

Safety and Enforcement Division



Monthly Performance Report

December 2018

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Disclaimer

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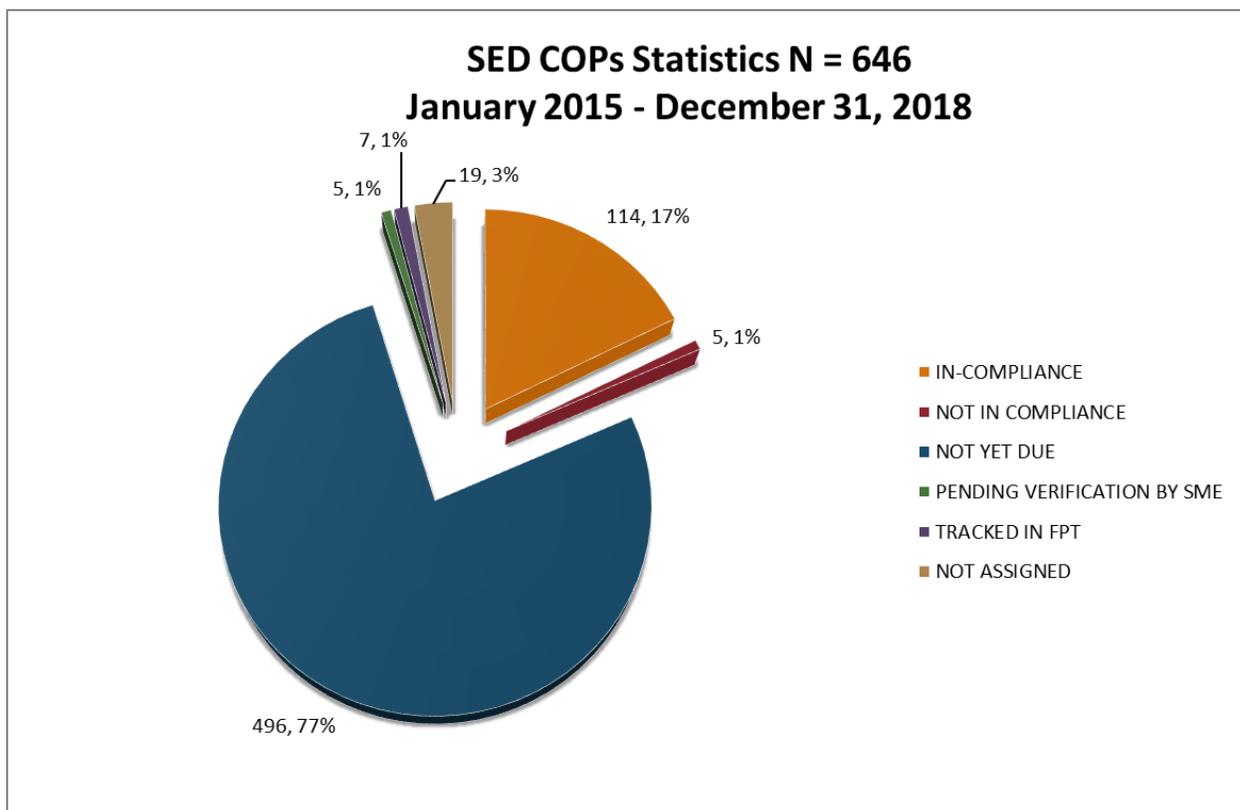
This Report has not been approved or disapproved by the CPUC.

COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

Through December 31, 2018, SED shows 646 total entries in the COPS system; with 114 reaching compliance (17%), 496 (77%) not yet due for compliance, and 5 (1%) currently remaining out of compliance. 5 (1%) are pending verification. 626 (97%) of all Ordering Paragraphs are assigned to members of staff.

During December 2018, there was 1 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				

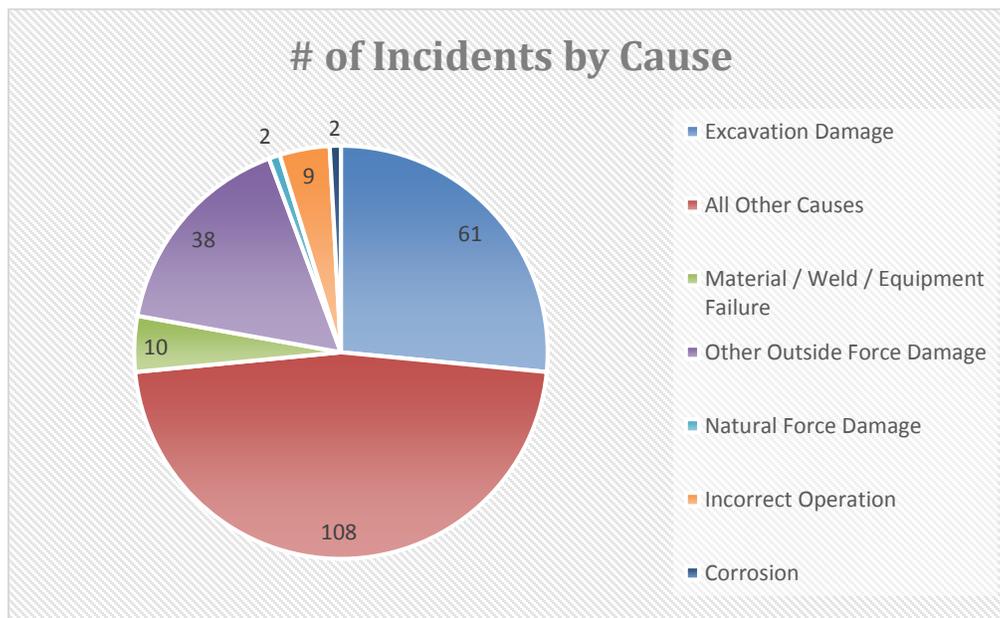
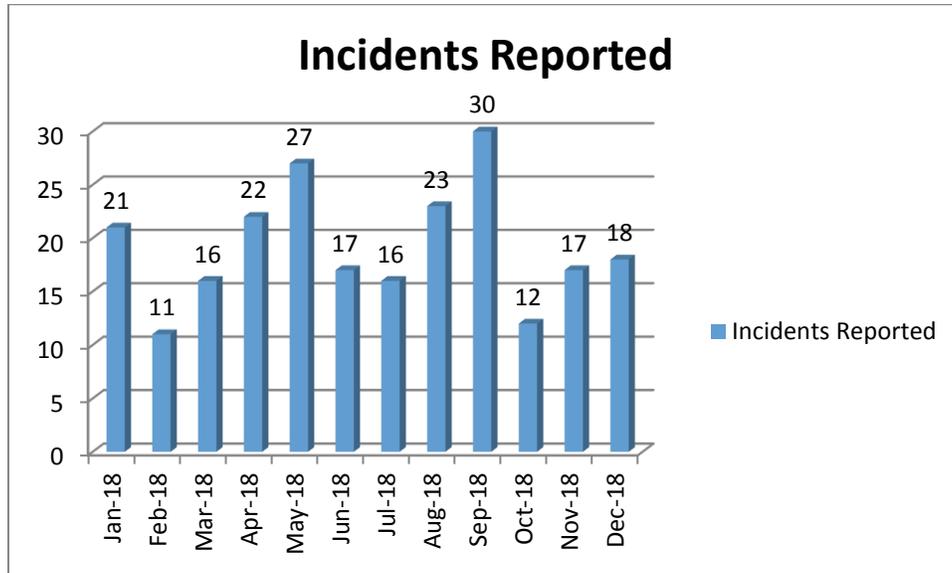
Citation Number	Utility	Amount	Violations	Date Cited	Appealed	Status
D.16-09-055 G.18-02-001	PG&E	\$ 100,000	192.605(a), 191.15(d)	2/16/2018	No	Paid on 3/16/18
D.16-09-055 G.18-10-001	PG&E	\$ 1,000,000	192.273(a), 192.281(a)	10/12/2018	No	Paid on 11/7/18
D.16-09-055 G.18-10-003	PG&E	\$ 4,050,000	192.605(a), 192.805(f)	10/15/2018	No	Paid on 11/9/18
D.16-09-055 G.18-11-001	Alpine	\$ 50,000	192.723(b)(2)	11/2/2018	Yes	Pending
D.16-09-055 G.18-12-001	SoCalGas	\$ 150,000	191.5(a)	12/2/2018	N/A	Pending
Total Cited 2018		\$ 5,350,000				

INSPECTIONS

	2018
Conducted	41
Final Report Completed	32

INCIDENT INVESTIGATIONS

As of December 31, 2018, GSRB Staff received 230 incidents year to date.



The CY 2018 incidents¹ are categorized as follows:

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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	Level 1	Level 2	Level 3	Level 4	TOTAL
Open	101	59	5	4	169
Closed	55	5	1	0	61
TOTAL	156	64	6	4	230

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 was one self-identified violation reported in December.

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. Rulemaking 18-04-018 (ALJ Kersten / Commissioner Rechtschaffen) was filed on April 26, 2018, Order Instituting Rulemaking to Evaluate the Mobilehome Park Pilot Program and to Adopt Programmatic Modifications. PHC for Rulemaking 18-04-018 occurred on July 30, 2018. Scoping memo issued on 8/31/2018. SED/ED convene utility technical working group to refine annual report template and data gathering 30 days from Scoping Memo.

Workshop #1 was held on 10/17/2018.

- **PG&E Locate and Mark Practices OII (I.18-12-007) (Commissioner Rechtschaffen/ALJ Allen) (SED Advocacy):** The Order Instituting Investigation and Order to Show Cause on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Locate and Mark Practices and Related Matters was issued on December 13, 2018. CPUC institutes this formal investigation to determine whether PG&E has violated legal requirements for the utility to timely locate and mark natural gas pipelines to ensure that third party construction excavation does not damage pipes and other components and thus diminish safety. This OII also directs PG&E to show cause as to why the Commission should not find violations in this matter, and why the Commission should not impose penalties, and/or any other forms of relief, if any violations are found. PG&E is directed in this order to provide a report on these matters, provide answers to certain questions, and to provide other specified information to the Commission. The current status of the proceeding is active.
- **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.
 - 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.

ELECTRIC SAFETY AND RELIABILITY PROGRAMS

ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM

In December 2018, Electric Safety and Reliability Branch:

- Received 6 electric facilities incident reports and closed 5 previously reported electric facilities incident investigations;
- Investigated 14 customer safety and reliability complaints;
- Performed one Power plant audit;
- Issued four Notice of Violation letters/reports.
- Monitored eight planned outages and three forced outages reported by natural gas and renewable energy power plants.

Electric Facilities and Generation Incident Investigations as of December 31, 2018

ESRB		Level 1	Level 2	Level 3	Level 4	Total ²
Total open incidents	Electric Facilities	3	8	38	61	110
	Generation	0	0	1	2	3
Total incidents reported in 2018	Electric Facilities	12	21	26	53	112
	Generation	0	0	1	1	2
Total incidents closed in 2018	Electric Facilities	17	32	53	36	138
	Generation	0	0	1	1	2
Total open 2018 incidents	Electric Facilities	3	8	12	36	59
	Generation	0	0	0	1	1
Incidents reported in December 2018	Electric Facilities	0	0	1	5	6
	Generation	0	0	0	0	0
Incidents closed in December 2018	Electric Facilities	0	0	4	1	5
	Generation	0	0	1	0	1

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 2 for Generation: Incident that occurred during an Electric Alert, Warning or Emergency. Level 3: Incident involved damage estimated to exceed \$50,000 and caused, at least in part, by the utility or its facilities (Level 3 for Generation: 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 that was caused, at least in part, by the utility or its facilities or by equipment and/or operations (for Power Plants).

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS

- **Rulemaking to Implement Electric Utility Wildfire Mitigation Plans pursuant to Senate Bill 901 (2018) (R.18-10-007) (Commissioner Picker/ALJ Allen/ALJ Thomas) (Advisory):** On October 25, 2018, the Commission opened Order Instituting Rulemaking (OIR) to implement the provisions of Senate Bill 901 related to electric utility wildfire mitigation plans. This OIR will provide guidance on the form and content of the initial wildfire mitigation plans, provide a venue for review of the initial plans, and develop and refine the content of and process for review and implementation of wildfire mitigation plans to be filed in future years. In December 2018, parties filed suggested edits to the wildfire mitigation plan (WMP) template submitted by the Joint IOUs (PG&E, SCE, and SDG&E), and discussed during the late-November teleconference. There was also a motion for evidentiary hearings filed, which was subsequently denied by the assigned ALJ. The California Association of Small and Multijurisdictional Utilities (CASMU), filed a revised version of the Joint IOU WMP template. A communication regarding some parties on the service list not receiving an invite to the November teleconference to discuss the Joint IOU WMP template was distributed, resulting in the assigned ALJs issuing a ruling that requires public review and comment on Joint IOU-filed WMP templates and party input into the content of the WMP templates in early-mid January 2019. Pending.
- **Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions (R.18-12-005) (Commissioner Picker/ALJ Semcer) (Advisory):** On December 13, 2018, the Commission opened an Order Instituting Rulemaking (R.)18-12-005 to examine its rules allowing electric utilities under the Commission’s jurisdiction to de-energize power lines in case of dangerous conditions that threaten life or property in California. Among other things, this proceeding will focus on developing best practices and evaluation criteria, ensuring coordination with first responders, mitigating impact on vulnerable populations, ensuring consistency in noticing and reporting of events, and examining ways to reduce the need for de-energization. Comments on the OIR and a prehearing conference are scheduled in February 2019.

- **Rulemaking to Evaluate the Mobilehome Park Pilot Program and to Adopt Programmatic Modifications (R.18-04-018) (Commissioner Rechtschaffen /ALJ Semcer) (Advisory):** D.14-03-021 established a three-year pilot program authorizing each California investor-owned utility (IOU) to convert 10 percent of master-metered gas and/or electric Mobile Home Park (MHP) spaces within its operating territory to direct utility service. On April 26, 2018, the Commission issued R.18-04-018 to evaluate the MHP Pilot Program and to adopt programmatic modifications. ESRB is reviewing comments and supplemental data submissions from parties and providing assistance as needed. Pending.
- **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) (Commissioner Picker/ALJ Mason) (Advocacy):** On October 15, 2018, ALJ Mason issued a Ruling requesting reply comments to the proposed use case comments filed on October 12, 2018; SED filed its reply comments on October 31, 2018. A Workshop to discuss the Use Cases and other issues related to this proceeding was held on November 15, 2018 in San Francisco. The workshop was scheduled for two days; however, the second day, November 16, was postponed due to poor air quality that was the result of the fires in Northern California. Pending.
- **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. On July 31, 2018, the ALJ issued a scoping memo and ruling setting the schedule for this proceeding and directing SED to convene a workshop to discuss the scoped issues. SED and parties held three workshops in August 2018 and September 2018 and addressed amendments to GO 95 rules regarding climbing space, fall protection, pole strength, and pole steps. Parties reached consensus on all of the rule change proposals and on October 31, 2018, SED filed a Joint Parties' Workshop Report to the Commission. In November 2018, Parties filed comments on the Workshop Report and in December 2018 parties filed reply comments. The comments and reply comments focused on implementation dates and cost considerations. The ALJ is expected to issue a Proposed Decision in March 2019. 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. A proposed decision for Phase I is pending. On September 28, 2018, SED participated in the second Workshop for Phase II in San Diego. On November 9, 2018, the ALJ issued a Proposed Decision for Phase I regarding Physical Security of electric infrastructure. In November 2018, SED and other parties filed comments on the Proposed Decision for Phase I and on December 4, 2018, SED filed reply comments on the Proposed Decision. Pending.
- **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). ESRB will continue to review the issues and provide advisory support when needed.
- **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 August 14, 2018, SED filed a motion to hold hearings in abeyance in order to allow staff to investigate additional violations of GO 95 related to the incident. The ALJ granted SED's motion in part. On October 3, 2018, SED issued an \$8,000,000 amended citation that replaced the \$300,000 citation that was issued to SCE on February 12, 2018. The amended citation was the result of new violations of GO 95 that SED had discovered. A hearing was held in December 2018 and it will resume in February 2019. Pending.
- **De-Energization Resolution ESRB-8 and A.18-08-007:** An application for rehearing of Resolution ESRB-8 was submitted and has been docketed as A.18-08-007. A petition for modification of Resolution ESRB-8 also was submitted. Following SCE, SDG&E, and PG&E notifications to customers of potential Public Safety Power Shutoffs (PSPS) in mid-October,

SDG&E and PG&E implemented shut-offs, SCE and SDG&E submitted de-energization reports on October 30, and PG&E submitted a de-energization report on October 31. ESRB is reviewing these reports. ESRB is also working towards reviewing and evaluating the reports submitted by IOUs outlining their Public Outreach, Notification, and Mitigation plans submitted pursuant to the requirements in ESRB-8. Additionally, ESRB is reviewing PSPS reports for individual de-energization events submitted by the utilities in October and November 2018 to assess whether the utilities complied with the factors specified in Commission Resolution ESRB-8.

OTHER ACTIVITIES

- **November 2018 Fires:** In November 2018, a series of wildfires devastated many cities in California. In Northern California, the Camp Fire burned about 153,000 acres, destroyed an estimated 18,000 structures, injured three firefighters, and unfortunately resulted in 86 civilian fatalities. In Southern California, the Woolsey Fire burned about 100,000 acres, destroyed an estimated 1,800 structures, injured three firefighters, and unfortunately resulted in three civilian fatalities. SED investigatory teams have been assigned and have visited the sites of affected areas to examine evidence related to utilities' facilities. SED is currently working closely with CAL FIRE to investigate PG&E, SCE, and communications companies' compliance with the Commission's safety rules.
- **Compliance with D.17-09-024 regarding Long Beach Incident:** D.17-09-024 adopted a Settlement Agreement between Southern California Edison and SED. Under the settlement, SCE paid a \$4 million penalty and will spend \$11 million on various system enhancement projects in Long Beach intended to reduce the chance of public injury, reduce the risk of future system failures, and improve the utility's operational awareness and network maintenance. ESRB is monitoring SCE's work to ensure compliance with the settlement agreement.
- **Transmission Maintenance Coordination Committee (TMCC):** TMCC is an advisory committee to help the CAISO develop, review, and revise Transmission Maintenance Standards. TMCC holds quarterly meetings to discuss recent improvements in construction

and maintenance processes and techniques, and industry best practices. ESRB is a member of TMCC and attends quarterly meetings.

UTILITY RISK ASSESSMENT AND SAFETY ADVISORY

REVIEWING SAFETY AND RISK IN GENERAL RATE CASES

On November 15, Southern California Edison (SCE) filed its Risk Assessment Mitigation Phase documents for its forthcoming TY2021 GRC (I.18-11-006). Under the procedures adopted in D.14-12-025 and D.16-08-018, SCE is required to file its RAMP submission in this OII. The Commission's Safety and Enforcement Division (SED) will evaluate SCE's RAMP submission in this OII for consistency and compliance with SCE's Safety Model Assessment Proceeding (S-MAP) and prepare a report. The parties to this proceeding will then have an opportunity to comment on SCE's RAMP submission and on SED's report. The RAMP filing and comment process will then form the basis of SCE's assessment of its safety risks in its general rate case filing.

The utility identified nine (9) RAMP Risks for analysis:

- Building Safety
- Contact with Energized Equipment
- Cyber Attack
- Employee, Contractor and Public safety
- Hydro Asset Safety
- Physical Security
- Wildfire
- Underground Equipment Failure, and
- Climate Change

Edison's initial scoring of these risks, using mean and tail-average multi-attribute risk scores (measuring safety-serious injuries; safety-fatalities; reliability, and economic consequences) resulted in somewhat differing rankings for the severity of these risks. The analysis of Climate Change proved challenging in that most expected consequences would occur outside of the GRC planning window 2018-2023. This issue of timeframe for risk analysis was common to

other areas, as well, making it harder to capture either the longer-term costs of some mitigation measures as well as benefits that would accrue over longer periods of time.

SCE conducted a workshop on the RAMP filing on December 14 at the Commission's auditorium in San Francisco. The SED evaluation report is due May 2019.

PROCEEDINGS

- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ Allen) (Advisory):** On November 29, the Commission approved D. 18-11-050, accepting the NorthStar Consulting report and ordering PG&E to implement its 61 recommendations by July 1, 2019, as well as requiring quarterly reports on progress beginning in 4th quarter 2018. While some "bright spots in safety culture" were identified – particularly at the Diablo Canyon nuclear plant – Picker said a major finding was that PG&E did not have a clear vision of its safety programs. It pursues many programs without a clear sense of how they work together. He also noted that the investigation to date did not involve issues related to the wildfires from 2017. Picker highlighted his intention to introduce a next phase in the OII that will focus on corporate governance and how to determine the best path forward to ensuring safety, and what the Commission's role should be.
- **Gas Leak Abatement OIR (R.15-01-008) (Commissioner Rechtschaffen/ALJ Kersten) (Advisory):** In mid-November, RASA staff issued the draft of the 2017 Joint Report on Leak Survey results, compiled with California Air resources Board. The report was issued for comments, after which it will be finalized and published. The annual results indicated a slight uptick in reported emissions in 2017 compared to 2016, largely because of increases in maintenance activities. A workshop was held November 16 to explore new mapping tools and other Phase 2 issues including cost-effectiveness of compliance activities. SED and CARB will conduct workshops on January 17, 2019 for annual reporting template refinements. Annual reporting templates to be issued March 31, 2019. 2019 Annual Data Reports due June 15, 2019. Draft Joint Report for 2019 leak survey due Nov. 15, 2019 with final due by Dec. 31, 2019.

- **Safety Model Assessment Proceeding (A.15-05-002, et al) (Commissioner Rechtschaffen/ALJs Kersten & Fogel) (Advisory):** A proposed decision on the Joint Settlement Agreement was issued for comment on November 9, and will be considered at the December 13, 2018, business meeting. The first utilities to use the methodology derived from the Settlement Agreement will be San Diego Gas & Electric and Southern California Gas, for their 2019 RAMP filings. A new element of the RAMP process will include a preliminary workshop by the utilities in 1 Quarter 2019 to review their risk registers and expected results of risk ranking. The PD would also clarify that utilities will not file new S-MAP applications in May 2019, but instead the Commission should launch a rulemaking to address continuing refinements in the S-MAP process. Settlement Agreement approved by Commission in December.
- **Sempra Utilities 2019 General Rate Case (A.17-10-007/008 consolidated) (President Picker/ALJ Lirag):** Hearings were completed in August. The proceeding has been submitted for decision.
- **Pacific Gas & Electric RAMP (I.17-11-003) (Commissioner Rechtschaffen/ALJ Roscow):** Pacific Gas & Electric's TY2020 General Rate Case was filed in December. RASA staff is working with the utility on documentation of how the RAMP report evaluation has been incorporated into GRC spending requests. Staff issued a data request for spreadsheets and a compilation of RAMP-related GRC testimony, and PG&E will address incorporation during a January workshop on the GRC. At that time, the GRC ALJ will determine how to proceed with the RAMP: whether to close the OII or consolidate it with the rate case.
- **Pacific Gas & Electric Gas Transmission & Storage (GT&S) rate case (A.17-11-009) (Commissioner Rechtschaffen/ALJ Roscow):** PG&E included GT&S related risks in its 2017 RAMP filing, which were reviewed and analyzed by RASA staff. A separate report containing the six RAMP chapters was circulated to parties in April, and staff conducted a workshop on April 16. Hearings on the rate case were completed in early October; and opening briefs were served November 14.

- **SCE 2017 General Rate Case (A.16-09-001) (President Picker/ALJs Roscow & Wildgrube):** Oral arguments on select issues, including SCE’s Grid Modernization proposals, were held June 20. A Proposed Decision is currently being drafted.
- **Physical Security of Electric Infrastructure (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly):** A proposed decision in Phase 1 is set for consideration at the December 13, 2018, business meeting. Comments on the PD were filed by several utilities and other parties, and some elements of the final decision may reflect changes to the initial Staff recommendations. A draft workshop report (based on the September 28 workshop in San Diego) for Phase 2 of the proceeding has been drafted and resides with the Assigned Commissioner and ALJ for review prior to circulation for comment.
- **Utility Poles (I.17-06-027/R.17-06-028) (Commissioner Picker/ALJs Mason and Kenney):** 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 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). Two days of workshops were set for Nov. 15-16, to review “use cases” for the pole census information, but the second day was cancelled because of the poor air quality caused by ongoing wildfires in Northern California. The use case refinement process will continue via working groups. A revised scheduling ruling is expected before the end of the year.
- **Undergrounding Rule 20A (R.17-05-010) (Commissioner Picker/ALJs Hecht & Wildgrube):** 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.
- **Mobile Home Park Pilot Expansion (R.18-04-018) (Commissioner Rechtschaffen/ALJ Kersten):** This proceeding will determine policies for increasing participation in a mobile home metering conversion program currently conducted as a pilot. The programmatic goal is to convert master meter arrangements to direct service by utilities (for both gas and

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electricity) to improve safety and service. SED RASA and Energy Division, with technical assistance from SED branches, is leading a working group process and conducted an October 17 workshop. Staff and parties are currently finalizing a reporting template.

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 – 12/31/2018

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
May	0	2	0	0	0	1
June	0	1	0	0	0	0
July	0	0	0	1	1	1
August	0	4	0	0	0	1
September	0	1	0	1	2	1
October	0	3	1	0	0	0
November	0	1	0	0	0	0
December	0	0	0	0	0	0
Total 2018	0	14	2	3	4	5

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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
May	0	0	0	0	0	0	0
June	0	0	0	0	0	0	0
July	0	0	0	0	0	0	0
August	0	0	0	0	0	0	0
September	0	0	0	0	0	0	0
October	0	0	0	0	0	0	0
November	0	0	0	0	0	0	0
December	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
May	4
June	1
July	1
August	3
September	4
October	3
November	0
December	1
YTD	31

OFFICE OF RAIL SAFETY

RAILROAD SAFETY – ROSB

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

Railroad Operations Safety Branch	Dec-18	YTD 2018
New Incidents Investigated	13	127
Informal Complaints Investigated	0	24
Safety Assessments/Reviews	10	168
Compliance Actions	627	10686
Major Inspections Completed	3	37
Operation Lifesaver Presentations	0	131

ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

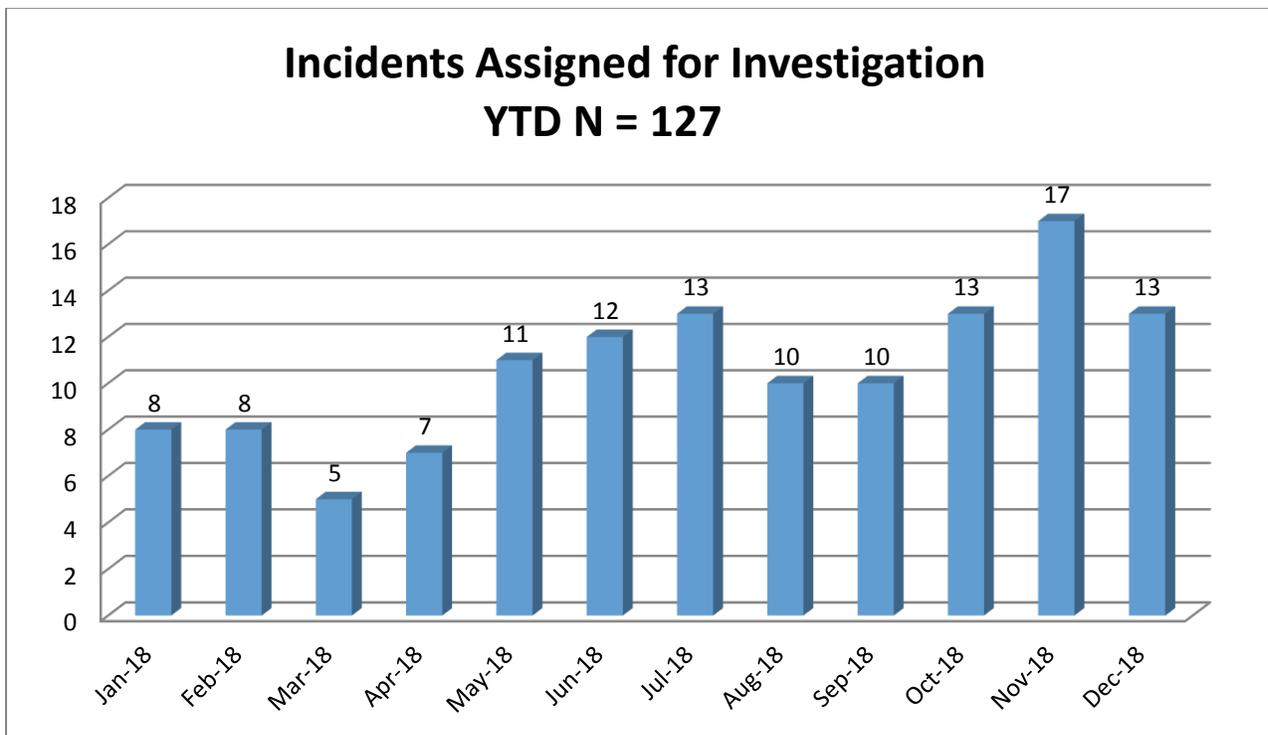
December 12, 2018: A CPUC Investigator conducted an inspection of the walkways adjacent to the tracks, used for long term securement of locomotives in the UPRR J.R. Davis Yard in Roseville, CA.

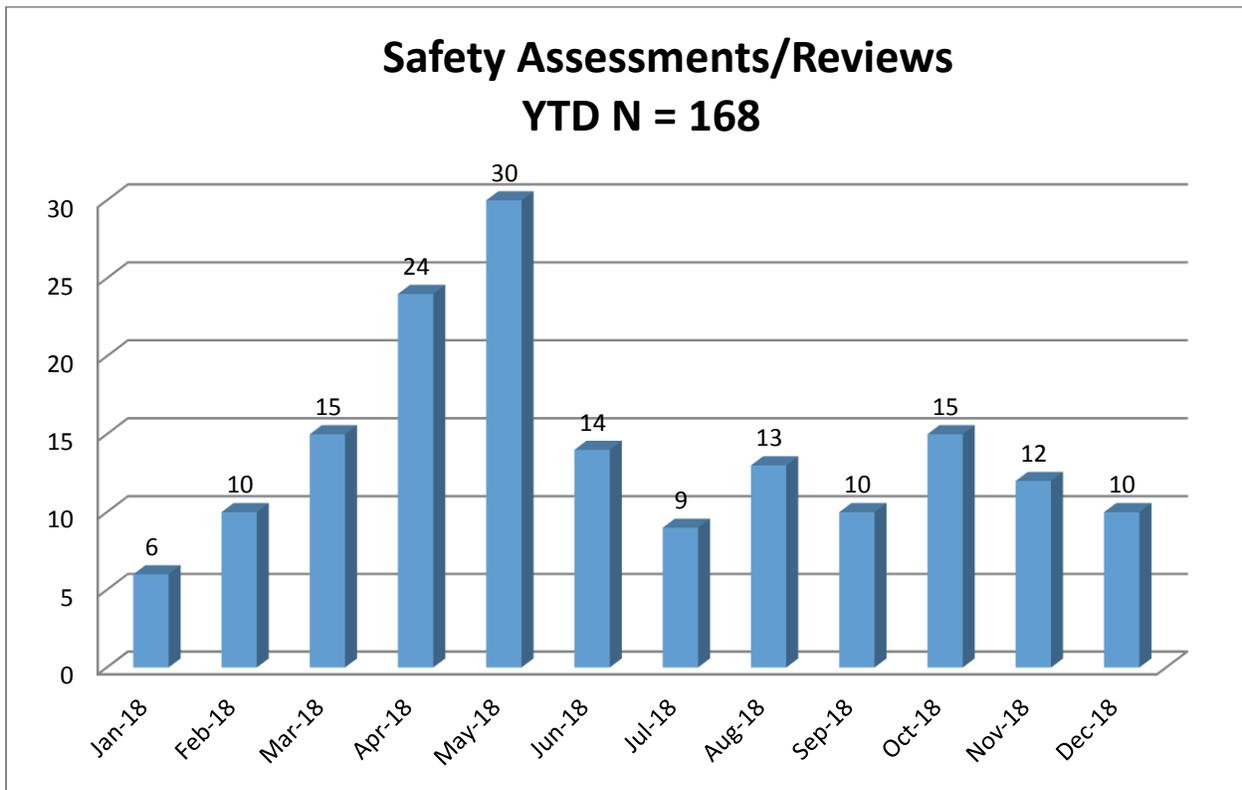
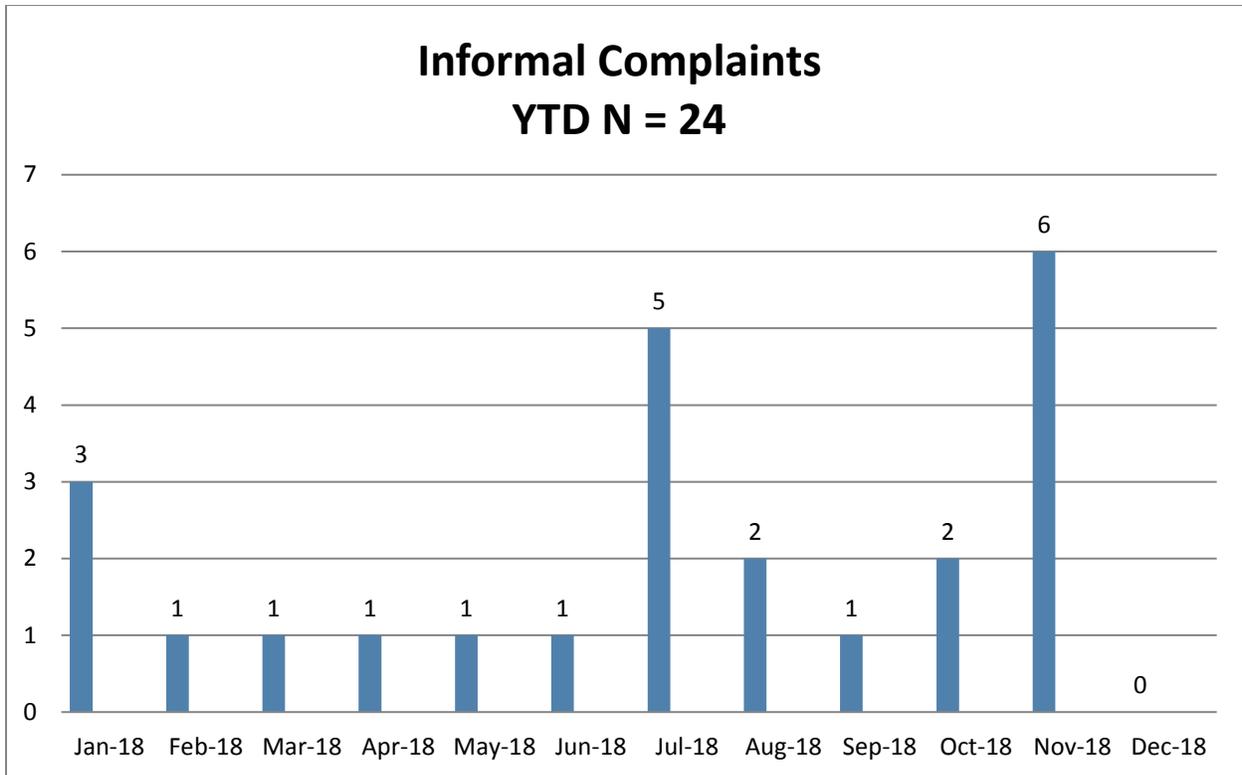
The inspection revealed that there were supply racks used for holding blue flags and for holding locomotive service supplies impeding the trackside walkway within 8’6” of track center, not in compliance with California State Order 26-D section 3-Side Clearances, paragraph(s) 3.1 “Minimum side clearances from center line of tangent standard gauge railroad and street railroad tracks, which are used or proposed to be used for transporting freight cars, except as hereinafter prescribed, shall be as shown below” and (Minimum Description of Side Clearance) 3.2 “All structures and obstructions above the top of the rail except those hereinafter specifically mentioned- 8’ 6”. The defects were documented on a State General Order Report and reported to the UPRR roundhouse foreman at the Roseville Roundhouse and were corrected immediately.

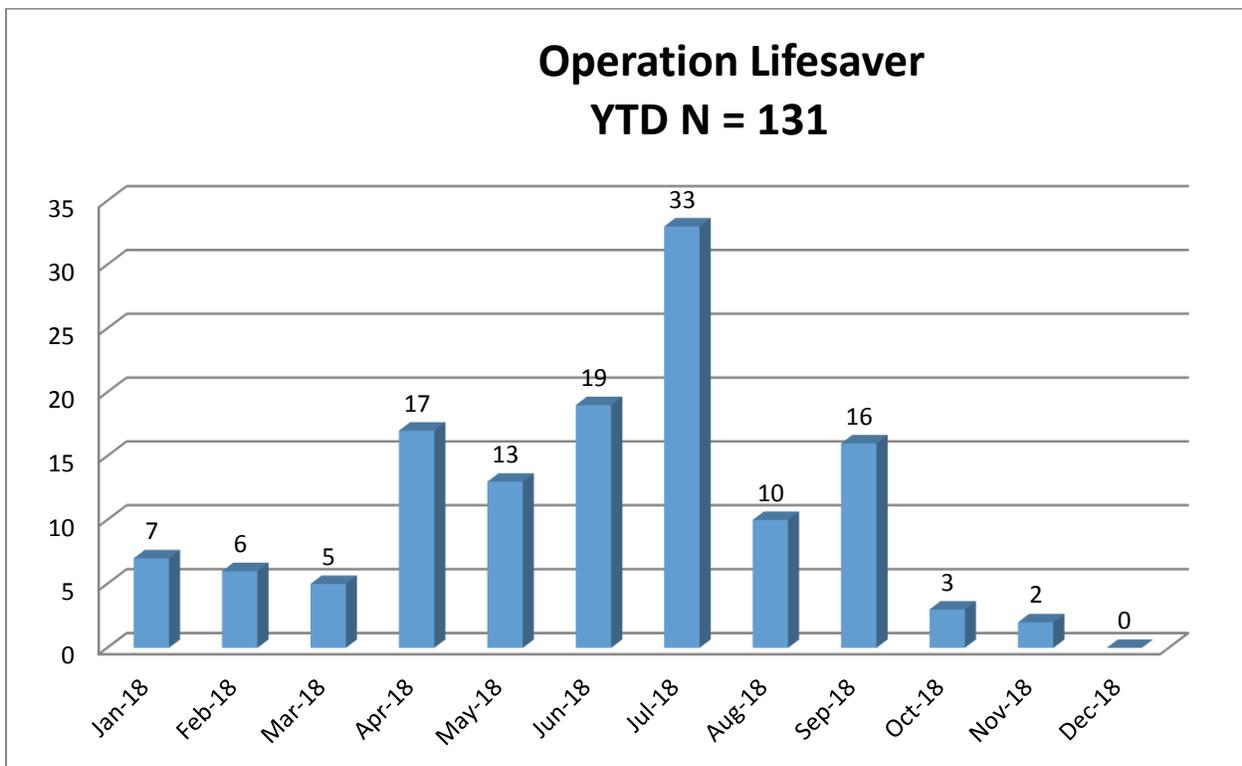
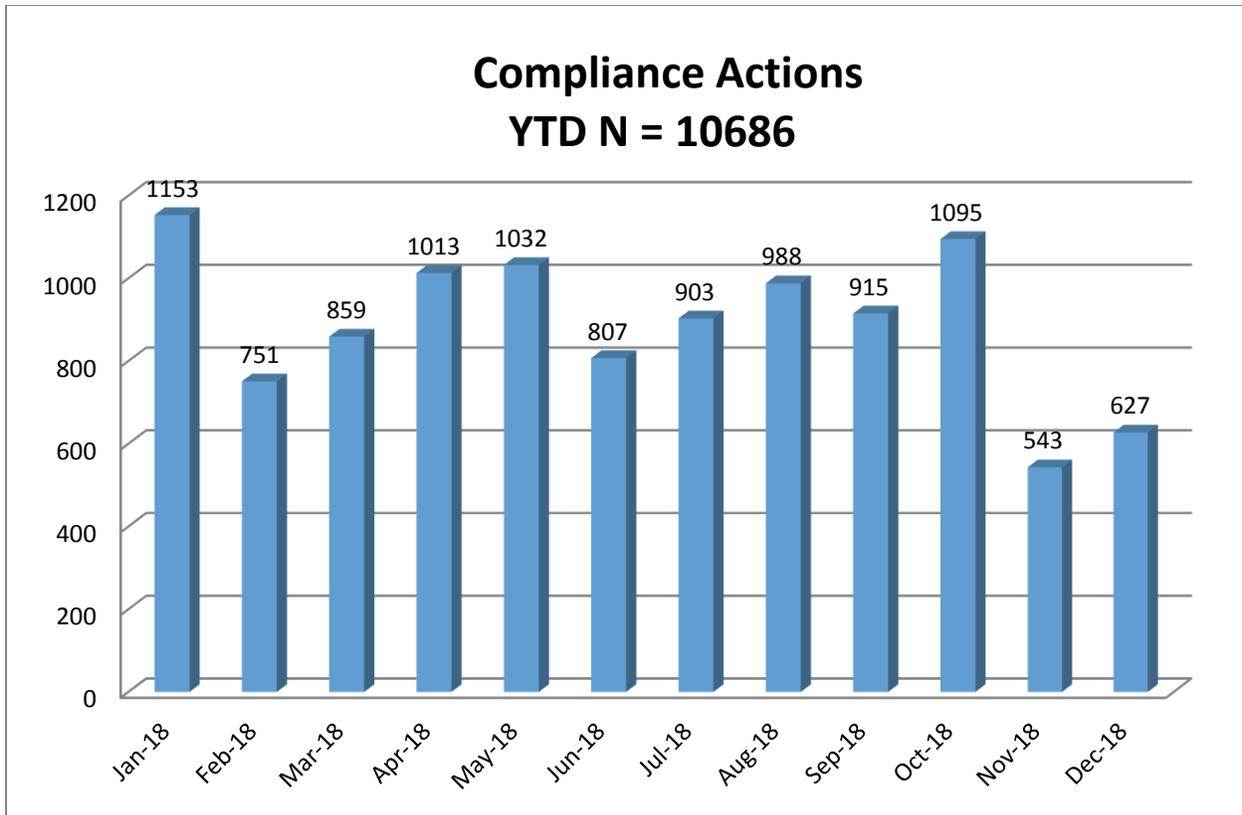
December 18, 2018: CPUC railroad safety inspectors specializing in track conducted a Tunnel Observation with the Union Pacific Railroad. The project goal is to evaluate record and assess

the condition of all railroad and rail transit system tunnels in California. We first documented how many tunnels are on railroads and rail transit systems and then developed a prioritization list on engineering and integrity considerations regarding each tunnel. The tunnel condition prioritization list will be based off physical characteristics such as tunnel lining integrity, water seepage, surrounding portal degradation over the years, damage within tunnels, and at portals from derailments, and accidents. We also consider the age (year built) and other factors, potentially not yet determined.

During the inspection the CPUC railroad safety inspectors gather information including the GPS coordinates. Measure the height above the rail to the ceiling of the tunnels. We also measure the width of the tunnel from wall to wall. The inspectors note the year and weight of the rail and take rail wear measurements for head loss and gage face at multiple locations inside the tunnel. The inspectors take notes of any tunnel conditions including bulges, cracks, spalls, drainage, and fouled ballast. Photos are taken and attached to the reports that are filed. There is also a video recording made of the entire tunnel interior then filed for future comparison. This information will then be available and be updated as needed.







OFFICE OF RAIL SAFETY

RAIL CROSSINGS AND ENGINEERING BRANCH - RCEB

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

	New	New YTD	Closed	Closed YTD
Crossing Incident Reviews	17	221	28	179
Safety Assessments/Quiet Zones/Reviews	27	393	27	393
Proceedings, Resolutions and G.O. 88-B Reviews	7	94	8	111
Operation LifeSaver Presentations	1	44	1	44

RAIL CROSSING INCIDENT INVESTIGATIONS

In December 2018, the Rail Crossings and Engineering Branch (RCEB) assigned 15 new incidents at highway-rail crossings, one incident at a highway-LRT crossing, and one incident near a crossing. These 17 collisions resulted in six fatalities and four injuries. RCEB completed 21 crossing incident reviews at highway-rail crossings, two incident reviews at highway-LRT crossings, and five incidents near a crossing. These 28 collisions resulted in five fatalities and 16 injuries. In 2018, RCEB closed 179 incident reviews that resulted in 48 fatalities and 55 injuries.

- INCR2017070015-INCX210707004** – On July 5, 2017 at 16:20 hours, an Amtrak train struck an occupied vehicle at a private at-grade crossing in Unincorporated, Merced County. The review found that an Amtrak train struck a vehicle with passive warning devices. The occupants of the vehicle sustained unknown injuries and taken to a local hospital. A police or BNSF report of this incident was not available for Staff to review. The cause of this incident appears to be the driver of the vehicle that crossed this private crossing before it was safe to do so.
- INCR2018010015-INCX2018010003** - On January 8, 2018 at 13:35 hours, a UPRR Hi-Rail equipment collision with an automobile at the H Street grade crossing Modesto, Stanislaus County. The collision resulted in property damage only. The review found that the Hi-rail vehicle was traveling too fast for the weather conditions and the warning devices did not

operate properly. The Hi-Rail vehicle not being able to stop before entering the crossing led to the collision with the westbound vehicle.

- **INCT2018010076-INCX2018020001** -On January 27, 2018 at 18:25 hours, a UPRR train struck a vehicle at the Monte Vista Road grade crossing in the City of Turlock, Stanislaus County. The review found that a vehicle that was high-centered (stuck) on the rails. The driver was not able to free the vehicle and exited the vehicle along with the passengers prior to the train collision. The collision resulted in property damage only.
- **INCR2018020047-INCX2018020012** - On February 18, 2018 at 16:08 hours, a UPRR train struck an unoccupied motorized wheelchair in the Kingsburg, Fresno county. The review found that a pedestrian on a motorized wheelchair stopped at the crossing. A witness stated that the wheelchair seemed stuck on the tracks. The pedestrian got up from the wheelchair attempted to free the wheelchair, gave up, and walked away from the crossing area to a strip mall northeast of the crossing. Police officers searched the mall but were not able to locate the pedestrian. There is no information in the police report indicating the cause for the wheelchair becoming stuck on the tracks. The train collided with the empty wheelchair resulting in property damage only.
- **INCR2018020042-INCX2018020016** - On February 21, 2018 at 04:07 hours, a UPRR train struck an abandoned vehicle at the Buena Vista Street grade crossing in Burbank, Los Angeles County. The review found that the northbound motorist on Buena Vista Street made a left turn towards Vanowen Street and drove onto the railroad tracks. The driver exited the vehicle prior to the collision with the train. A video, captured by the traffic cameras at the intersection, shows that the train activated all warning devices before, during, and after the incident collision. The motorist made the left turn onto the southbound Buena Vista Street rather than Vanowen Street, which resulted in the collision as the UPRR train arrived at the crossing. The collision resulted in property damage only.
- **INCR2018020055-INCX2018030003**- On February 24, 2018 at 07:58 hours, an AMTRAK train traveling eastbound struck a trespasser in the City and County of Fresno. The review found that an Amtrak ticket agent observed a trespasser moving from a bench at the Amtrak

Depot platform, then lying face down on a track as the train approached the Depot. The police report classified the incident as a suicide.

- **INCR2018030035-INCX2018030008** - On March 9, 2018 at 08:45 hours, an eastbound Amtrak train struck a vehicle at the R Street grade crossing in the City and County of Merced. The review found that the Amtrak train struck the rear end of a vehicle that drove around the down crossing gate arm. After the train collision, the subject vehicle spun around and struck the front of another vehicle stopped at the crossing. The driver of the vehicle, passenger, and the driver of the second vehicle sustained minor injuries. As the train approached the crossing, the engineer sounded the locomotive horn and the train activated the gates and warning devices.
- **INCR2018030070-INCX2018080016** - On March 23, 2018 at 23:48 hours, a southbound UPRR struck an unoccupied vehicle at the Vine Street grade crossing in Fowler, Fresno County. The review found that an eastbound vehicle on Vine Street became stuck on the track. According to the FRA Form 57 report, the vehicle stopped on the crossing before gates descended. According to the police report, due to construction at and near the railroad crossing, the traffic control had concrete barriers and signs on the east and west side of the track prohibiting access to Vine Street. The construction work cut away a portion of the Vine Street roadway causing a large gap between the roadway and the track. The driver of the vehicle saw the barricades but decided to drive around the east side barricade. As the driver attempted to drive around the barricade, the driver drove off the edge of the Vine Street roadway and got stuck on the track. The driver exited the vehicle before the train collision. The driver sustained no injuries and the police determined he was driving under the influence.
- **INCR2018030057-INCX2018030019** - On March 21, 2018 at 15:39 hours, a Metrolink train struck a vehicle at the Broadway Street grade crossing in Glendale, Los Angeles County. The review found that according to the FRA incident report the passenger train struck a vehicle at the crossing and the car fled the scene. There is no further information available to determine the circumstances of the incident.

- **INCR2018030082-INCX2018030021** - On March 29, 2018 at 12:50 hours, a westbound UPRR train struck a vehicle at the Temple Avenue grade crossing in Pomona, Los Angeles County. The review found that the northbound motorist noticed the activation of the warning devices but still proceeded to drive onto the crossing area. The motorist couldn't move away from the track due to other stopped vehicles in front of the motorist. The UPRR train attempted to stop but could not avoid the collision striking the bumper of the vehicle. The collision resulted in property damage only. Staff's field review on 4/22/2018 observed a high number of vehicles stopping at the crossing north of the track. Staff scheduled a meeting with UPRR and City to review preemption and to go over safety enhancement items.
- **INCR2018040001-INCX2018040005** - On April 01, 2018 at 16:15 hours, a BNSF train struck an unoccupied vehicle at the Road 27 grade crossing in the City and County of Madera. The review found that the driver exited the vehicle prior to impact. At the time of the incident, construction of a high-speed rail overpass closed the Road 27 grade crossing. The northbound approach to the crossing had signs indicating the road closure and traffic detour. This incident is like two other later incidents (INCX 2018040006 and INCX2018050028) that followed at this crossing. As in the other two incidents, Staff suspects that the vehicle driver drove around the K-rail and became stuck (high-centered) on the rails. The driver of the vehicle, after failing to remove the vehicle from the rails, exited prior to impact.
- **INCR2018040038-INCX2018040006** - On April 15, 2018 at 23:01 hours, a westbound Amtrak train struck an unoccupied vehicle at the Road 27 grade crossing in Unincorporated Madera County. The review found that at the time of the incident, construction of a high-speed rail overpass closed the Road 27 grade crossing. A westbound Amtrak train struck an unoccupied pick-up truck that stopped on the crossing prior to impact. According to the police report, the truck became stuck on the rails, then drove 100-150 feet west of the crossing along the rail right of way. The police officer notes that a construction sign was down, allowing access to the construction area. The northbound approach to the crossing

has signs indicating the road closure and traffic detour. The driver drove around the K-rail and became stuck (high-centered) on the rails which led to the collision.

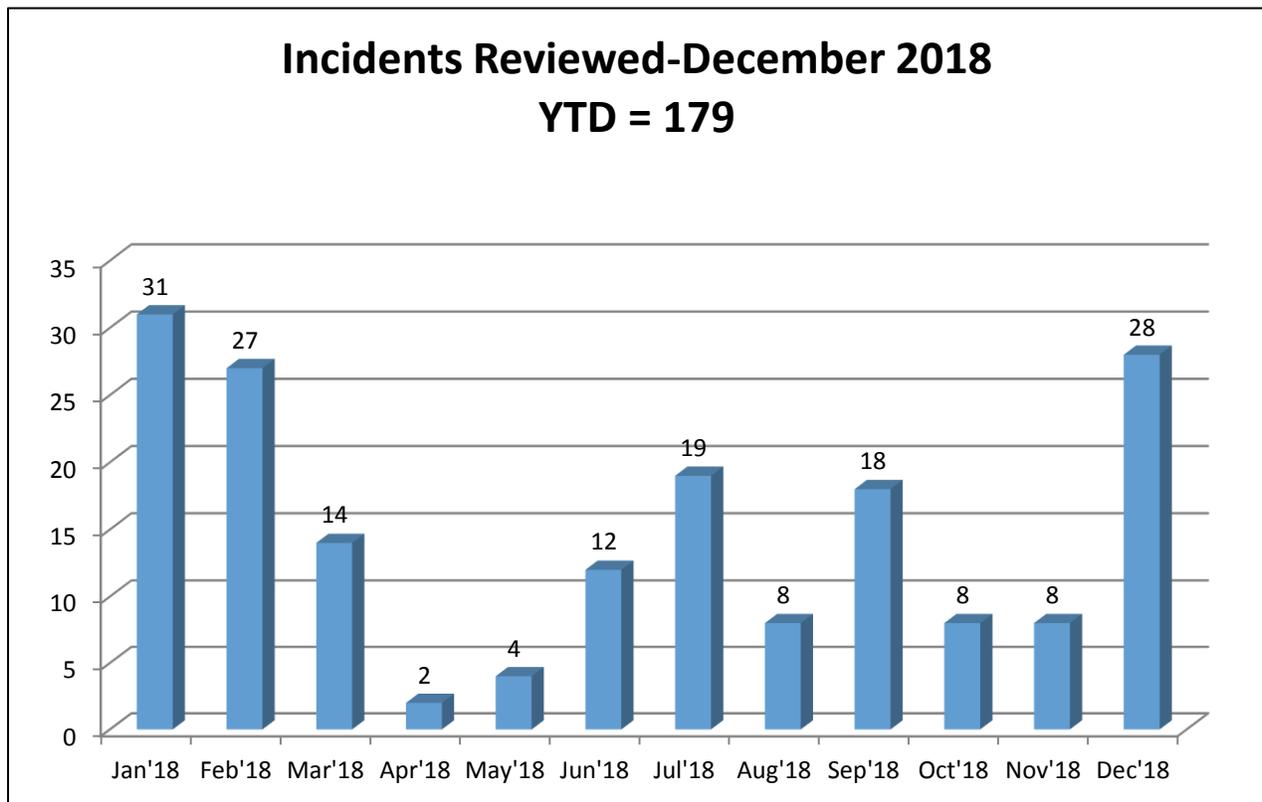
- **INCR2018040058-INCX2018050006** - On April 25, 2018 at 16:30 hours, a UPRR train struck an unoccupied vehicle at the Paramount Boulevard/Rosecrans Boulevard grade crossing in Paramount, Los Angeles County. The collision resulted in property damage only. The review found that the Paramount Blvd./Rosecrans Ave. grade crossing has a single track going through the intersection diagonally between the NW and SE quadrants. Traffic signals control the intersection and the crossing has a wayside horn. The signalized intersection controls through and protected-left turn movements. The FRA incident report states that the motorist did not stop, and an eastbound freight train struck the motorist resulting in an injury. Staff is unable to determine the circumstances of the incident based on the limited information.
- **INCR2018040046-INCX2018050008** - On April 19, 2018 at 17:05 hours, an eastbound Metrolink train struck a trespasser in the City and County of Los Angeles. The review found that the train horn and bell were sounding, and all pedestrians appeared to be waiting on the platform well clear of the yellow warning line, and away from the train. As the train approached the station, a camera captured the sound of a collision with the subject trespasser outside of camera view. The train made contact at approximately 5 mph while braking to stop at the station. The incident location identified in the ROSB report was not at the station crossings. With no other information available, RCEB staff is unable to determine the circumstances of the incident.
- **INCR2018050007-INCX2018050010** - On May 2, 2018 at 17:05 hours, a Modesto Empire Traction Company (MET) train struck a pedestrian at the Empire Avenue grade crossing in Modesto, Stanislaus County. The review found that a westbound MET train struck a northbound bicyclist on Empire Road attempting to cross the crossing. The bicyclist rode around traffic stopped at the crossing. The train crew blew the locomotive horn and yelled to get the bicyclist's attention. The lights of the warning devices flashed, and bells sounded at the crossing. A companion of the bicyclist, who stood on the other side of the crossing also yelled at the bicyclist to stop as the train approached the crossing. The bicyclist

sustained injuries as a result of this incident. The inattentiveness of the bicyclist caused this incident.

- **INCR2018050021-INCX2018050022** - On May 13, 2018 at 00:42 hours, an eastbound BNSF train struck an unoccupied vehicle at the Road 27 grade crossing in Unincorporated Madera County. The review found that at the time of the incident, construction of a high-speed rail overpass closed the Road 27 grade crossing. A northbound truck stalled or stopped on the crossing. The occupant of the vehicle exited the vehicle prior to impact. The northbound approach to the crossing had signs indicating the road closure and a traffic detour. At the time of the incident visibility would be dark, leading staff to suspect that in the darkness, the driver drove around the K-rail and became stuck (high-centered) on the rails. This incident was like two earlier incidents (INCX2018040005 and INCX2018040006) at the same crossing.
- **INCR2018050036-INCX2018060002** - On May 17, 2018 at 19:30 hours, a westbound BNSF train struck a trespasser in the City and County of Fresno. The review found that the incident occurred on a single main track line along the rail right of way. The subject trespasser intentionally stood on the track with the trespasser's back facing the approaching train. The collision resulted in injuries to the trespasser. The incident did not occur at a crossing.
- **INCR2018050049-INCX2018060003** - On May 23, 2018 at 02:55 hours, a westbound BNSF train struck a pedestrian at the Road 26 at-grade crossing in the City and County of Madera. The collision resulted in a fatality. The review found that ROSB determined the incident as a suicide.
- **INCR2018060051-INCX2018070006** - On June 18, 2018 at 17:50 hours, an eastbound Amtrak train struck an occupied vehicle at the Franklin Road grade crossing in Merced County. The review found that according to the police report, a CHP sergeant reviewed the video of the incident from the on-board train camera which showed the vehicle stopped on the track and the railroad crossing arms operating properly prior to the time of collision. A witness stated that the driver attempted to remove the vehicle but was unsuccessful. No information is available to explain how the vehicle got stuck on the tracks.

- **INCR2018070050 – INCX2018070012** - On July 14, 2018 at 13:51 hours, a BNSF train traveling eastbound struck a trespasser in Fullerton, Orange County. The review found that according to the Fullerton Police Department report, the train injured the trespasser that attempted suicide by walking onto the path of the moving train. The incident did not occur at a grade crossing.
- **INCR2018090031-INCX2018090005** - On September 10, 2018 at 19:06 hours, a southbound Amtrak train struck a vehicle at a private crossing resulting in a fatality in Salinas, Monterey County. The review found that a pick-up truck pulling a trailer turned off HWY 101 and approached the private crossing from east to west at an unknown low speed. The motorist failed to obey the STOP sign as a northbound Amtrak train approached the crossing. The train was unable to stop within the remaining distance and collided with the pick-up truck and trailer. The collision resulted in the fatality to the motorist.
- **INCR2018090045-INCX2018090009** - On September 16, 2018 at 08:59 hours, a Metrolink train struck a pedestrian at the Doran Street grade crossing in Glendale, Los Angeles County. The collision resulted in a fatality. The review found that the Los Angeles Coroner determined the fatality to be a suicide.
- **INCR2018090066-INCX2018090019** - On September 19, 2018 at 15:20 hours, a westbound BNSF train struck a vehicle at the Minaker Drive grade crossing in Antioch, Contra Costa County. The review found that according to the Antioch Police Department Event Report, the BNSF train struck the semi-truck. The Event Report did not provide any further information, therefore, RCEB did not have enough information to determine the circumstances of the incident. The collision resulted in property damage only.
- **INCR2018090085-INCX2018100003** - On September 28, 2018 at 09:50 hours, a westbound BNSF train struck a pedestrian at the S. Lincoln Street grade crossing in Stockton, San Joaquin County. The review found that according to the police report, the pedestrian was walking southbound across the tracks on the west side of the crossing as the train approached the crossing. The pedestrian did not look up or at the train. The train crew reports that the person was not reacting to the train horn. The collision resulted in injuries to the pedestrian.

- **INCR2018100043-INCX2018100012** - On October 11, 2018 at 14:58 hours, a UPRR train struck a vehicle at the P Street grade crossing, in the City and County of Sacramento. The review found that according to the police report, the incident did not happen at the P Street grade crossing. The driver parked the vehicle in a lot adjacent to the tracks. The driver then backed up the vehicle onto the path of the oncoming train. The collision pushed the vehicle towards the grade crossing and resulted in an injury.
- **INCT2018100025 – INCX2018100015** - On October 23, 2018, at 18:24 hours, a westbound light rail vehicle (LRV) struck a scooter along Commercial Street at or near 21st Street in the City and County of San Diego. The review found that two persons on an electric scooter were riding quickly alongside the LRV, lost control, and struck the LRV. Both persons lost their balance and fell against the side of the LRV. Emergency responders transported the riders to the hospital for unknown injuries. The incident occurred along street running track of Commercial Street near 21st Street.
- **INCR2018100087-INCX2018110004** - On October 30, 2018 at 10:34 hours, an NCTC train struck a person, in the City and County of San Diego. The review found that based on Staff's discussion with NCTD, a pedestrian appeared to be reading a book while moving westbound across the transit tracks, then across the shared platform between the transit and railroad tracks. As the train was moving into the station, the pedestrian continued to move across the platform and into the side of the Coaster train. The incident resulted in injuries to the pedestrian. The incident location was approximately mid-platform, not at a grade crossing.
- **INCT2018110036-INCX2018110013** - On November 25, 2018, at 21:44 hours, an eastbound light rail vehicle struck a pedestrian at the 66th Street pedestrian crossing in the City and County of San Diego. The review found that the person was standing south of the tracks. As the train proceeded into the crossing, the individual turned around with their arms raised in the air and ran towards the path of the train. The collision resulted in a fatality and is a possible suicide.

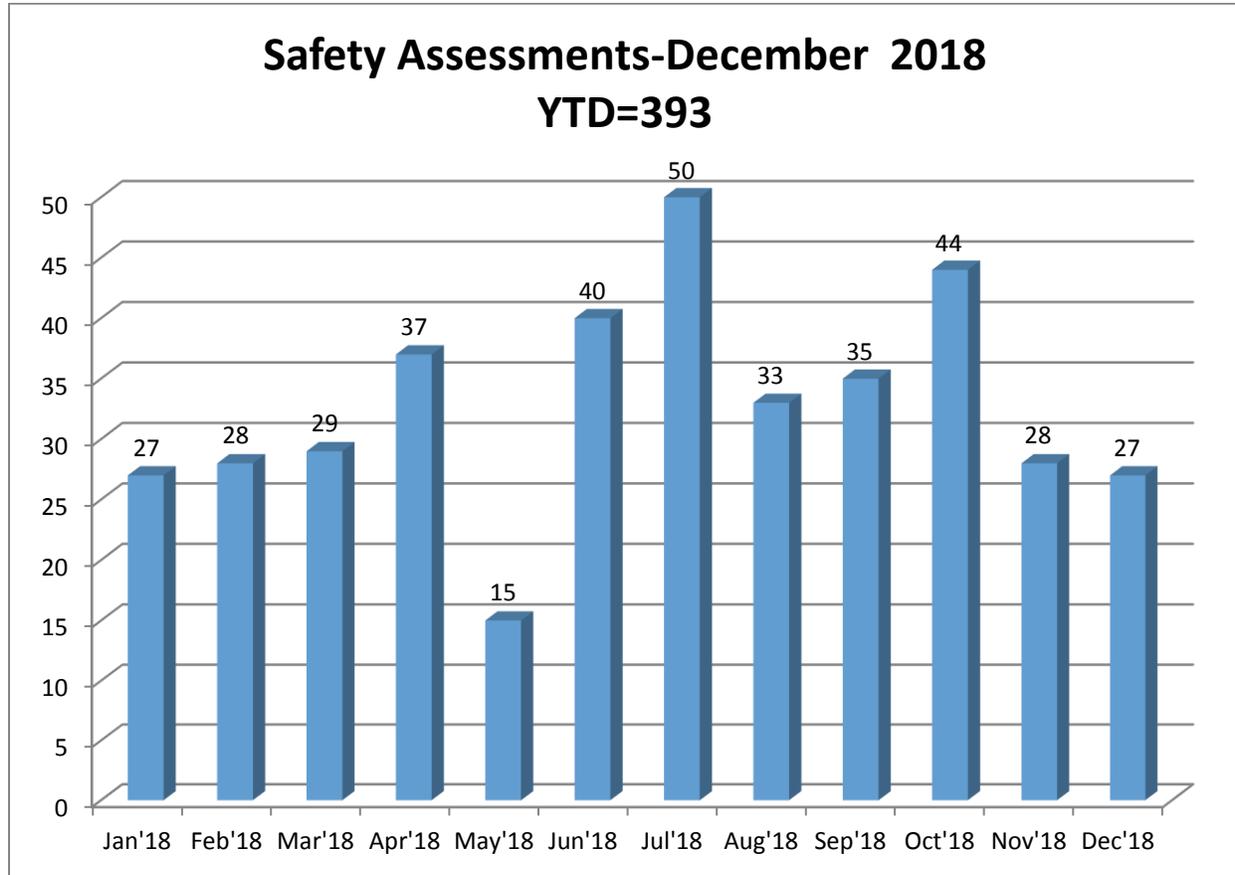


SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

In December 2018, RCEB completed 27 rail-crossing safety assessments involving: communications, field inspections, and diagnostic reviews with railroads and local agencies. These activities review existing crossings and proposed changes to crossing warning devices. Staff corrected the number of new assessments for November from 29 to 28 to indicate the correct number of assessments.

ROSB and RCEB staff are working with Caltrans, BNSF, City of Escalon and the Federal Highway Administration in the implementation of an experimental project. The project requests authorization to install red pavement markings on the dynamic envelop to warn drivers at the Yosemite Avenue highway-rail at-grade crossing, in Escalon, to avoid stopping on the tracks. The project received approval to experiment from the California Traffic Control Devices Committee; however, the Federal Highway Administration (FHWA) determined that the red pavement marking should be only used for bus transit operations. ROSB and RCEB staff plan on

meeting with Caltrans research staff in January/February 2019 to review the proposal and continue with the experimentation. The colorized dynamic envelop project is like the Florida project where Florida marked the dynamic envelop in yellow.



PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

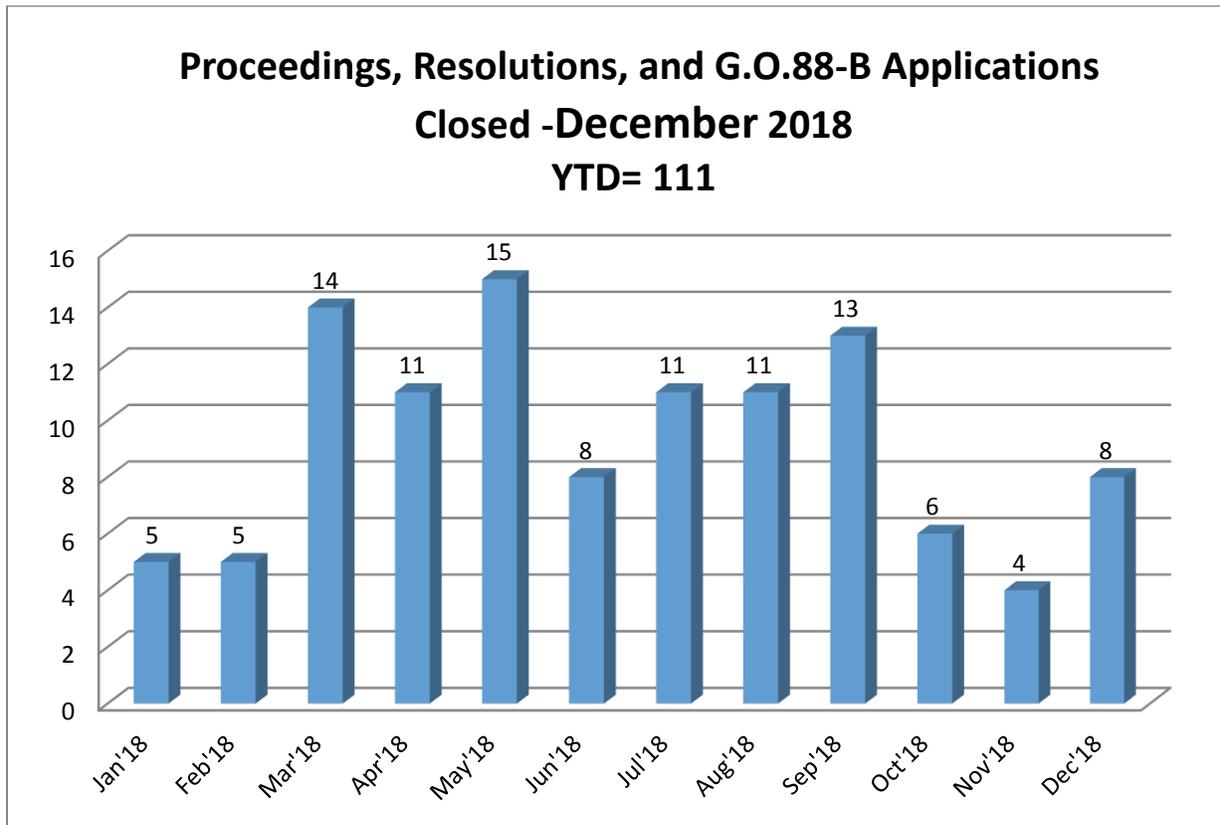
In December 2018, RCEB staff assigned a formal proceeding with the ALJ and received six new General Order 88-B applications for changes to existing crossings. This month, RCEB closed eight General Order 88-B applications.

- **GO 88B -XREQ 2018110001** – On December 3, 2018, staff authorized a request by the City of Dixon to alter the State Route 113 (First Street) at-grade highway-rail crossing in the City of Dixon, Solano County. The alterations include installation of new sidewalk with detectable warning devices, curb and gutter on all four quadrants, vehicle detection loops, quad gate warning devices, updating pavement markings, Do Not Stop on Tracks signs,

skewed crossing warning signs, and additional concrete panels. The authorization expires on December 3, 2021.

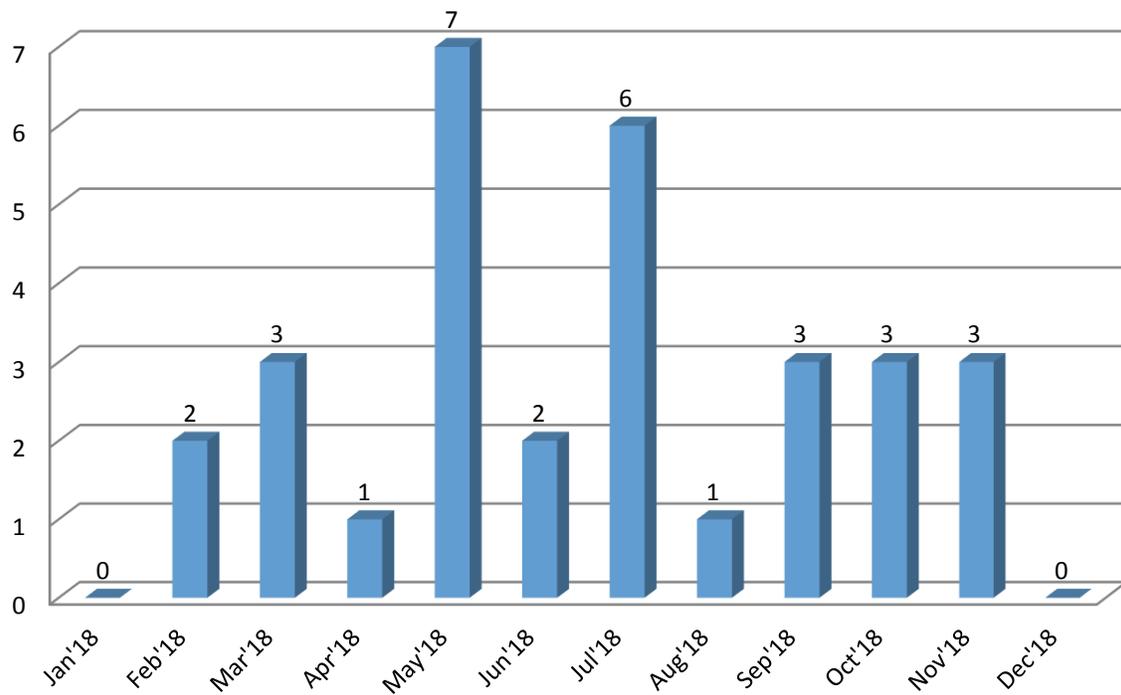
- **GO 88B -XREQ 2018110002** – On December 3, 2018, staff authorized a request by the County of El Dorado to alter the Blanchard Road at-grade highway-rail crossing in the Unincorporated area of El Dorado County. The El Dorado Western Railroad plans to begin service over the crossing with excursion trains soon. The alterations include installation of a bike/pedestrian path on the west side of the tracks, new stripped crosswalk, stop control signs and markings, High Intensity Activated Crosswalk warning devices, and Standard 1-R warning devices. The authorization expires on December 3, 2021.
- **GO 88B -XREQ 2018110003** – On December 3, 2018, staff authorized a request by the City of San Rafael to alter the 2nd Street at-grade highway-rail crossing in the City of San Rafael, Marin County. The alterations include a pre-signal, railroad preemption, turn restrictions and blank-out signs, signage and pavement markings. The authorization expires on December 3, 2021.
- **GO 88B -XREQ 2018110004** - On December 19, 2018, staff authorized a request by the City of San Rafael to alter the 3rd Street at-grade highway-rail crossing in the City of San Rafael, Marin County. The alterations include a pre-signal, advance railroad preemption, and signage and pavement markings. The authorization expires on December 19, 2021.
- **GO 88B -XREQ 2018110005** - On December 20, 2018, staff authorized a request by the California High Speed Rail Authority to alter the West McKinley Avenue at-grade highway-rail crossing in the City and County of Fresno. The alterations include realignment of Golden State Boulevard, changes to North Weber Avenue, elimination of the West McKinley Avenue at-grade crossing, add a grade separation crossing over UPRR tracks, and installation of access restricted fencing. The authorization expires on December 20, 2021.
- **GO 88B -XREQ 2018110006** - On December 12, 2018, staff authorized a request by the Port of Los Angeles to alter the E Street at-grade highway-rail crossing in the Port and County of Los Angeles. The alterations include a Standard 8 warning devices, sidewalk with detectable warning, wheelchair access ramps, restriping, and signage and pavement markings. The authorization expires on December 12, 2021.

- **GO 88B -XREQ 2018110007** - On December 12, 2018, staff authorized a request by the Port of Los Angeles to alter the D Street at-grade highway-rail crossing in the Port and County of Los Angeles. The alterations include a north side sidewalk with detectable warning, signage and pavement markings. The authorization expires on December 12, 2021.
- **GO 88B -XREQ 2018120001** - On December 12, 2018, staff authorized a request by the San Joaquin Valley Railroad to alter the Shafter Road at-grade highway-rail crossing in Unincorporated Kern County. The alterations include Standard 9 warning devices, new guard rails, new signal cabinet, pull out lanes, restriping, signage and pavement markings. The authorization expires on December 12, 2021.

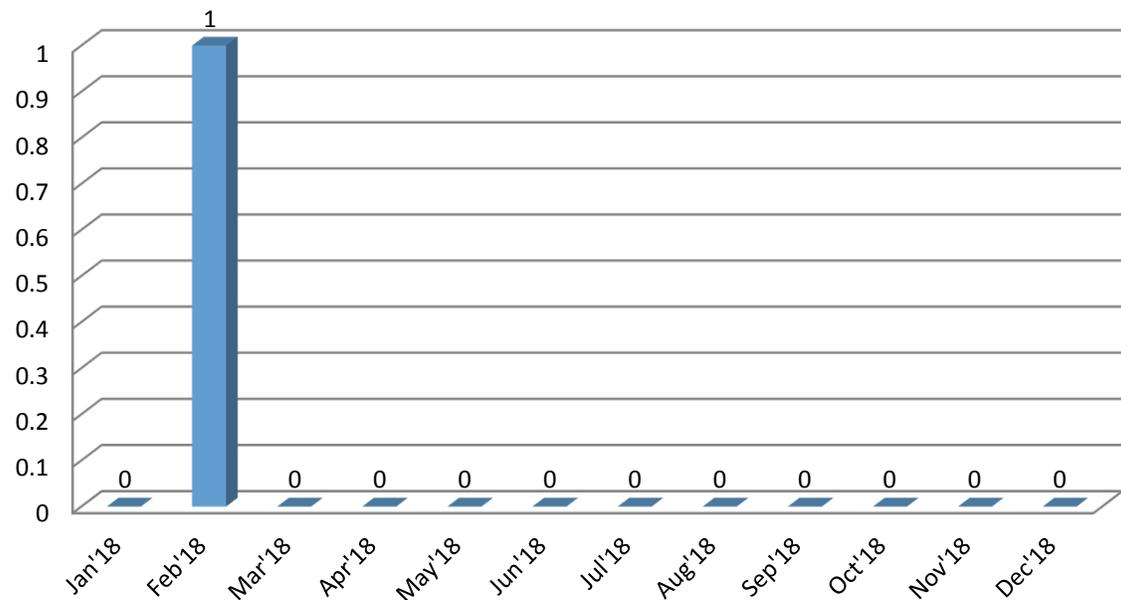


Proceedings -ALJ Closed -December 2018

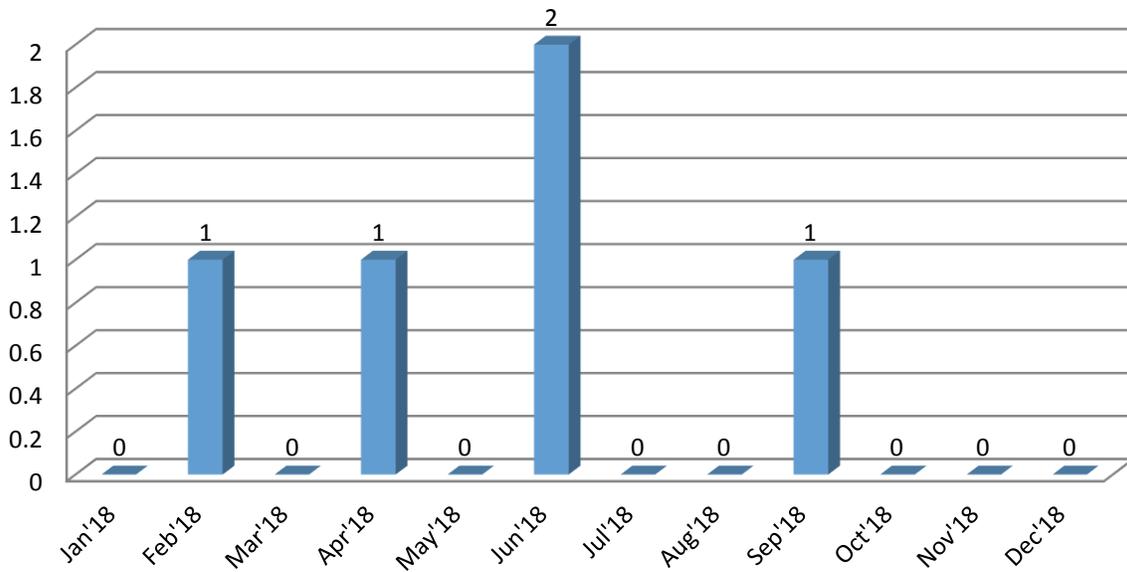
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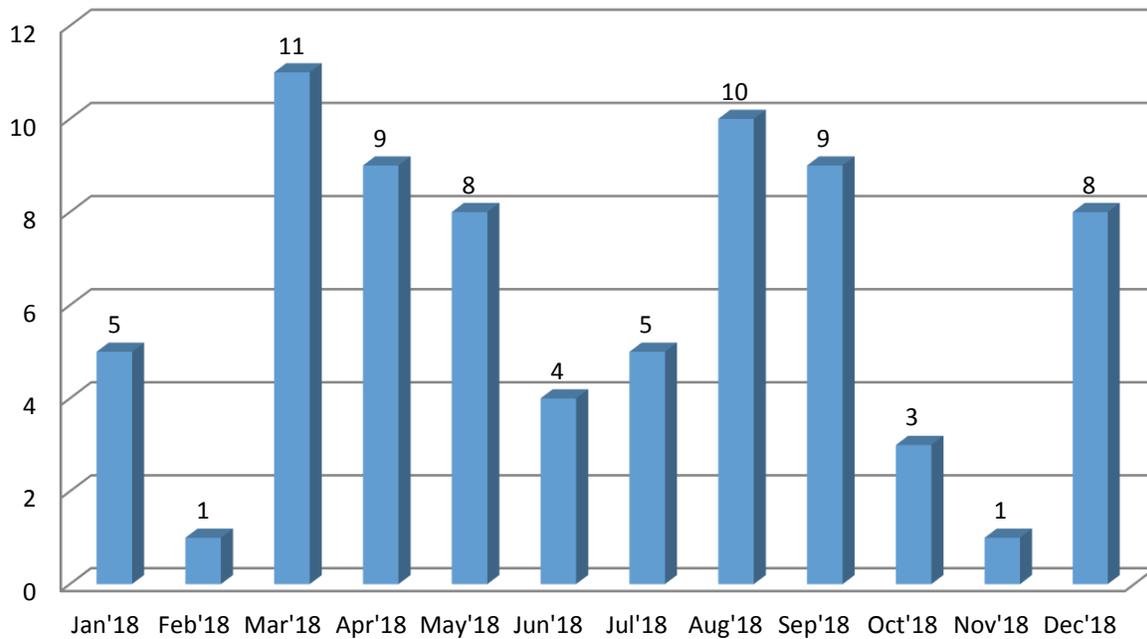
Proceedings-RCEB Closed December 2018, YTD= 1



Resolutions Closed -December 2018
YTD= 5

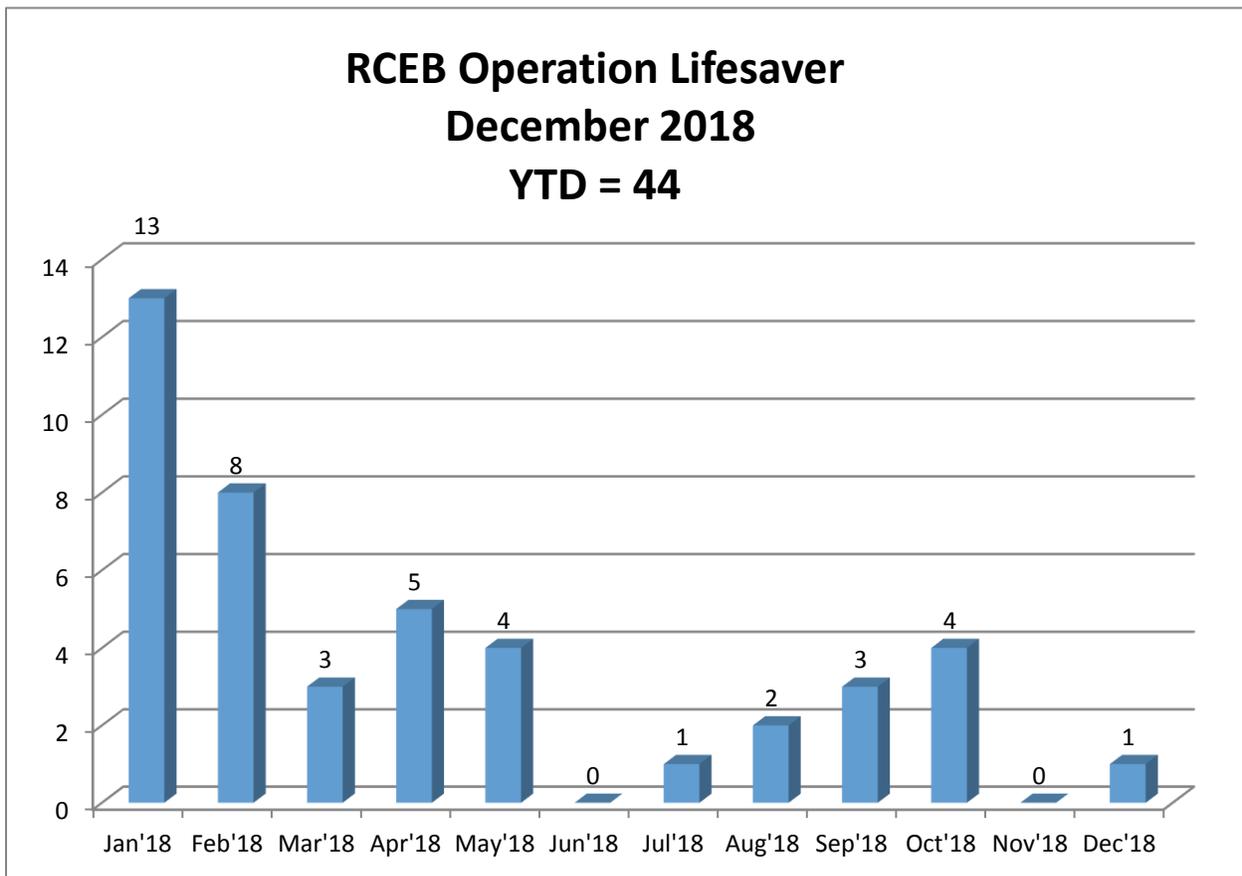


G.O.88-B Applications Closed -December 2018
YTD= 74



OPERATION LIFESAVER INC.

In December 2018, an RCEB Operation Lifesaver Inc. (OLI) volunteer shared the OLI rail safety message with the California Truckers Association in Sacramento. On December 20, 2018, RCEB shared the rail safety message with 10 professional drivers of semi-trailers. As time permits, staff participates in presentations, fairs, and community events to share the OLI rail safety message to the public and professional drivers.



OFFICE OF RAIL SAFETY

RAIL TRANSIT - RTSB

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

CORRECTIVE ACTIONS PLANS

- Fifty-four (54) Corrective Action Plans (CAP's) were opened.
- Five (5) were closed.

INCIDENT INVESTIGATIONS

- Thirty (30) incidents were reported by Rail Transit Agencies (RTA).³
- Thirty-nine (39) incident investigations were closed.

MAJOR AUDITS

- A Triennial Safety and Security Review of North [San Diego] County Transit District (NCTD) was conducted in August. The review covered the twenty-one (21) System Safety Program Plan and five (5) System Security Plan elements required by General Order 164-E. In addition, Staff reviewed agency compliance with other General Orders, such as General Orders 172 and 175-A. RTSB met with NCTD on December 19 to present Staff's findings and recommendations. Staff is drafting a report to provide to NCTD. The draft report will be subject to a thirty-day comment period.
- RTSB and Bay Area Rapid Transit (BART) met on May 29 to discuss the BART Triennial Safety Review Draft Audit Report. The objective was to discuss any concerns BART may have with the draft. BART sent RTSB their comments on the draft report. RTSB incorporated the valid comments into its revised draft report. RTSB plans to place a proposed resolution to adopt the BART Triennial Safety Review Audit Report on an upcoming Commission meeting agenda. A draft of the proposed resolution and report was routed to Legal Division and the Legal Division comments are under managerial review.

³ Per General Order 164-E, the Commission must be notified within 2 hours by rail transit agencies of incidents if they include one of the following: a fatality (occurring at the scene, or within 30 calendar days following the incident); one or more persons suffering "serious injury" (as defined in GO 164-E); a collision involving a rail transit vehicle and another rail transit vehicle, or individual; a derailment of any rail transit vehicle at any location, at any time, whatever the cause; an evacuation for life safety reasons; or a runaway train.

ADMINISTRATIVE ACCOMPLISHMENTS

Training: Patrick Donnelly completed the Transit Rail Incident Investigation course.

PROCEEDINGS / RESOLUTIONS / OTHER FORMAL ACTIONS

Citation Issued: The Commission issued Citation # 1807001 to San Francisco Municipal Transportation Agency (SFMTA or MUNI) on December 11. The citation levied a fine of one hundred twenty thousand dollars (\$120,000). The citation was the result of repeated violations of General Order 172, (Personal Electronic Devices) Sections 3.1(a), 3.1(c), 5.1., and 5.2(a) and for violations of the SFMTA Rail Rule Book's Personal Electronic Devices Rules 2.15.3 and 2.15.4. The violations included non-compliant cell phone use or stowage. Staff observed these violations during several RTSB safety inspections of SFMTA property and personnel observations from late 2017 through July 18, 2018. Staff documented the violations in inspection reports and provided them to SFMTA. The failure of SFMTA management to prevent continued violations compelled RTSB to issue the citation. The agency was notified of its right to appeal the citation. The deadline for filing an appeal with the Commission is January 10, 2019.

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. A final Decision was issued on October 22 in the form of Decision Regarding Alleged Violations by San Francisco Bay Area Rapid Transit District Relating to the October 19, 2013 Fatal Accident (Decision 18-10-020). In part, the Decision imposed a total fine of \$1,348,000 against San Francisco Bay Area Rapid Transit District (BART). The Commission stayed half of the fine under that condition that "San Francisco (BART) remains in compliance with the directives in this Decision during the probationary period." In accordance with the Decision, BART will be on probation for three years from the date of issuance. On November 16, BART filed an Application for Rehearing of the above referenced Decision. In its Application, among other arguments BART

contends that the Decision exceeds the Commission’s jurisdictional authority and further that the Decision is unlawful, an abuse of discretion and a violation of BART’s right to due process. The filing also requests oral argument and that the Decision be suspended until the Application is decided. In a December 3rd Response, SED recommends denial of the Application in its response concluding the following: “The findings in D.18-010-020 are lawful and supported by substantial evidence in light of the whole record. Under Public Utilities Code Section 1757(a)(4) and for the reasons discussed...the Application for Rehearing in this proceeding should be denied in its entirety.”⁴

SAFETY CERTIFICATION AND OVERSIGHT OF RAIL TRANSIT AGENCY PROJECTS

- **AirTrain Extension Project:** On August 10, 2017, Resolution ST-205 approved the San Francisco International Airport’s AirTrain Automated People Mover (AirTrain) Extension Safety Certification Plan (SCP). The project expands the existing AirTrain system to include a new Long-term Parking (LTP) Garage Station and 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. Project culmination and start of revenue service is anticipated to take place in 2019. Staff observed a vehicle dynamic test on December 4th, 2018 and did not identify any items of concern.
- **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 10 new cars into revenue service. RTSB approved this request with a letter dated January 17, 2018. Since that date, RTSB has approved by letter to BART’s General Manager several additional requests for

⁴THE SAFETY AND ENFORCEMENT DIVISION’S RESPONSE TO THE APPLICATION FOR REHEARING OF THE BAY AREA REGIONAL TRANSIT DISTRICT: p. 11. Document filed on December 3, 2018 in the Investigation 16-06-010.

BART to place new vehicles into revenue service with its most recent dated December 21. Fifty-five new vehicles have been approved and placed into revenue service. There are two types of new vehicles, D-Cars and E-Cars. D-Cars have an operator's cab while E-Cars do not.

- **BART Hayward Maintenance Complex Project:** On November 16, 2018, RTSB approved the first phase of this project, the Component Repair Shop, to commence operations.
- **Silicon Valley Berryessa Extension (SBVX):** BART and Santa Clara Valley Transportation Authority (VTA) are currently in the process of constructing a 10-mile BART system track extension and two new stations – the Milpitas and Berryessa stations.
- **Downtown Sacramento Streetcar Project:** The Federal Transit Administration (FTA) has provided funding for preliminary engineering and development for this project, but they have not received an 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 Sacramento Regional Transit District (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):** 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.
- Stations, Track, and Systems Update:
- Chinatown Station - The inner structural shell of the platform and track crossover caverns has largely been completed. Multiple levels of floor slabs have been constructed inside the headhouse, working slowly toward the surface.
- Union Square/Market St Station - The station platform has been completed, and interior walls and other structural elements continue to be installed. Crews have sprayed shotcrete against exterior walls on upper levels of the station and built emergency egress stairwells.

- Yerba Buena/Moscone Station – Crews have begun installing granite art panels on Concourse. A large ventilation structure is being built at the surface of the station headhouse as the first major element of street-level construction.
- Surface, Trackwork and Systems – Along with the 4th-Brannan platform and Overhead Catenary System (OCS) pole installation, sections of rail and track plinths, tunnels' emergency egress walkways and utility struts continue to be installed.
- **LACMTA P3010 New Vehicle Procurement Project:** The Los Angeles County Metropolitan Transportation Authority (LACMTA) 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 provide a conditional 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.
- **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:** Staff regularly attends LACMTA's monthly Fire Life Safety and Security Meetings, as well as Safety and Security Certification Review Committee (SSCRC) meetings and has approved a temporary shoofly track to allow tunnel boring to commence. The Regional Connector Project celebrated its 50% completion on May 19 with a "Halfway There!" community celebration that was free and open to the public.
- **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. Tunneling of the first segment commenced on October 11th, 2018. As of October 22, 2018, the Tunnel Boring Machines (TBMs) have excavated approximated 62 ft. The first segment is approximately 9,670 ft in length, from La Brea Blvd to Western Ave. The TBMs are anywhere from 35 to 95 ft underneath Wilshire Blvd.

- **LACMTA/MGLFECA Foothill Extension Phase 2B:** LACMTA and Metro Gold Line Foothill Extension Construction Authority (MGLFECA) have submitted the project's SCP. Resolution ST-194 provided approval for the document 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 six cities with six new stations on 12.3 miles of light rail transit (LRT) at-grade track.
- **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 the Safety Certification Design Checklists. The next step is the SSCRC's verification of the Safety Certification Construction Checklists. The project is nearly 80% complete. However, the project has experienced significant delays and is an estimated 6 months behind schedule. The substantial completion date was rescheduled from May 1, 2019 to December 2019. While the forecasted revenue service date has been pushed from October 31, 2019 to May 2020.
- **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 despite the lack of LACMTA's identification for near term funding.
- **LAWA Automatic People Mover Project:** Los Angeles World Airports (LAWA), the governing body of Los Angeles International (LAX) and Van Nuys airports, is developing a multi-billion-dollar upgrade to the ground transportation system at 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. The Commission approved Resolution ST-212 on October 11, 2018. This Resolution adopted LAWA's Safety and Security Certification Plan.

- **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. Revenue service is scheduled to commence in 2021. Staff continues to attend the SSRCR and Fire Life Safety Committee meetings for this project. On November 30, 2018, the Federal Transit Administration awarded a full-funding grant agreement for \$129 M to OCTA for the 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 Safety and Security Certification Plan (e.g. Certificates of Conformance and associated supporting documentation for certifiable elements at pertinent project milestones), and observations of vehicle testing. On 12/7/2018, RTSB staff authorized SFMTA to place two more LRV4 cars into revenue service. In December, SFMTA submitted documentation and requested authorization to place an additional four certified cars into revenue service. The request is under review.
- **San Diego Trolley, Inc. (SDTI) Mid-Coast Corridor Project:** The San Diego Metropolitan Transit System's (SDMTS) 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.

- **San Diego Light Rail Vehicle Procurement:** SDTI is procuring 45 light rail vehicles (LRV) for the Mid-Coast Corridor Project. The procurement process began January 2018 with an expected schedule completion and acceptance of all 45 LRV's by June 2021. Commission Resolution ST-217 formally accepts the SDMTS LRV Procurement SCP and was approved on October 11, 2018. Car Nos. 5001-5003 are currently on-site at the SDTI Yard and are undergoing static tests. Staff will be participating in the acceptance testing throughout the procurement process.

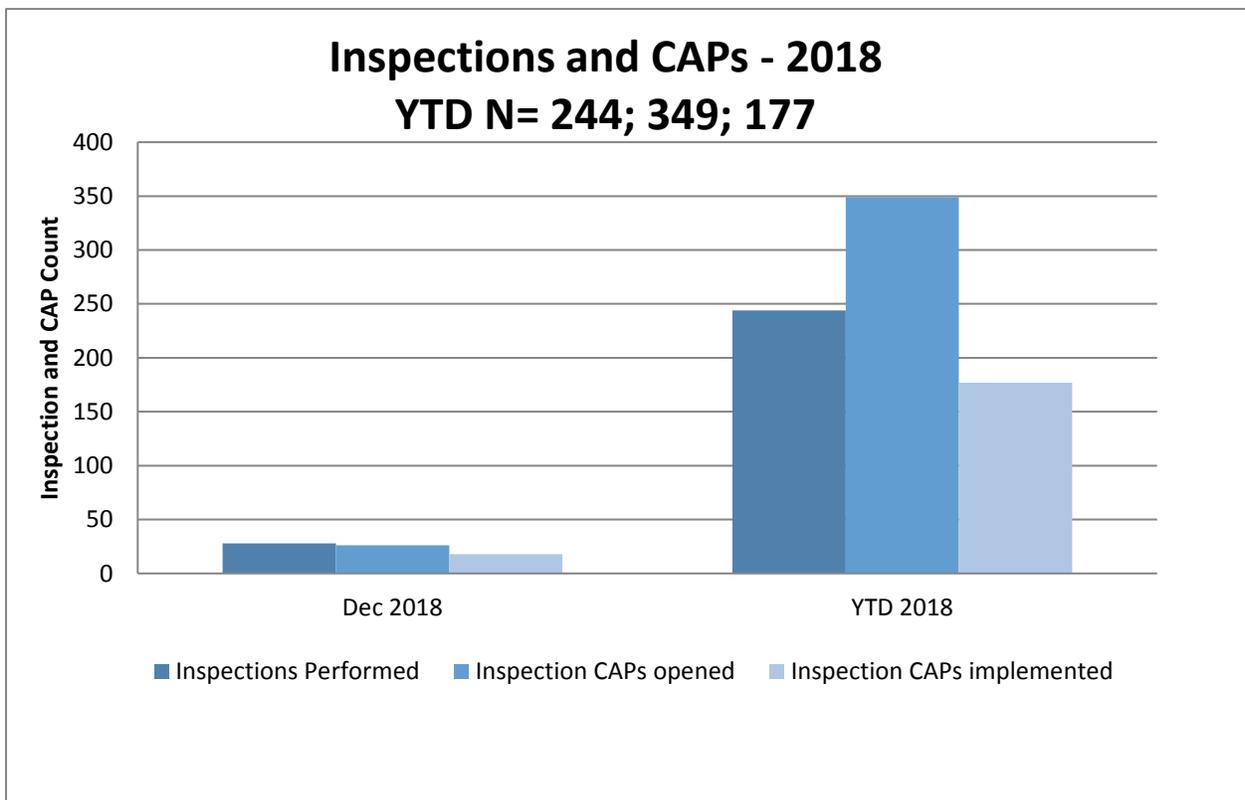
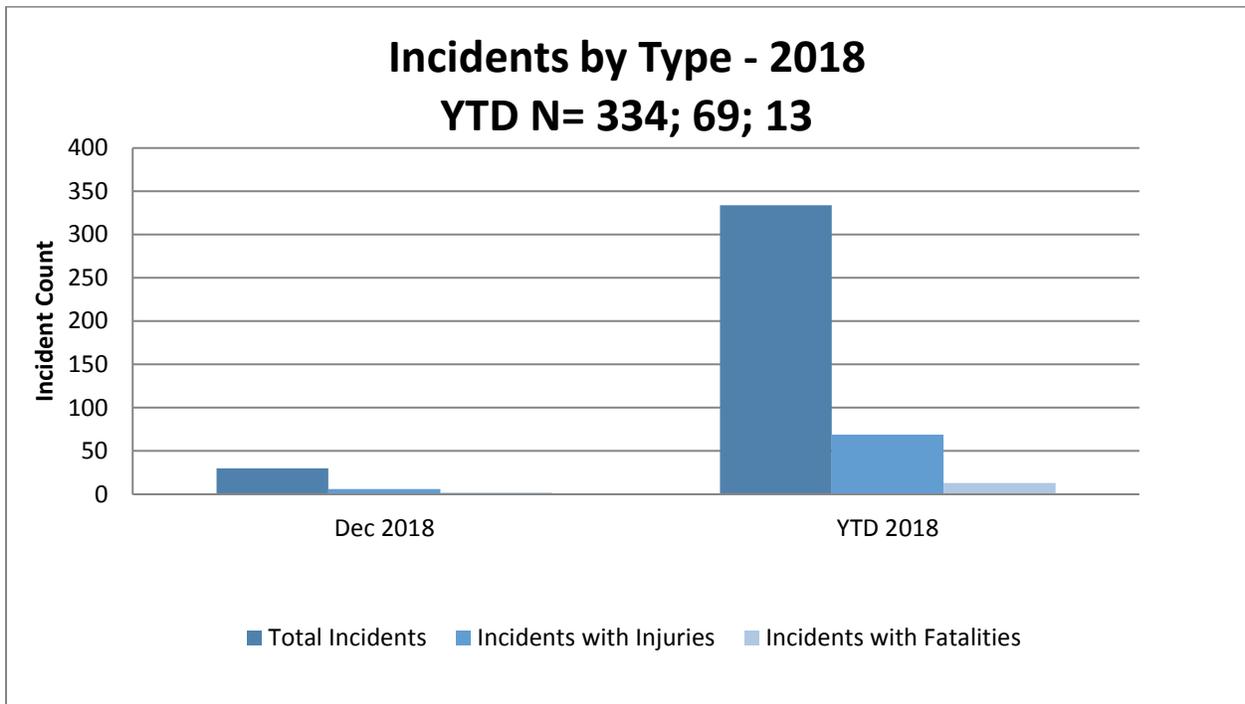
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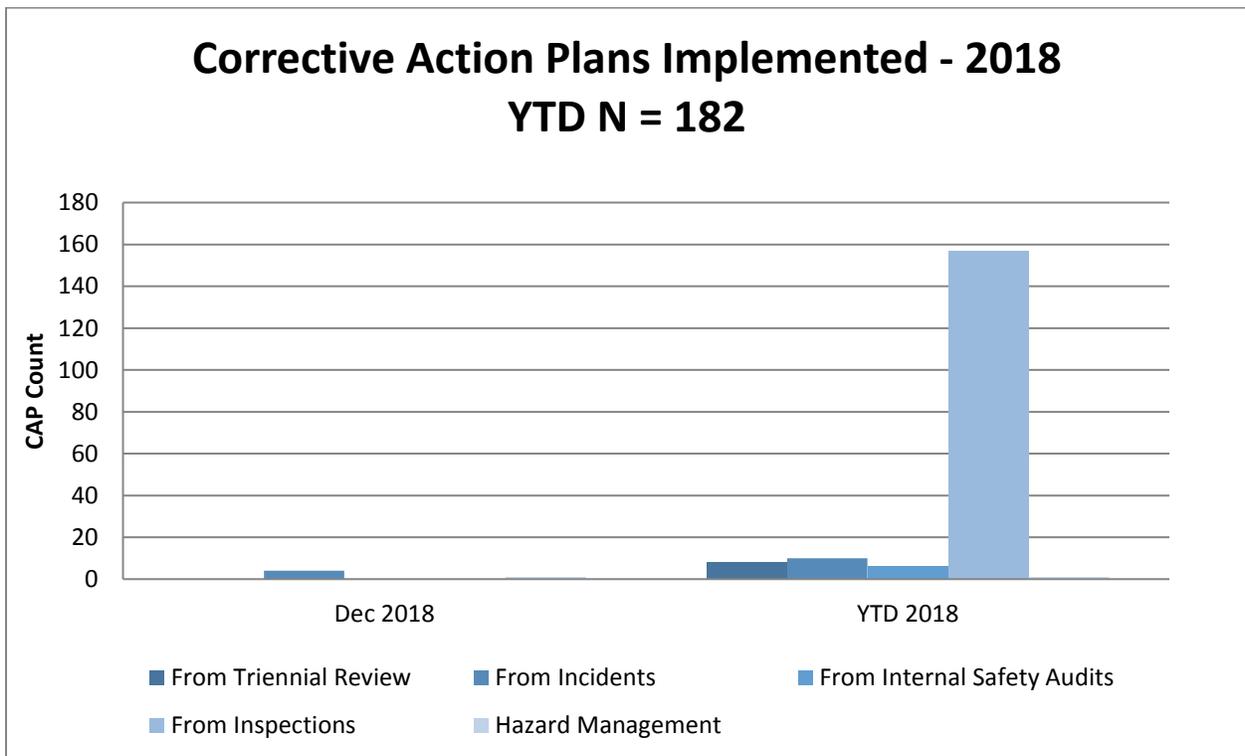
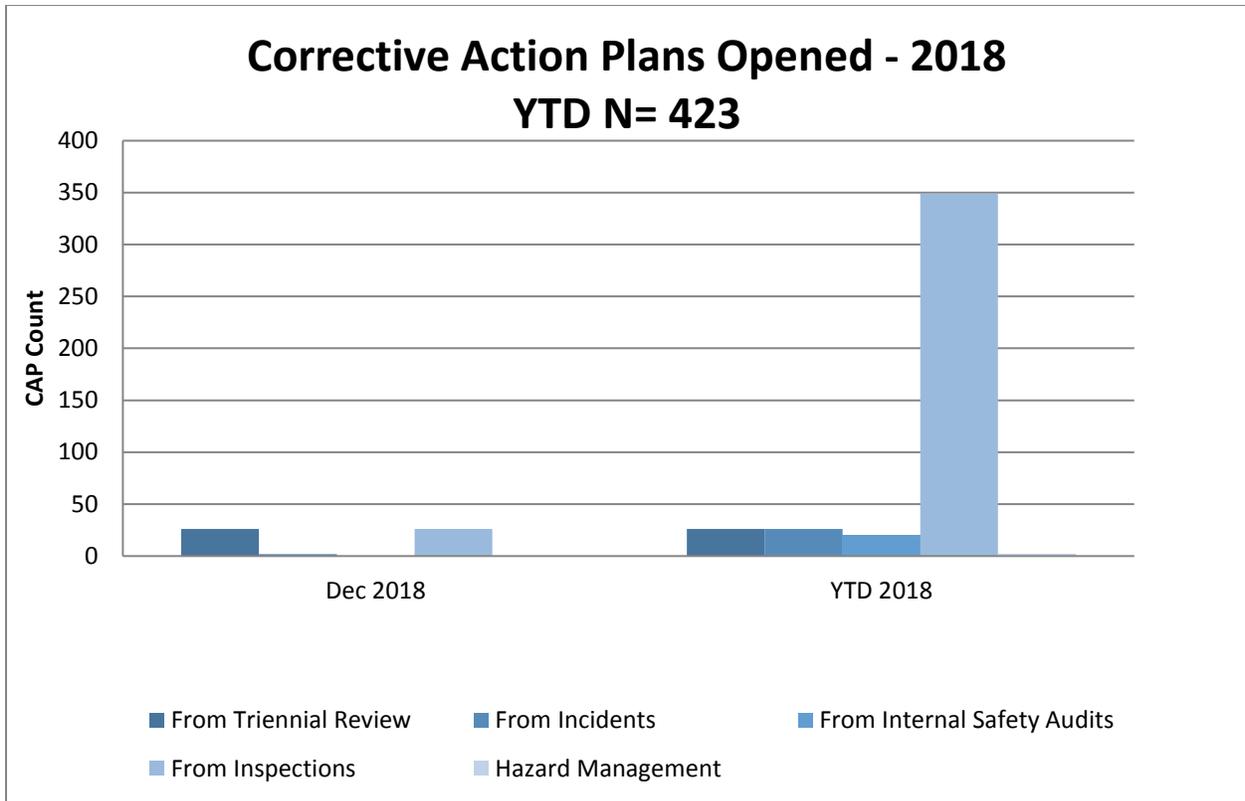
STATISTICS SUMMARY

Investigations for Month		YTD 2018
Incidents Reported	30	334
Incident Investigations Closed	39	417
Complaints Investigated	0	3
Rail Transit Inspections	28	244
Triennial Review	0	3

		YTD 2018
New Corrective Action Plans	54	423
From Triennial Review	26	26
From Incidents	2	26
From Internal Safety/Security Audits	0	20
From Rail Transit Inspections	26	349
From Hazard Management	0	2
Closed Corrective Action Plans	5	182
From Triennial Review	0	8
From Incidents	4	10
From Internal Safety/Security Audits	0	6
From Rail Transit Inspections	0	157
From Hazard Management	1	1

ONGOING DATA / TRENDS





CORT MONTHLY REPORT

In California during the month of December:

- The railroads moved 6 trains with 600 crude oil cars via unit train.
- Via manifest train the railroads moved 90 crude oil cars.

During the month of December six (6) crude oil trains were delivered to **Plains All America** in Taft, California. Each train consisted of 100 cars: all six (6) were heavy crude coming from Edmonton, Canada. These trains were spotted by the San Joaquin Valley Railroad (SJVR) originating from their yard in Bakersfield.

For the month of January eight (8) crude oil trains are expected, and of the eight (8) two (2) are expected to be lite, and six (6) heavy crude, none of which are Bakken crude.

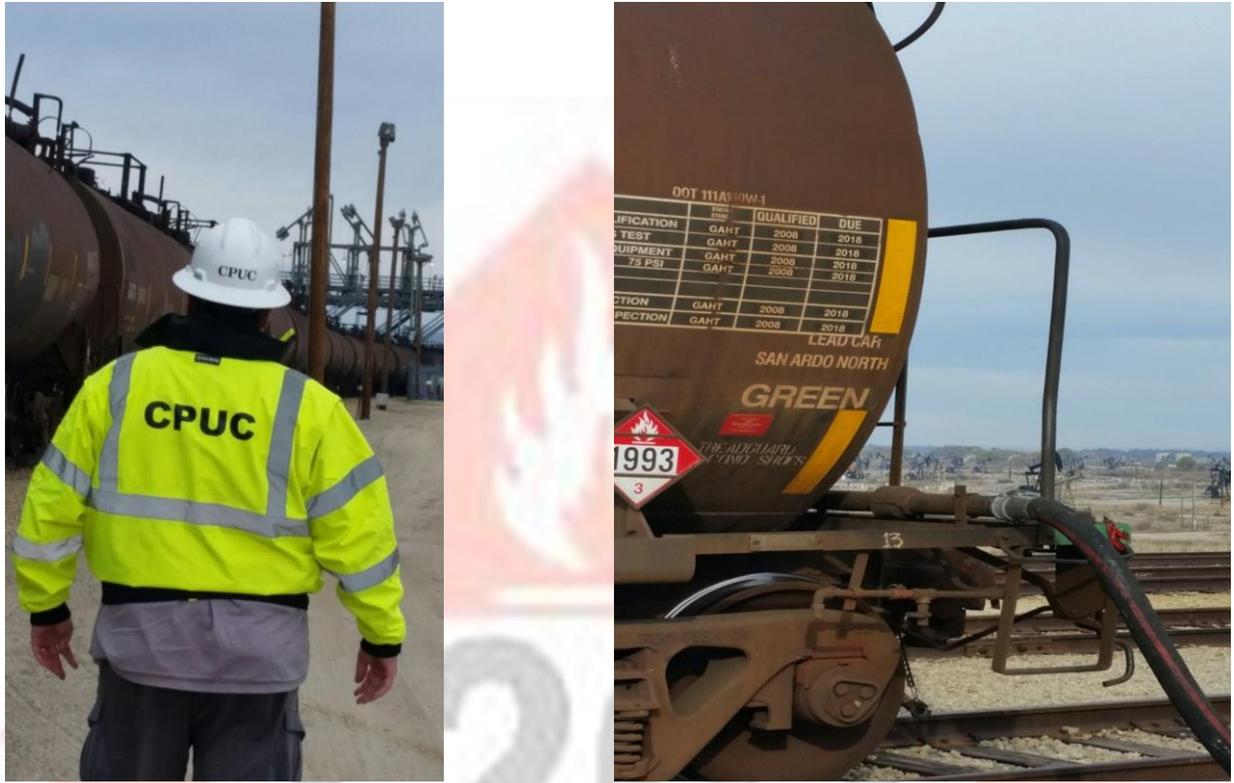
The SJVR also spots unit trains for **Kern Oil** which is a refinery operating in Bakersfield. The management at Kern Oil stated their December train is still in route due to arrive on the thirty-first (31).

Kern is expecting one train next month originating in New Mexico.

Delta Trading is a trans-loading facility located in Bakersfield where California oil cars are moved by manifest train. Their cars are loaded in Natrona, Wyoming after the oil is piped across from Canada. The SJVR also spots cars at this facility the crew picks up the cars in their Bakersfield Yard and moves them to two (2) holding tracks outside the facility until needed. In the month of December Delta processed ninety (90) crude oil cars.

IN OTHER NEWS

Some Team members traveled to San Ardo (Wunpost) on December 4th to witness the end of an era, the running of the second to last oil unit train from the facility. As previously noted, the oil unit car trains are coming to the end of their forty (40) year life and will be retired. The facility has chosen due to cost not to replace the cars coming out of service at the end of the year. The facility will keep two (2) strings as a back-up in case their new truck loading facility cannot keep up with production.



CPUC CORT Team Member observing the loading of the 2nd to last Unit Train coming out of Wunpost, California. The photo on the right illustrates how nitrogen is being hooked to the car to assist in the movement of the oil from car to car.



Loading Hook up process was observed



This photograph illustrates the end of the connected unit train era in California.

For the month of December:

- A total of six (6) crude oil unit trains entered California with none of them containing Bakken crude.
- A total of ninety (90) individual tank cars of crude oil were received, none of them containing Bakken crude.