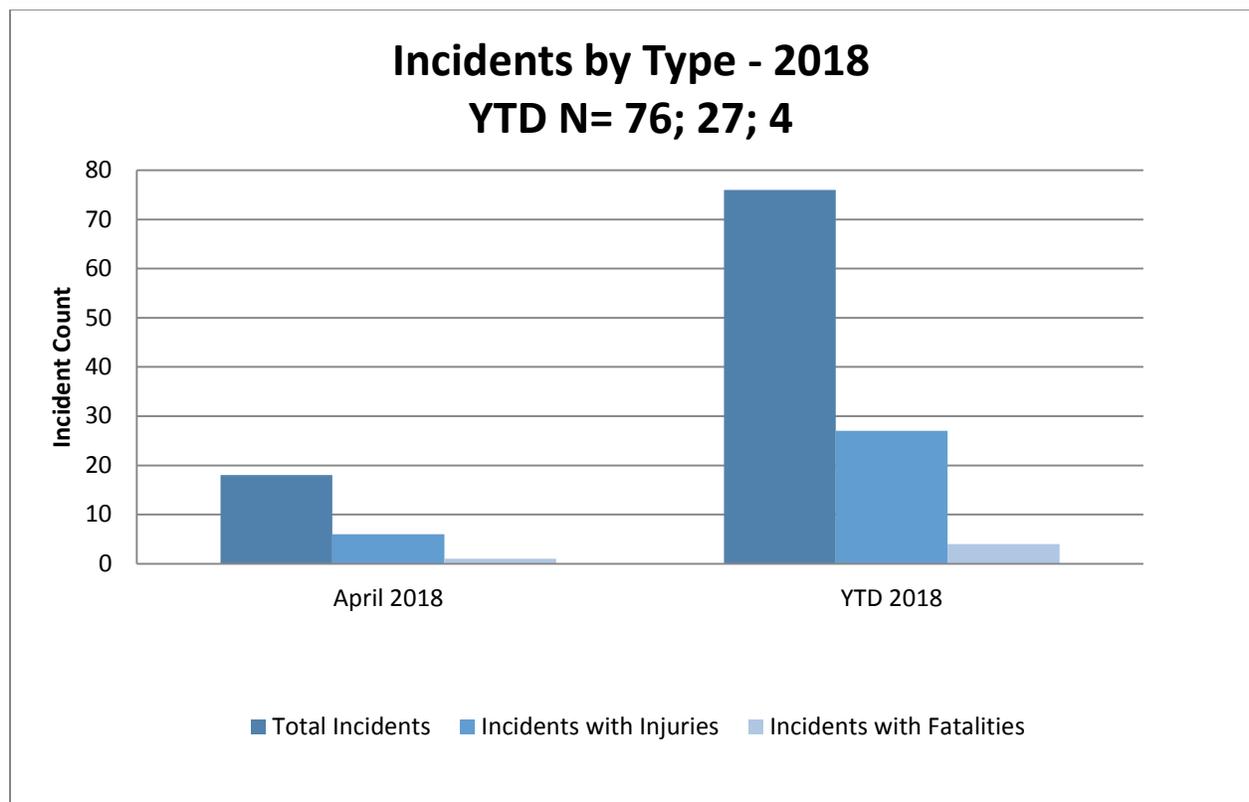
OPERATION LIFESAVER INC.

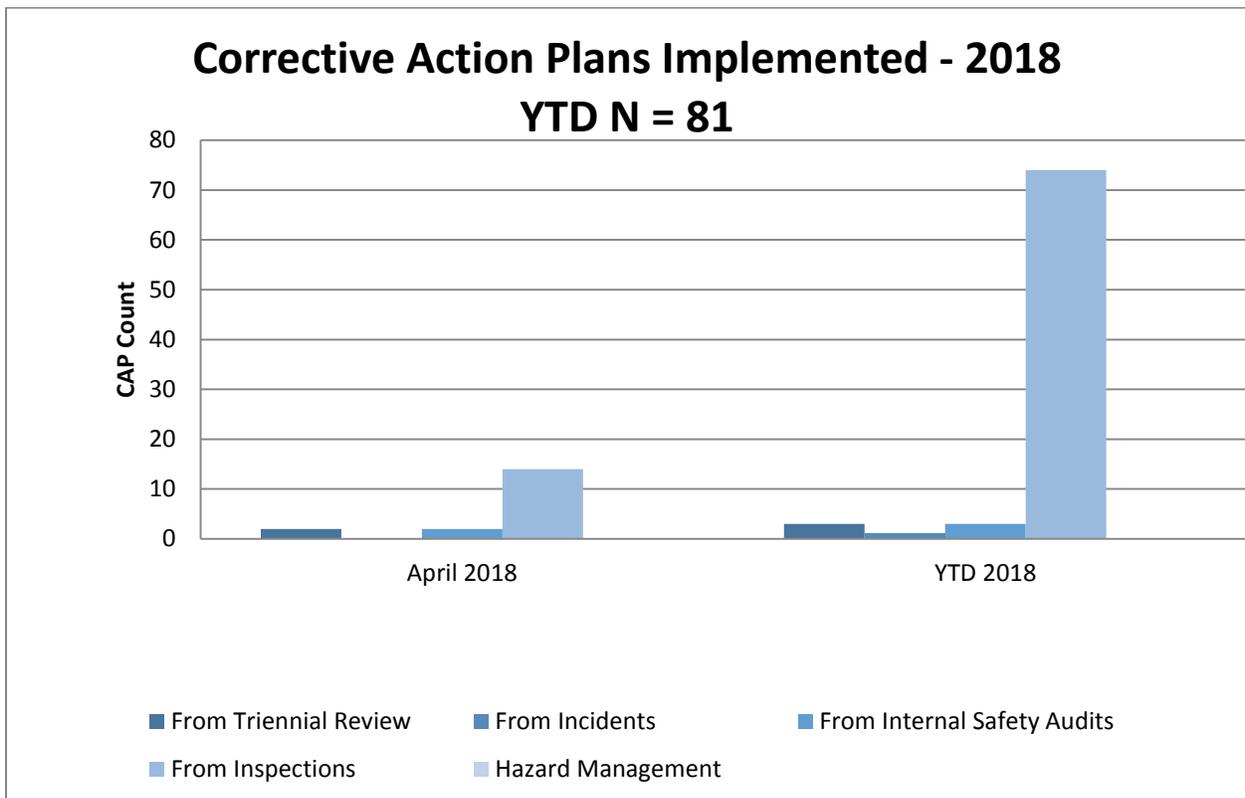
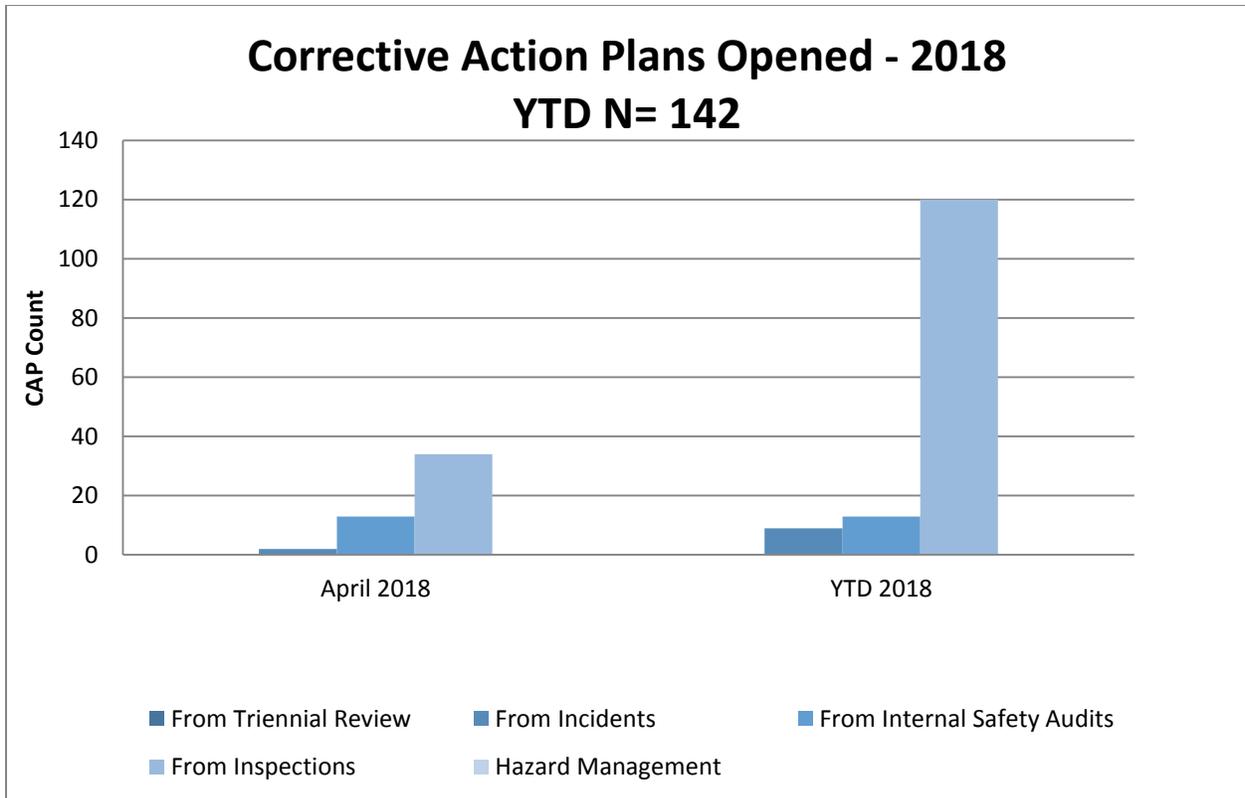
In April 2018, RCEB volunteers participated in Operation LifeSaver Inc. (OLI) activities resulting in two presentations, a webinar, and two events. On April 9, 2018, a staff volunteer provided two presentations to the Cosumnes Oaks High School Driver's Training Class. The presentations

shared the See Tracks Think Train message to 76 students. On April 4th and 22nd, staff manned OLI booths at the “Ag Safety and Compliance Day” in Turlock, CA; and, at the “Get Real Behind The Wheel” new driver obstacle course in Tracy, CA. A total of 265 adults and teenagers participated at these events. As time permits, staff participates in presentations, fairs, and community events to share the OLI rail safety message to the general public and professional drivers.



ONGOING DATA / TRENDS





RAIL TRANSIT - RTSB

In April 2018, the Rail Transit Safety Branch (RTSB) completed the following activities:

CORRECTIVE ACTIONS PLANS

- Forty-nine (49) CAP's were opened.
- Eighteen (18) CAP's were closed.

INCIDENT INVESTIGATIONS

- Eighteen (18) incidents were reported by Rail Transit Agencies (RTA).⁴
- Sixteen (16) incident investigations were closed.

MAJOR AUDITS

Staff have been preparing for two Triennial Reviews planned for the summer months in San Diego County. The first review is to be of San Diego Trolley, Inc. (SDTI) and the second slated for later summer will cover North County Transit District (NCTD.)

ADMINISTRATIVE ACCOMPLISHMENTS

- **General Order 164-E:** On April 30, the Commission Executive Director signed Executive Action Resolution ST-211 that corrects an error identified in the General Order language within the Appendices of the Staff Report that was included as Attachment B to Resolution ST-207. The Resolution reinstates a line inadvertently deleted in Attachment B of Resolution ST-207. The final corrected version of General Order 164-E attached to

⁴ On 3/22/18 the Commission approved GO 164-E, which becomes effective on 5/1/18. Until then, GO 164-D is in effect. Per General Order 164-D, the Commission must be notified within 2 hours 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 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.

Resolution ST-211 was effective as of May 1, 2018. The changes were made in order to comply with the new 49 CFR Part 674⁵ adopted by the Federal Transit Administration (FTA).

- **Federal Certification of SSOA Programs:** State Safety Oversight Agencies (SSOAs) have until April 15, 2019 to have their program certified by FTA. In order for the CPUC to receive FTA certification, as discussed above, the Commission approved a revised GO 164-E that was effective as of May 1. RTSB also needs to bring its Program Management Standard (Procedures Manual) in compliance with the new 49 CFR Part 674, and provide the FTA a list of other required documents. Currently, CPUC is in Stage 3 of the Certification process, which has the following 4 stages:
 - Stage 1 – State (Commission is the designated SSOA for the state) is working on its submissions to the FTA. Where applicable, legislation has not yet been enacted or executive action taken.
 - Stage 2 – State has submitted some requirements to the FTA.
 - Stage 3 – State has submitted all required documents to the FTA and is engaged in a dialogue with the FTA to address comments and questions. Where applicable, all required legislation has been enacted.
 - Stage 4 (Certified) – State has successfully met all SSOA Program requirements, including the resources to carry out the requirements, and has received FTA certification.

Training:

- Three inspectors completed the Transit System Security course provided by the Transit Safety Institute.
- A number of staff members participated in the Office of Rail Safety’s “Cross Discipline, Cross Training” exercise in the San Joaquin Valley during the final week of April.

⁵ Code of Federal Regulations (CFR); Title 49 – Transportation; Chapter VI – Federal Transit Administration, Department of Transportation; Part 674 – State Safety Oversight

PROCEEDINGS / RESOLUTIONS

Ongoing:

- **I.16-06-010 Investigation into Fatal Accident on BART Tracks (Commissioner Randolph/ALJ Kim)** - On June 28, 2016, the Commission instituted a Formal Investigation in response to a two fatality BART accident on October 19, 2013. On December 18, 2017, the Commission issued a ruling extending the statutory deadline for this proceeding until June 23, 2018, to consider pending appeals filed by both BART and the Safety and Enforcement Division.

SAFETY CERTIFICATION AND OVERSIGHT OF RAIL TRANSIT AGENCY PROJECTS

- **AirTrain Extension Project:** On August 10, 2017, Resolution ST-205 approved the AirTrain Extension Safety Certification Plan (SCP). The project expands the existing AirTrain System to include a new Long Term Parking (LTP) Garage Station and add an additional in-line Hotel Station serving a future hotel. Additional planned changes include an upgrade to line-of-sight (LOS) train to wayside signaling and communications, field retrofits of 39 vehicles to LOS technology, an upgrade to the Central Control, a 2000 ft. guideway extension, four additional guideway crossover switches, additional traction power system, and 3 new Innovia APM 100 vehicles. The project will have three Safety Certification Verification Reports, as it has three phases and will start revenue services accordingly, from October 2018 to June 2019. AirTrain submitted draft design conformance checklists to which Staff returned comments.
- **BART New Vehicle Procurement:** BART is in the process of procuring 775 new rail vehicles. BART submitted its Interim Safety and Security Certification Verification Report on October 30, 2017 and a Request Letter on January 12, 2018 to place new cars into revenue service. RTSB approved this request with a letter dated January 17, 2018. BART invited CPUC staff to an early May test run of the next 10 cars anticipated to enter revenue service.
- **East Contra Costa BART Extension:** This project, also known as eBART, will add 10 miles of track extending rail service eastward from the Pittsburg Bay Point station utilizing eight

Diesel Multiple Unit (DMU) vehicles. RTSB inspectors and engineers have participated in site visits of the eBART Maintenance Facility where they rode the trains and inspected the rail, vehicles, and switches. Staff also inspected the eBART Operations Control Center. On April 19, the agency submitted its Safety and Security Verification Report for approval. The projected start date for revenue service is May 26, 2018.

- **Silicon Valley Berryessa Extension (SBVX):** BART and VTA are currently in the process of jointly constructing a 10-mile BART system track extension and two new stations – the Milpitas and Berryessa stations. On April 9, 2018, Staff attended and participated in the SVBX workshop meeting related to the SSMP FTA PMOC report discussion. The meeting focused on discussing the report findings and moving forward with the resolution to work with CPUC staff to accept or comment on the findings. CPUC staff continues to hold weekly meetings with the SVBX team to resolve the FTA PMOC audit findings. On April 16, Staff attended and participated in the SVBX workshop meeting related to the SSMP FTA PMOC report discussion. The meeting focused on discussing observation items OBS 1.1 (Item #1 (section 2.3.9.4), OBS.4.2, Comment #17 (Attachment 1- page 11), and OBS 1.1 PMP 7 (Table 7-1). On April 17, Staff attended and participated in the SSRC meeting. On April 26, Staff attended and participated in the SVBX workshop related to the SSMP FTA PMOC report discussion. The session focused on discussing observation items in Appendix C.
- **Downtown Sacramento Streetcar Project:** FTA has provided funding for preliminary engineering and development for this project, but they have not received a FTA full-funding grant award. A Joint Powers Authority has been established as the system owner/operator involving the City of Sacramento and City of West Sacramento. They are utilizing the expertise of SRTD in the provision of design and construction oversight, and they will be the eventual system operator. This will be helpful for the project, as the Streetcar will operate over a portion of the existing SRTD tracks.
- **Central Subway Project (CSP):** The San Francisco Municipal Transportation Agency (SFMTA) is excavating 1.7 miles of tunnel to extend the Muni Metro Third St. Line to provide a direct transit link between the Bayshore and Mission Bay areas to SoMa, downtown San Francisco, and Chinatown. SFMTA estimates a start of revenue service on December 10,

2019. In March, CSP satisfactorily responded to some of RTSB staff's questions related to two documentation submittals sent to the Safety and Security Certification Review Committee (SSCRC) within the past year. Per SFMTA, CSP has been building the head house at Yerba Buena/Moscone Station. CSP is continuing to construct the street surface platform at 4th St and Brannan St.

- **LA Metro (LACMTA) P3010 New Vehicle Procurement Project:** Los Angeles County Metropolitan Transportation Authority (LACMTA or LA Metro) is in the process of procuring up to 235 new rail vehicles. These vehicles are intended to expand passenger capacity for the recently completed projects (Expo Phase 2 and Foothill Extension Phase 2) and the future LAX/Crenshaw line currently under construction. Staff continues to follow a recently revised approval process whereby staff provides a conditional electronic approval based on monthly review of the open item lists and the reports on vehicle test performance. Staff will recommend official approval to RTSB management after a successful review of the Car History Books (CHBs) in person. To date, RTSB has approved 120 P3010 LRVs for revenue service.
- **LACMTA HR4000 Heavy Rail Vehicle Procurement:** LACMTA is in the process of procuring a base order of 64, with options for up to 282, new heavy rail vehicles (HRV) to provide for the future expansions of Regional Connector and Purple Line Extensions, and to replace the aging HRV fleet operating on the Red Line subway. Resolution ST-185 approved the procurement option. To date, there have been no vehicles delivered.
- **LACMTA Regional Connector Project:** Currently in tunnel boring and utility relocation phase. Staff regularly attends LACMTA's monthly Fire Life Safety and Security Meetings, as well as SSCRC Meetings, and has approved a temporary shoofly track to allow tunnel boring to commence. The tunnel-boring machine has completed boring the second parallel tunnel.
- **LACMTA Purple Line (Westside) Extension Project:** LACMTA is currently extending the Purple Line. The Westside Purple Line Extension, previously named the Westside Subway Extension, extends service from the terminus at Wilshire/Western Station to Westwood (UCLA and Veteran's Administration Hospital). This extension will consist of nearly nine

miles of heavy rail subway and seven stations. The agency plans construction in three sections and is currently in the utility relocation phase.

- **LACMTA/MGLFECA Foothill Extension Phase 2B:** LACMTA and Metro Gold Line Foothill Extension Construction Authority (Foothill Authority) have submitted the project's SCP. It was approved by Resolution ST-194, "Granting Approval of the Los Angeles County Metropolitan Transportation Authority and Metro Gold Line Foothill Extension Construction Authority Foothill Extension Phase 2B Safety Certification Plan", on January 19, 2017. Phase 2B alignment is from the current terminus of LACMTA Gold Line, Azusa Station, to the City of Montclair. It will traverse through six cities with six new stations on 12.3 miles of light rail transit (LRT) at-grade track. Foothill Authority held the project's Groundbreaking Ceremony on December 2, 2017 at Citrus College in Glendora.
- **LACMTA Gold Line-Chinatown Station Pilot:** LACMTA has requested a variance from GO 143-B's Section 9.07 for the Gold Line's Chinatown Station. This variance allows the installation of a pilot project. The project is called the Platform Track Intrusion Detection System (PTIDS). It is a radar-based system designed to detect intrusions of individuals and/or objects falling from the platform onto the right-of-way. The pilot project started on September 2017 and will continue through December 2019. LACMTA will need to submit another variance request if it decides to implement this project on a permanent basis.
- **LACMTA Crenshaw/LAX Corridor Project:** LACMTA is constructing a new light rail transit line through the Crenshaw/LAX Corridor. The Line will travel 8.5 miles from the existing Metro Exposition Line at Crenshaw and Exposition Boulevards to the Green Line and will serve the cities of Los Angeles, Inglewood, El Segundo and portions of unincorporated Los Angeles County. The project is currently in the construction phase that staff monitors via regular meetings. The review team has approved all of the Safety Certification Design Checklists. The next step is the Safety and Security Certification Review Team's verification of the Safety Certification Construction Checklists. This activity should be substantially complete on or around May 1, 2019 for an October 31, 2019 revenue service start date.
- **Los Angeles Streetcar:** The Los Angeles Streetcar is a project that is advancing under the Los Angeles County Measure M funding. The preliminary design is proceeding, in spite of

the lack of LACMTA's identification for near term funding. Staff is reviewing a request from LA Streetcar regarding vehicle crashworthiness/strength requirements for their vehicles.

- **LAWA Automatic People Mover Project:** Los Angeles World Airports (LAWA) is developing a multi-billion-dollar upgrade to the ground transportation system at Los Angeles International Airport (LAX). The Landside Access Modernization Program (LAMP) includes a landside Automated People Mover (APM), a Consolidated Rent-A-Car (CONRAC) facility, multiple Intermodal Transportation Facilities (ITFs), and a comprehensive network of roadway improvements. The APM system will feature the design and construction of an approximate 2.25-mile-long, elevated dual-lane guideway, consisting of six stations. Three stations will connect new rental car, airport parking, and Metro facilities to the airline terminals. Three stations in the Central Terminal Area will provide fast and easy connections to nine airline terminals with a pedestrian walkway system.
- **Orange County Transportation Authority (OCTA) OC Streetcar Project:** The OC Streetcar (OCSC) project consists of 4.15 miles of track between the Santa Ana Regional Transportation Center in the City of Santa Ana and the Harbor Boulevard/Westminster Avenue intersection in the City of Garden Grove. The Agency plans construction to begin in mid-2018, and revenue service late to commence in 2020. However, to date FTA has not awarded a full-funding grant agreement. Design is wrapping up, and the construction phase will be starting up soon. Staff continues to attend the SSRCR and Fire Life Safety Committee meetings for this project.
- **SFMTA LRV4 Procurement to Expand and Replace the Rail Fleet:** This project is scheduled for completion in 2027. The safety and security certification-related aspects of this project are being monitored by Staff through regular meetings, review of records produced pursuant to the requirements of the project SSCP (e.g. Certificates of Conformance and associated supporting documentation for certifiable elements at pertinent project milestones), and observations of vehicle testing. SFMTA plans to launch a three-car train sometime in the spring but will first launch two-car trains on the N-Judah line, which serves an average of 45,000 passengers on the weekday – SFMTA's heaviest passenger subway line. Before two-car and three-car trains may be placed into service, SFMTA will need

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approval from CPUC Staff. In April, SFMTA submitted the Certificates of Specification Conformance for Car Nos. 2018, 2022, and 2024 thereby requesting Commission Staff (staff) approval to allow these cars into revenue service. Staff reviewed the documentation for these three cars and confirmed completion of certifiable elements. Staff will soon send a letter to SFMTA to authorize them to place these three cars into revenue service as single cars.

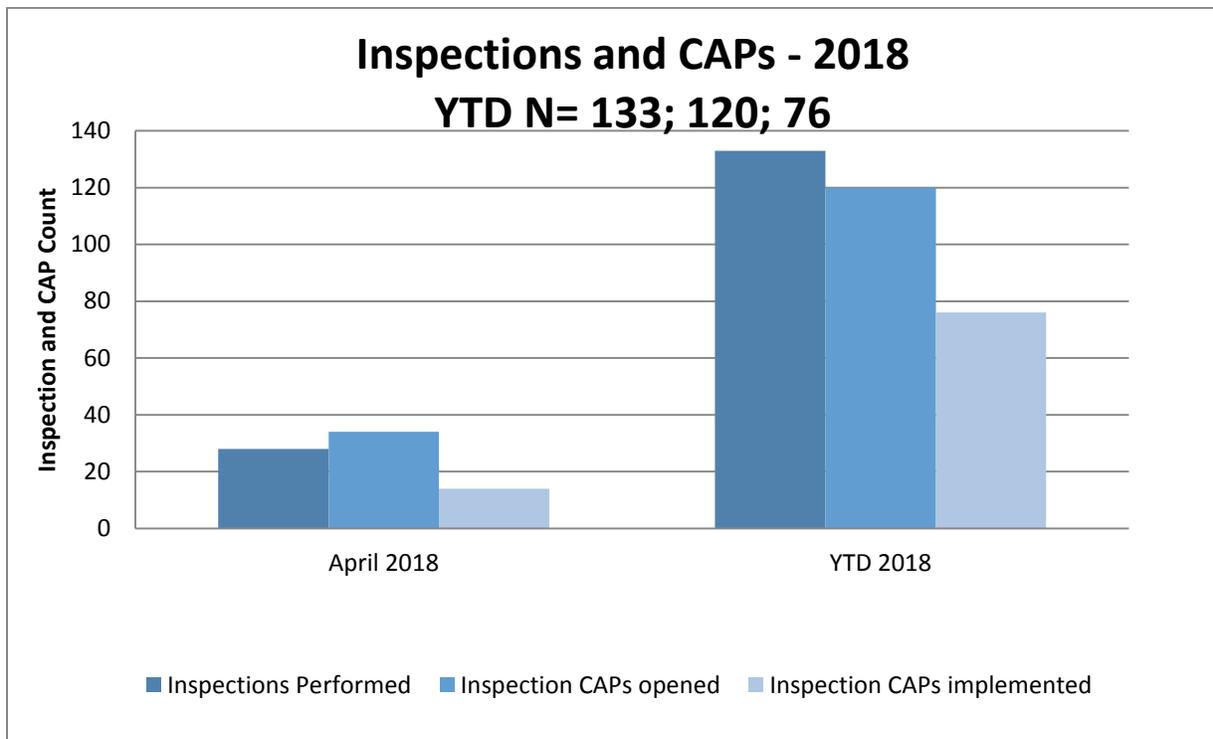
- **San Diego Trolley, Inc. (SDTI) Mid-Coast Corridor Project:** The San Diego Metropolitan Transit System Mid-Coast Corridor Project is a 10.9-mile double-track light-rail transit line, which begins at the Old Town Transit Center in San Diego. The project provides future SDTI revenue service to the Linda Vista, Clairemont, University of California at San Diego (UC San Diego) and the University City areas. The additional stations will be Tecolote Road, Clairemont Drive, Balboa Avenue, Nobel Drive, potential Veterans Administration (VA) Medical Hospital, UC San Diego West (along Voigt Drive), UC San Diego East (along Voigt Drive), Executive Drive, and University Town Center (UTC) Transit Center. Construction started in 2016 and revenue service is planned to begin late 2021. Staff continues to attend the System Safety Review Committee Project Meetings and Fire Life Safety Committee Project Meetings.

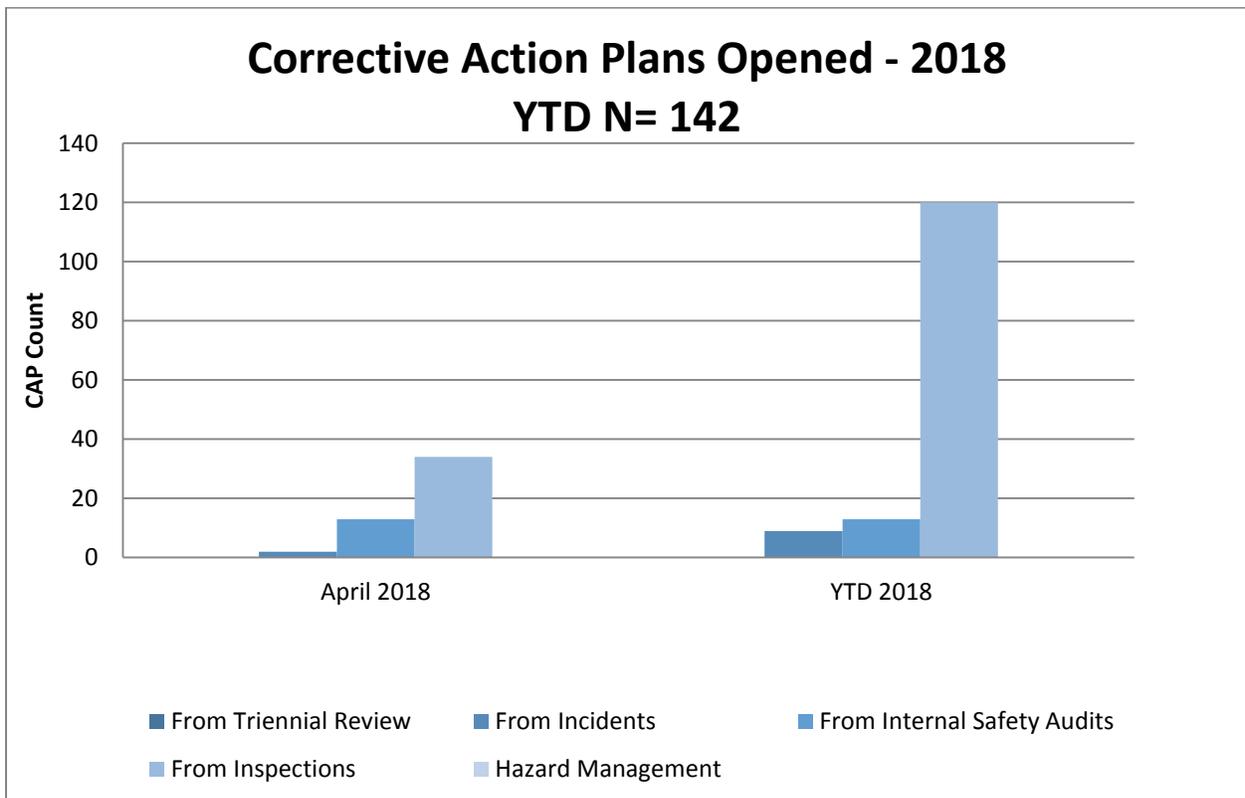
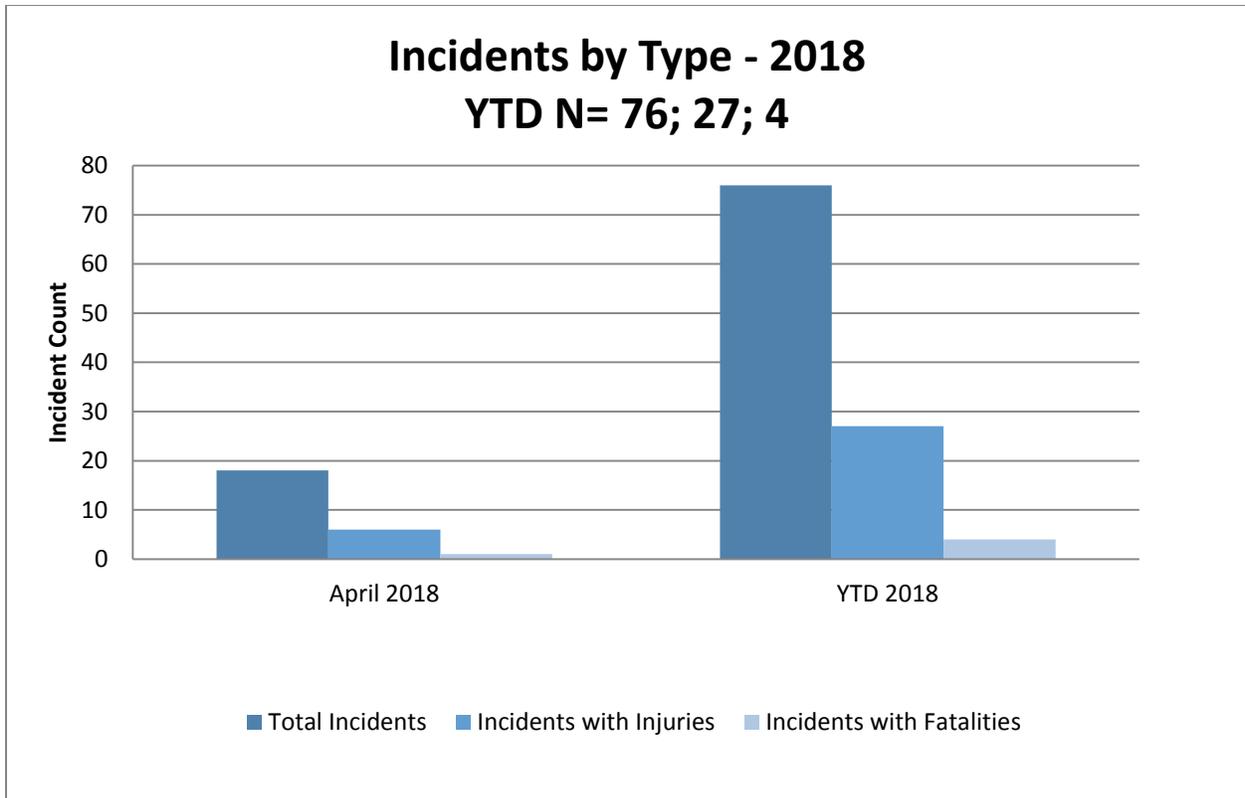
STATISTICS SUMMARY

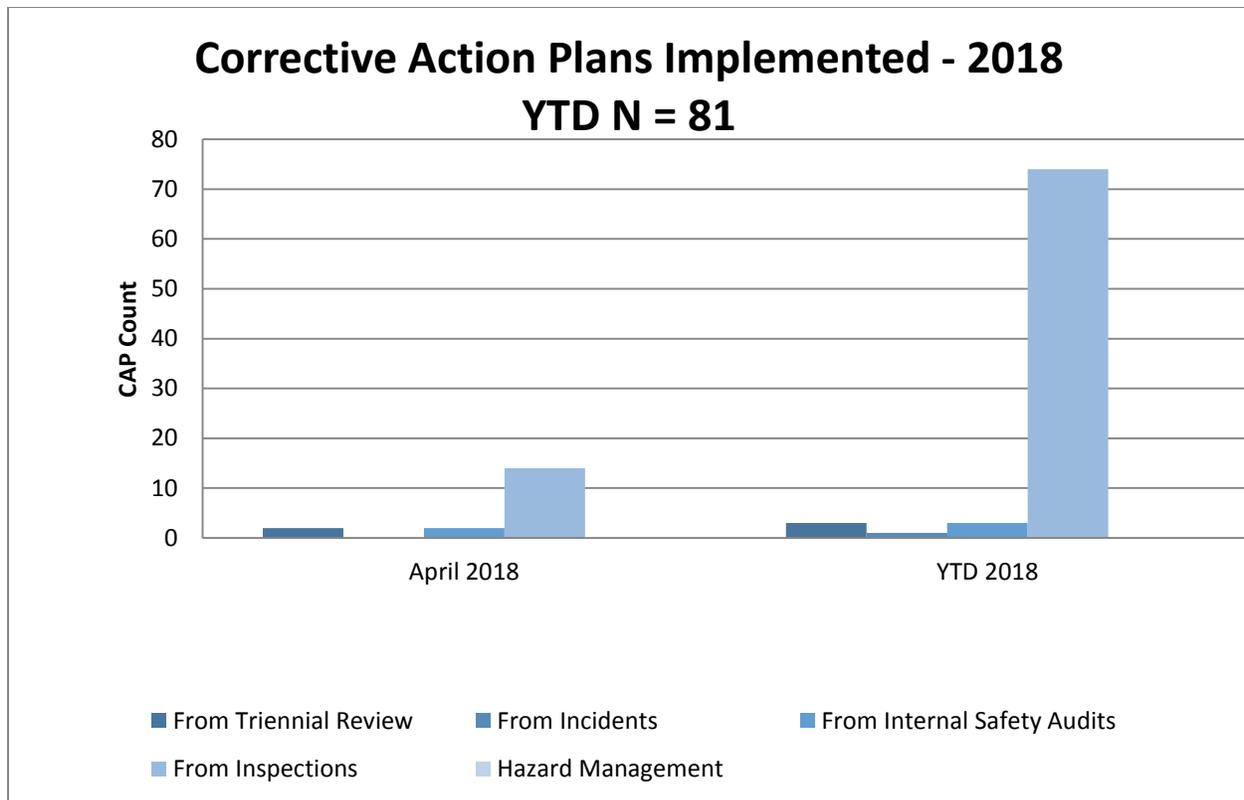
Investigations for Month		YTD 2018
Incidents Reported	18	76
Incident Investigations Closed	16	194
Complaints Investigated	1	1
Rail Transit Inspections	28	133
Triennial Review	0	0

Corrective Action Plans		YTD 2018
New Corrective Action Plans	49	142
From Triennial Review	0	0
From Incidents	2	9
From Internal Safety/Security Audits	13	13
From Rail Transit Inspections	34	120
From Hazard Management	0	0
Closed Corrective Action Plans	18	81
From Triennial Review	2	3
From Incidents	0	1
From Internal Safety/Security Audits	2	3
From Rail Transit Inspections	14	74
From Hazard Management	2	0

ONGOING DATA / TRENDS







CORT MONTHLY REPORT

Delta Trading, L.P.—April 28, 2018

Delta Trading (Bakersfield) has currently received one hundred fifteen (115) manifest tank cars this month loaded with crude oil at their Paloma Gulf Station site located approximately twenty (20) miles southwest of Bakersfield. These manifest cars originate in Natrona, Wyoming after being piped across the Canadian-U.S. border. These cars do not contain Bakken Crude.

Kern Oil Refining—April 28, 2018

Kern Oil Refining (Bakersfield) is currently receiving approximately four (4) manifest tank cars weekly loaded with crude oil. These manifest cars originate from New Mexico and are not Bakken crude oil. For the month of April, Kern will be receiving one crude oil unit train consisting of one hundred (100) cars from New Mexico that has not departed yet. This train will not be Bakken crude oil.

This train will enter California on the BNSF at Needles, California.

Plains All American—April 28, 2018

Received an update from Plains All American (Taft) they received 1 (one) train for the month of April, four (4) were scheduled. For May, they have been informed to plan on receiving four (4) crude oil unit trains but they have not received a schedule on these trains as of yet. These trains will originate from Edmonton (Alberta) Canada and will not be Bakken crude oil. These trains will enter California on the BNSF from Klamath Falls, Oregon. These unit trains are expected to consist of 100 tank cars each.

Members of the CORT Team attended the final meeting with the California Transportation Fuel Sector Vulnerability Assessment Team this month. We have participated with this group at U.C. Berkley over the last two years. They have been studying the impacts of global warming in California, trying to determine which modes of transportation would be available **to move fuel** across the state during different disasters. They studied the impacts of ocean rise, fire, and earthquake and have been able to model this with great detail and accuracy. Our team assisted by showing where vital facilities supplied by rail may assist when truck or pipeline have been compromised. Their final findings and workshop presentation was on April 26, 2018.

Currently, there were two (2) crude oil unit trains that entered California in April with none of them containing Bakken crude oil.

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