

# **Safety and Enforcement Division**



## **Monthly Performance Report**

**May 2018**

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### Disclaimer

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The CPUC, the State of California, its employees, contractors, and subcontractors make no warrants, express or imply, and assume no legal liability for the information in this Report.

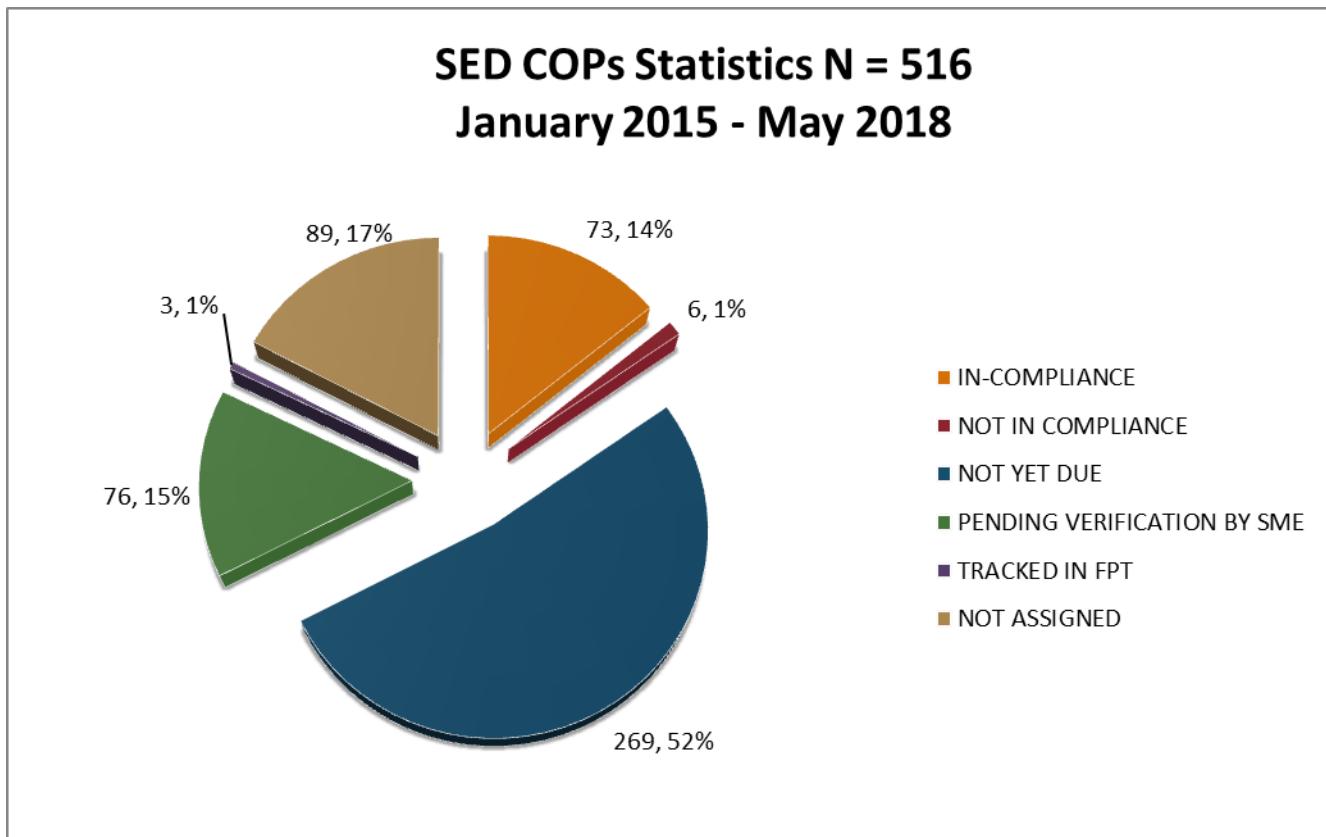
This Report has not been approved or disapproved by the CPUC.

## COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

Through May 31, 2018, SED shows 516 total entries in the COPS system; with 73 reaching compliance (14%), 269 (52%) not yet due for compliance, and 6 (1%) currently remaining out of compliance. The remaining 165 (32%) are either pending verification or yet to be assigned.

During May 2018, there were 30 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

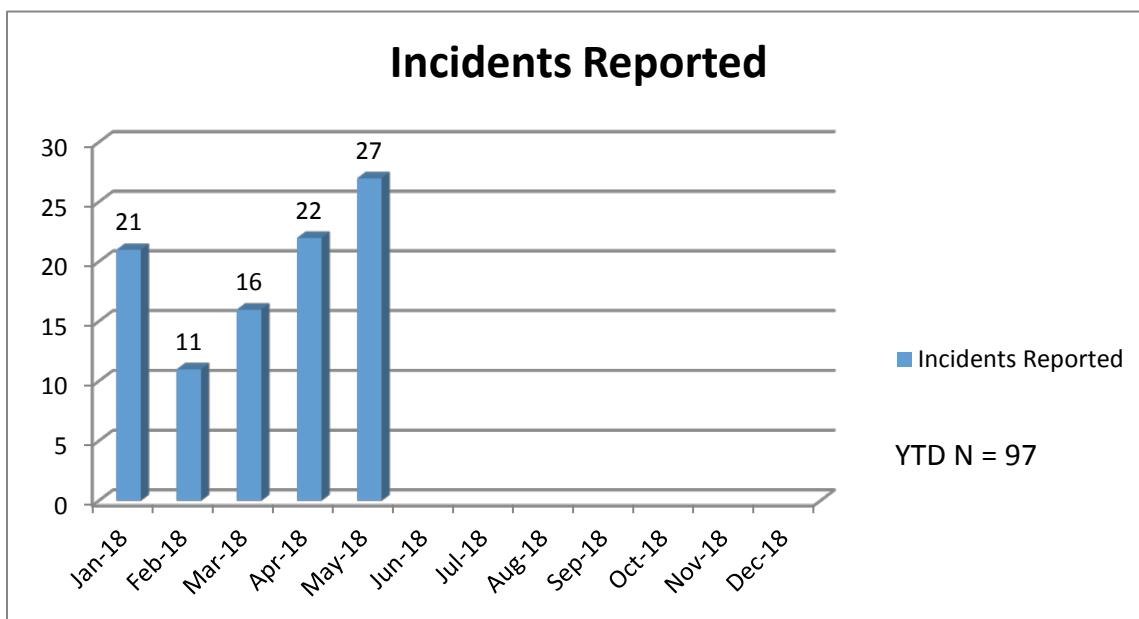
Citation Number	Utility	Amount	Violations	Date Cited	Appealed	Status
D.16-09-055 G.17-05-001	Southwest Gas	\$ 200,000	192.1007 (c)	6/1/2017	Yes	SWG Appealed Citation, SED and SWG entered a settlement and has an executed Settlement Agreement with SWG to amend DIMP procedures. SED completed a corrective 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.
<b>Total Cited 2017</b>		<b>\$ 200,000</b>				

### INSPECTIONS

	2017	2018
<b>Conducted</b>	78	16
<b>Final Report Completed</b>	78	5

### INCIDENT INVESTIGATIONS

As of May 31, 2018, GSRB Staff received 97 incidents year to date.



The CY 2018 incidents<sup>1</sup> are categorized as follows:

- 62 – Level 1 incidents
- 31 – Level 2 Incidents
- 1 – Level 3 Incidents
- 3 – Level 4 Incidents

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

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At the end of each year, the SIV process owner will conduct an annual review, which includes a trend analysis of systemic issues, determination of investigation effectiveness, and possible revision of investigation criteria. There was one self-identified violation reported in May.

### NATURAL GAS RELATED PROCEEDINGS

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- **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.
- **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:

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

- 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.

**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.

On May 24, 2018, all parties submitted their opening comments on the Proposed Decision.

Except SoCalGas and SDG&E, all other parties supported the PD. On May 29, 2018, all the parties participated in the Final Oral Arguments. Deadline for Reply Comments on PD was scheduled for June 1, 2018. This PD may be heard, at the earliest, at the Commission's June 21, 2018, Business Meeting.

## ELECTRIC SAFETY AND RELIABILITY PROGRAMS

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### ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM

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In May 2018, Electric Safety and Reliability Branch:

- Received 12 electric facilities incident reports and closed ten previously reported electric facilities incident investigations;
- Investigated 17 customer safety and reliability complaints;
- Performed five Electric Distribution audits;
- Issued four Notice of Violation letters/reports.
- Reviewed the pre-audit data related to El Segundo Generating Station
- Monitored five forced and seven planned outages reported by natural gas power plants and three forced and one planned outages reported by renewable power plants.
- ESRB staff attended many in state and out of state training courses related to electric and generation facilities.

#### Metrics for Electric Facilities and Generation Incident Investigations as of May 31, 2018

Electric Safety and Reliability Branch		Level 1	Level 2	Level 3	Level 4	Total <sup>2</sup>
<b>Total open incidents</b>	Electric Facilities	6	13	53	41	113
	Generation	0	0	1	2	3
<b>Total incidents reported in 2018</b>	Electric Facilities	3	6	11	17	37
	Generation	0	0	1	2	3
<b>Total incidents closed in 2018</b>	Electric Facilities	4	7	20	15	46
	Generation	0	0	1	2	3
<b>Total open 2018 incidents</b>	Electric Facilities	3	6	10	11	30
	Generation	0	0	1	0	1
<b>Incidents reported in May 2018</b>	Electric Facilities	0	3	6	3	12
	Generation	0	0	0	0	0
<b>Incidents closed in May 2018</b>	Electric Facilities	1	0	4	5	10
	Generation	0	0	0	0	0

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

## **ELECTRIC AND 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 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. ESRB participated in two Public Participation Hearings that were held by the Commission, one on May 9, 2018, in San Bernardino, and one on May 21, 2018, in San Jose.
- **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. In May 2018, the Peer Development Panel (PDP) submitted a filing for the final tally of billings submitted by the Independent Review Team (IRT). This filing marked the final deliverable in R.15-05-006, and the proceeding is now officially closed. However, SED is still developing its recommendation on whether the Commission should have a new 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. On May 15, 2018, the ALJ issued a ruling setting a prehearing conference (PHC) for May 30, 2018. On May 25, 2018, parties filed their opening comments and PHC statements. ESRB attended and participated in the PHC and will be participating in future meetings to plan for workshops. .
- **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 joined with other parties and filed comments and reply comments on the PD. The Commission approved the settlement agreement on May 31, 2018.

- **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. On May 18, 2018 ESRB participated in a second workshop planning call for Phase II. The first Workshop for Phase II is scheduled for June 26, 2018 at Cal OES's headquarters in Mather.
- **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 May 2018, in consultation with CAL FIRE, SED worked on development of Compliance Periods and Due Dates for the Wildfire Mitigation Plans (WMPs) beginning in 2019. SED continued working with CAL FIRE to develop protocols for consultation and review of WMPs. In addition, SED and CAL FIRE executed some Non-Disclosure Agreements (NDAs) to allow broader communication and information sharing for the purpose of conducting investigations and anticipate completing additional NDAs 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.
- **De-Energization Resolution (ESRB-8):** ESRB has published Draft Resolution ESRB-8 for the July 12, 2018, Commission meeting. This Resolution extends de-energization

reasonableness, public notification, mitigation and reporting requirements in D.12-04-024 to all electric investor-owned utilities (IOUs) and adds new requirements. It also places a requirement on utilities to make all feasible and appropriate attempts to notify customers of a de-energization event prior to performing de-energization. Pending.

## **REPORTS AND OTHER ACTIVITIES**

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- **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.

## **UTILITY RISK ASSESSMENT AND SAFETY ADVISORY**

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### **REVIEWING SAFETY & RISK IN GENERAL RATE CASES**

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During May, there were few new developments in current rate cases. RASA staff continued to meet internally with assigned commissioners' advisors and administrative law judges on safety and risk assessment aspects of the PG&E RAMP and Gas Transmission & Storage rate case (A.17-11-009). PG&E had included the GT&S risks as part of the comprehensive RAMP filing in November 2017 (I.17-11-003). The April 24 GT&S scoping memo identified the following safety issues for consideration:

“The six GT&S risks identified in PG&E's RAMP submission should be evaluated in the RAMP proceeding consistent with the applicable requirements of Decision (D.) 14-12-025, D.16-08-018 and I.17-11-003 along with the other sixteen top safety risks PG&E has identified in its RAMP filing. The reasonableness of specific GT&S-related mitigations and related cost recovery should be within the scope of the GT&S proceeding. The GT&S rate case should not evaluate PG&E's risk methodology or be a forum to propose changes or alternatives to the risk methodology including models.”

Intervenor TURN had proposed that the case consider how PG&E identified its proposed risks and mitigations in the context of its entire portfolio of safety risks. The scoping memo determined that, “PG&E shall not be required to provide additional testimony that explains how it decided on particular portfolio safety mitigations proposed in this case in

relation to the companywide portfolio.”

Using the SED RASA evaluation report as a common touchstone, TURN and other intervenors may address in testimony the issue of whether PG&E has reasonably prioritized its limited resources on a company-wide basis.

## **PROCEEDINGS**

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- **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. Opening briefs were filed on May 11, and replies on May 25. The general consensus of Parties is that the Commission should adopt the NorthStar evaluation and all of its recommendations, but further action is necessary to ensure PG&E compliance. PG&E reiterated its testimony that it is working to comply with all of NorthStar’s recommendations by the end of 2018. The Office of Safety Advocate, joined by the Office of Ratepayer Advocates, has proposed that a subsequent phase of the investigation focus on development of safety culture metrics. Intervenor TURN generally supports safety metrics in this proceeding, while PG&E stated they should be developed in the S-MAP rulemaking. TURN additionally proposed that the Commission should direct PG&E to greatly increase (up to 50% weighting) the safety component of its long-term incentive program for executive compensation. In June, the Commission is expected to issue additional scoping for a second phase of the OII to address potential remedies and compliance guidance.
- **Gas Leak Abatement OIR (R.15-01-008) (Commissioner Rechtschaffen/ALJ Kersten) (Advisory):** RASA staff continues to work with the gas companies to evaluate the Compliance Plans and R&D/pilot proposals that were filed in mid-March. Evaluation letters, with any recommended changes, are set to be issued by the end of June. Utility responses to the annual leak survey are due June 15, covering emissions during 2017 and initial implementation of new practices.
- **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 filed a motion for adoption of a settlement of several critical technical issues and modeling principles in the S-MAP on May 2. The parties held a “walk through” of the settlement on May 14, and RASA staff will conduct a subsequent workshop on July 6 before providing an evaluation of the merits or shortcomings of the proposed settlement. The parties are hopeful that a Commission decision approving the settlement can be issued in time for the Sempra utilities to incorporate the new risk methodology in their 2019 RAMP filing. On May 22, the ALJs issued rulings to incorporate a number of previously filed documents into the formal record, and to solicit comment on a revised proposal by the Energy Division for future spending accountability reports. Additionally, RASA was directed to work with smaller jurisdictional utilities to develop by September 1 a proposal for how they should incorporate risk management into their rate cases. SED continues to work on a final proposal for safety performance metrics that can be used to measure progress by the utilities.

- **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. 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. The Commission during May and June is conducting a series of public participation hearings in Sempra territory to review the GRC issues for ratepayers.
- **Pacific Gas & Electric RAMP (I.17-11-003) (Commissioner Rechtschaffen/ALJ Roscow)** RASA's evaluation report on PG&E's RAMP and a subsequent workshop to review findings and recommendations, are the last formal activities in the proceeding. Staff and PG&E are preparing errata to their filings, but no additional workshops have been requested by Parties. In early June, PG&E sent a letter to the CPUC executive director requesting a four-month delay in filing its GRC, citing uncertainties related to wildfire costs and liabilities. Parties were given two weeks to comment on the request.
- **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. A scoping memo was issued April 24 (see description above), and during May, the Commission commenced a series of public participation hearings on the application.
- **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. Oral arguments on select issues have been scheduled for June 20.
- **Physical Security of Electric Infrastructure (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly) (Advisory)** A Phase 1 decision on physical security plans is pending. A PHC for Phase 2, involving community engagement in utility emergency plans, was held March 15. A scoping memo for Phase 2 was issued May 31 to establish a schedule for workshops in the continuing rulemaking. The initial workshop is scheduled for June 26 at Cal-OES in Mather.
- **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 held 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

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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 – 05/31/2018

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
<b>January</b>	0	0	0	0	0	0
<b>February</b>	0	1	0	0	0	1
<b>March</b>	0	1	1	1	0	0
<b>April</b>	0	0	0	0	1	0
<b>May</b>	0	2	0	0	0	1
<b>Total 2018</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>

**Invalid Whistleblower Complaints Converted to Standard Complaints**

	CAB	Transportation	Electric Safety	Gas Safety	Telco/Utility Fraud	Rail	Referred to Outside Agency
<b>January</b>	0	0	1	0	0	0	0
<b>February</b>	0	0	0	0	0	0	0
<b>March</b>	0	0	0	0	0	0	0
<b>April</b>	0	0	0	0	0	0	0
<b>May</b>	0	0	0	0	0	0	0
<b>YTD</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Test, Incomplete or Duplicate Whistleblower Complaints**

<b>January</b>	3
<b>February</b>	8
<b>March</b>	3
<b>April</b>	0
<b>May</b>	4
<b>YTD</b>	<b>18</b>

## OFFICE OF RAIL SAFETY

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### RAILROAD SAFETY – ROSB

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In the month of May 2018, SED Staff's Railroad Operations group completed the following:

Railroad Operations Safety Branch	May-18	YTD 2018
New Incidents Investigated	11	39
Informal Complaints Investigated	1	7
Safety Assessments/Reviews	30	85
Compliance Actions	1032	4808
Major Inspections Completed	4	19
Operation Lifesaver Presentations	13	48

**ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES**

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**May 1, 2018:** CPUC railroad safety inspector and an Amtrak Special agent worked jointly to conduct a presentation of Operation Lifesaver at the Goleta Union School District bus drivers in the city of Goleta CA.

The joint effort between the CPUC and Amtrak Police department centered on the risks the school bus drivers are faced with on their daily bus routes that must cross train tracks while carrying children to and from school. A 45 minute power point presentation of the Operation Lifesaver material aimed at educating professional drivers like the Goleta School Bus Drivers.

The second portion of the presentation centered on concerns the bus drivers are faced with at specific railroad grade crossings in the cities of Goleta, Santa Barbara and Ventura. The questions pertaining to the state and federal laws the bus drivers experience at each crossing were addressed and answered. The presentation was very well received and very informative to all parties in attendance.

**May 1, 2018:** CPUC investigators responded to an anonymous call which reported a safety concern about the Union Pacific's West Colton transfer track table at the locomotive repair facility. The report indicated there are structural issues and it is not safe for locomotives to occupy the track. During the inspection, the investigators noted that there were metal patches welded and bolts on the under belly of the structure along with down rigger type legging attached to help prevent tipping when windy. The table carries the load of UP locomotives and moves vertically on a rail system consistent of five rails to transfer locomotives from one track to another with six tracks in total to transfer between.

Our concerns were brought to the intention of UPRR management about the structural integrity of the transfer table and track system sub structure. The facility manager informed us they were aware of the issues and they have HDR Engineering conducting monthly inspections and are receiving reports of the inspections. They have a bid meeting planned with several contractors on May 15, 2018 to receive quotes for complete rehab of the sub structure and to have a new transfer table installed. The managers' goal is to have all rehab work done by Dec. of 2018.

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**May 3, 2018:** A CPUC cross discipline team consisting of two MPE and two Hazmat inspectors conducted a compliance inspection at the Union Pacific Gemco Yard. This yard is located in Van Nuys California approximately twenty miles north of downtown Los Angeles. The team inspected the outbound Guadalupe train for proper hazardous materials placement, car compliance, and the power in the yard. The team found defects on cars containing hazardous materials, as well as power and car defects.

The Hazmat inspectors inspected seventeen (17) tank cars containing hazardous materials and noted one defect. Subject tank car UTLX 953662, UN 1075 (LIQUIFIED PETROLEUM GAS), class 2, was found in a non-compliant condition. A loose airline plug was found during a total tank car inspection. Code of Federal Regulations (CFR) 173.31 D. IV requires all closures to be properly tightened by the use of a bar, wrench, or other suitable tool. The Union Pacific Hazmat Manager was notified of the defect, and arranged for remediation prior to the train departing.

The MPE inspectors noted multiple defects on two other cars that were entrained. The TTZX 855336 was found with a wheel flange out of compliance on the L4 the wheel was more than 1.5 inches from tread to top of flange. This defect violated (CFR) 215.103 subrule B1, the car was also noted with a brake pin partially out, (CFR) 232.103 subrule F3. This particular defect would not allow the car braking system to operate were the pin to fall out. Finally the FBOX 505145 was noted with insufficient toggle clearance between the lever eye and the lock lift lever. These devices prevent unintentional uncoupling of cars, (CFR) 215. 125 subrule B. The defects were brought to the attention of the Union Pacific Mechanical Manager for remediation.

This multi discipline inspection was very informative for both teams. These types of inspections are a very important tool for our agency in furthering our overall knowledge and gaining a complete picture of all aspects of railroad operations.

**May 3, 2018:** CPUC Railroad Safety Investigators conducted a routine inspection of compliance with State General Orders and Code of Federal Regulations at the BNSF Kimberly Clark yard, which is located off the Metrolink Orange Subdivision in Fullerton. This area is a

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switching yard where equipment is stored until brought to the rail customers' business location. While conducting a routine inspection staff noted cars that were left unattended and that the air brakes were being used as the only method of securing equipment. The mechanical hand brakes were not applied to this equipment. This does not comply with Code of Federal regulations and carrier rules.

According to carrier rules and Federal law, GCOR 7.6 and 49 CFR Part 232.103(n) (1), "Do not depend on air brakes to hold train, engine, or cars, in place when left unattended. Apply sufficient number of hand brakes to prevent movement." Non-compliance with this regulation could result in an uncontrolled movement of railcars leading to a derailment or collision.

Staff notified the manager that was responsible for this territory about the noncompliance and he stated he would respond to the location immediately to secure the equipment. In addition, staff recommended a civil penalty be assessed for noncompliance with the federal regulations.

**May 7, 2018:** A multiple discipline Investigators from the California Public Utilities Commission that are participants on the CORT (Crude Oil Reconnaissance Team) visited the Plains All American Oil Facility in Taft, California for an orientation and facility tour. During the tour, personnel gave a presentation of the facilities operations and safety. It was explained that the facility has four tracks that can unload two 104 unit trains of crude oil at 10,000 barrels per hour. At maximum capacity, the facility can unload 15 trains per month. Once the oil is offloaded, it is distributed to various refineries throughout California by underground pipelines.

This is one of several facilities that the CORT members will be visiting to become more familiar with their operations and have a general knowledge of how their crude oil trains are being handled throughout California.

**May 9, 2018:** One CPUC and three FRA Railroad Safety Investigators attended a U.S. Coast Guard-sponsored Multi Agency Strike Force Operation at the Terminal (T) facility in Long Beach, along with representatives from Customs, Highway Patrol, Environmental Protection

Agency, Fire Department, and Air Quality Board. The participants inspected 34 intermodal containers for contraband, hazardous materials regulations compliance, and improper packing and bracing. Defects were discovered on six containers. One intermodal tank containing hazardous material (a corrosive which was also a marine pollutant) was leaking product from a defective valve. The local hazmat team was dispatched to repair the leak before movement. A second intermodal tank had a loose secondary closure that was not leaking. It was tightened before being allowed to move. Three intermodal containers were discovered to contain hazardous materials that were not properly marked and labeled. One intermodal container with a number of IBCs inside (Intermediate Bulk Container: a package holding the equivalent of five 55-gallon drums) had the contents not properly braced against movement. The intermodal containers were placed in “Hold” status until a contractor could arrive to properly mark and brace the contents. Two containers held automobiles with California license plates inside. Customs submitted the vehicle identification numbers to the DMV and ascertained that they were not stolen. Customs also opened several boxes for a random check of the contents. None were found to have contraband, and they were resealed.

Although the outside of the container was marked, the individual packages inside were not, which could lead to injury if proper safety precautions were not taken during handling of the contents. CFR §173.36 (c) (2) states, *“Ensure...Packaging is marked in accordance with requirements in § 178.910 of this subchapter”*.

Rough handling of the container could cause the packaging to break loose and rupture. The resulting release of the contents could cause injury to nearby public or personnel. Also, in the case of mixed loads of hazardous materials, the contents could combine resulting in a substance more toxic than either of the individual hazardous materials. CFR §173.36 (d) (2) states, *“Each Large Packaging must be securely fastened to or contained within the transport unit.”*

**May 9, 2018:** CPUC Railroad Safety Investigators conducted a routine check for compliance pursuant to State General Orders and Federal regulations in the general vicinity of the Port

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of Long Beach. Investigators observed an eastbound Union Pacific freight train staged for departure, located in a siding adjacent to the Alameda Corridor main track (ACTA II).

Investigators made contact with the UPRR train crew, who had just taken delivery of the train and were scheduled to depart east, toward Yuma, AZ.

Investigators and the UPRR crew members were unable to locate any documentation that an air brake test had been conducted, prior to the arrival of the train at this location.

Investigators were able to determine that the train originated approximately 10 miles southwest of this location at ITS Terminal. This indicated that the train may have traveled this 10 mile distance on signaled main track, without a proper air brake test as required by Federal regulation 49 CFR Part 232.215. Subsequent to a lengthy investigation that initially indicated lack of compliance on behalf of UPRR, it was discovered that PHL crews had transported this train from ITS Terminal to its current location, for UPRR to take delivery.

Investigators then contacted PHL operations management. After a lengthy period of time, PHL was able to provide minimal documentation of an air brake test having been performed. A response email was drafted and sent to PHL and UPRR Management, explaining the PUC's expectation when documentation of an air brake test is requested. An F6180.96 inspection reported was completed and sent via email to all parties involved.

CPUC Investigators engaged in discussion with the Federal Railroad Administration Region 7 Motive Power and Equipment Specialist. It was decided upon, that there will be a joint operation conducted in and around the ports of Long Beach and Los Angeles, scheduled for the immediate future. With clarification and reiteration of our requirements reference air brake test compliance and a prompt ability to provide documentation thereof, an audit will be conducted with the expectation of unconditional compliance.

**May 10, 2018:** A CPUC Railroad Safety Investigator conducted a routine inspection of Los Angeles Transportation Center (LATC) Yard operated by Union Pacific Railroad. The inspection discovered multiple violations for defective equipment previously inspected by UPRR Mechanical personnel.

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A team of CPUC and FRA inspectors, from Motive Power & Equipment, conducted a routine inspection of LATC Yard to find the inspected outbound train had a defect ratio of 43%. Our inspection uncovered twenty four (24) defective conditions that warranted a civil penalty and twenty one (21) others that were taken as defective conditions with exception taken. The train was previously inspected and released for revenue service prior to our findings in the intermodal yard. The 45 defects are identified as follows:

- 25 suspension defects on 21 trucks, 3 wheels, and 1 set of side bearings.
- 1 coupler knuckle.
- 13 air brake defects on 6 brake pistons and 7 air brake components.
- 6 safety appliances.

The Federal Rail Administration FRA and California Public Utilities Commission CPUC determined from our findings that three violations with 24 counts of civil penalties were warranted.

This investigation is now used as a record to pursue compliance efforts for future inspections in the Los Angeles Transportation Center. Two defective conditions from the FRA form 6180.96 were sent to the UPRR.

**May 7 – 11, 2018:** CPUC Inspectors from ROSB traveled to the Transportation Technical Center located in Pueblo, Colorado, to participate in training of accident investigations that may occur on the railroad such as derailments, vehicle vs. train collisions, etc. FRA Inspectors from across the Nation and Inspectors from other States also participated for a total of 23 Inspectors and 3 Instructors.

The 23 attendees were divided into 4 teams, and each team participated in classroom discussions and in practical exercises.

In one exercise, attendees went outside of the classroom to collect photographic evidence, and take distance measurements while looking for factors that could lead to a train vs. vehicle collision at a grade crossing. Factors identified included structures or vegetation etc.

which could prevent a motorist from seeing an approaching train. Highway speed and measurement of distance to the railroad track could reveal if a driver had enough time to respond. Vehicle driver and train crew impairment and alertness were also considered.

**May 31, 2018:** CPUC railroad safety inspectors performed a routine inspection on the UPRR in the city of Industry. The purpose of this inspection was to focus on Signal and Train Control safety and the FRA 236 regulations.

The purpose of the 236 regulations is to provide for safe movement of trains. It is the policy of the Federal Railroad Administration to promote voluntary compliance with these minimum safety standards. Civil penalty sanctions may be employed as necessary to secure compliance, if voluntary compliance is not forthcoming.

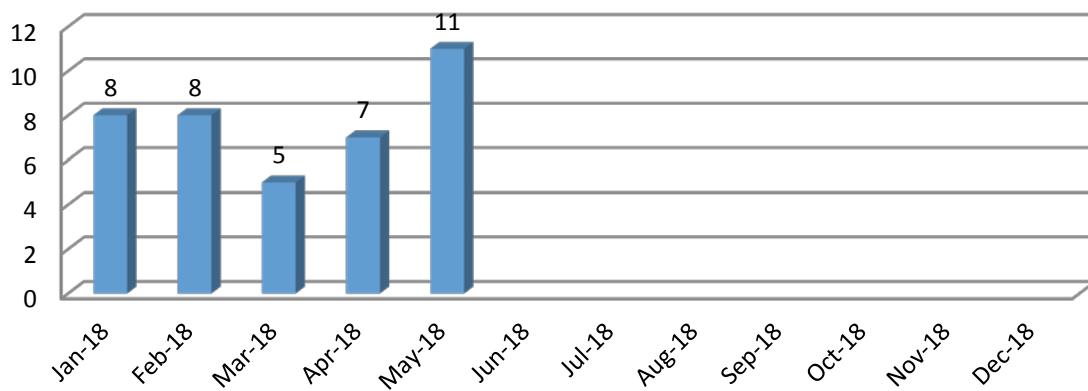
In determining whether use of civil penalty sanctions is necessary, the inspector will take into consideration whether the railroad has installed and maintained the installation in a manner likely to provide for its proper functioning in the interval between required inspections and tests. The inspector shall also take into account the harsh environment in which the installation is required to function.

During this inspection The UPRR Track Department called the Signal Maintainer we were observing to inform him that they were going to replace a broken rail in signal territory and required Signal Department assistance. When a broken rail is replaced in signaled territory a Signal Maintainer must re-bond (weld a wire around a joint in the rail) the rail so that the signal system functions correctly.

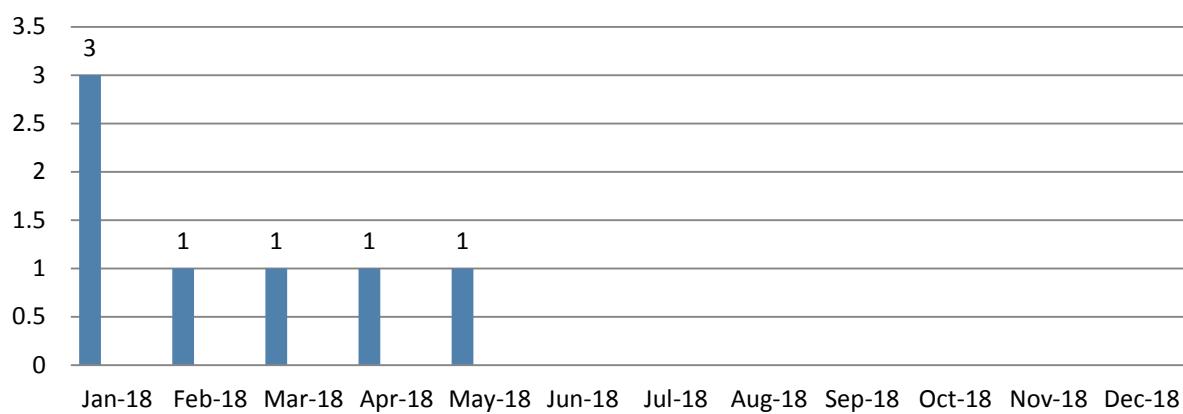
The Signal Maintainer re-bonded the new segment of rail after the Track Department had finished the complete installation proses, and verified proper function of the signal system. In another exercise, a scene was prepared by personnel at the Training Center consisting of a train vs. vehicle collision. The realistic scene included a 'struck' vehicle placed on its side near railroad tracks; a TV crew that appeared on site insisting on getting information; a Command Center where Inspectors check in before proceeding to the scene; people to interview by the Inspectors such as the Conductor and Engineer on the train, a hostile railroad dispatcher, an eye witness and a railroad signal maintainer. The exercise

demonstrated the need for Inspectors to be professional with media personnel and refer them to a Public Affairs Office for information, to guard hand-written notes under cover, to be prepared with questions to ask of the train crew, eye witnesses, etc. Overall, the classroom discussions and practical exercises were quite educational, job related and well worth the time.

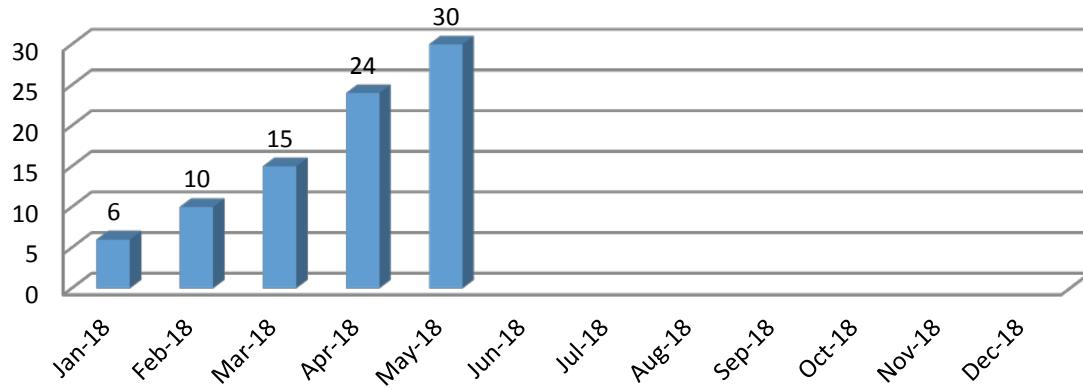
### **Incidents Assigned for Investigation YTD N = 39**



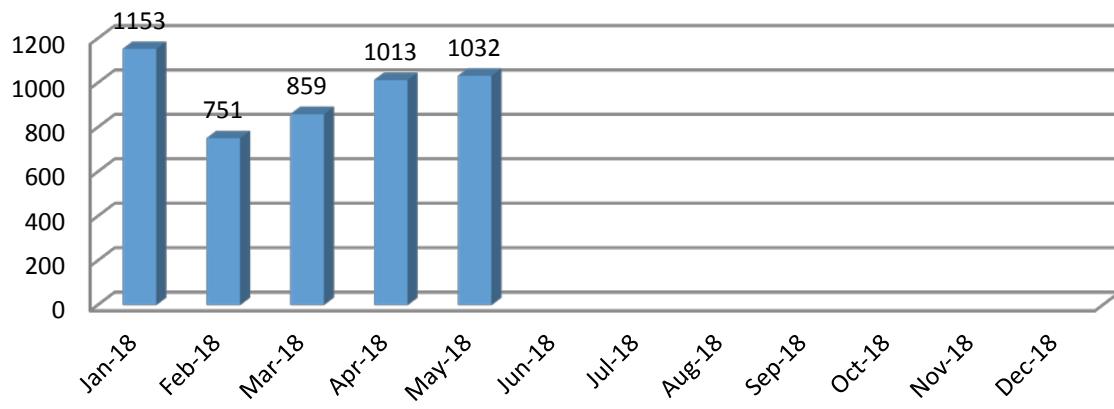
### **Informal Complaints YTD N = 7**



### Safety Assessments/Reviews YTD N = 85

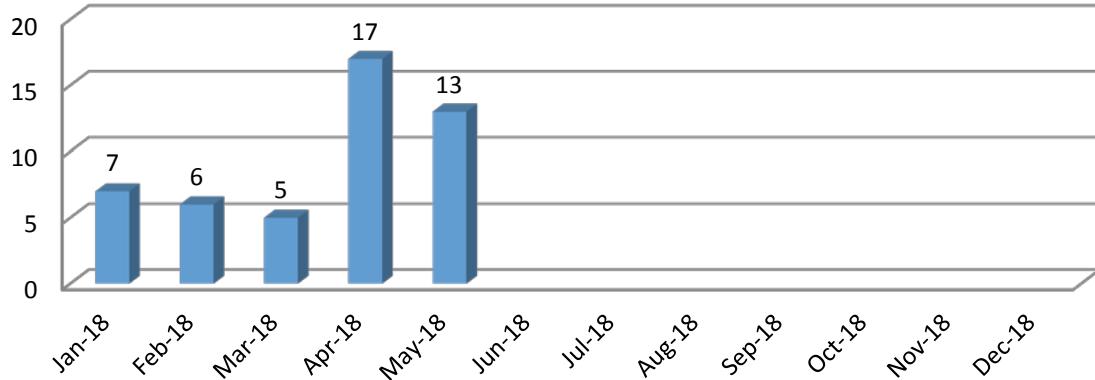


### Compliance Actions YTD N = 4808



## Operation Lifesaver (ROSB only)

**YTD N = 48**



## OFFICE OF RAIL SAFETY

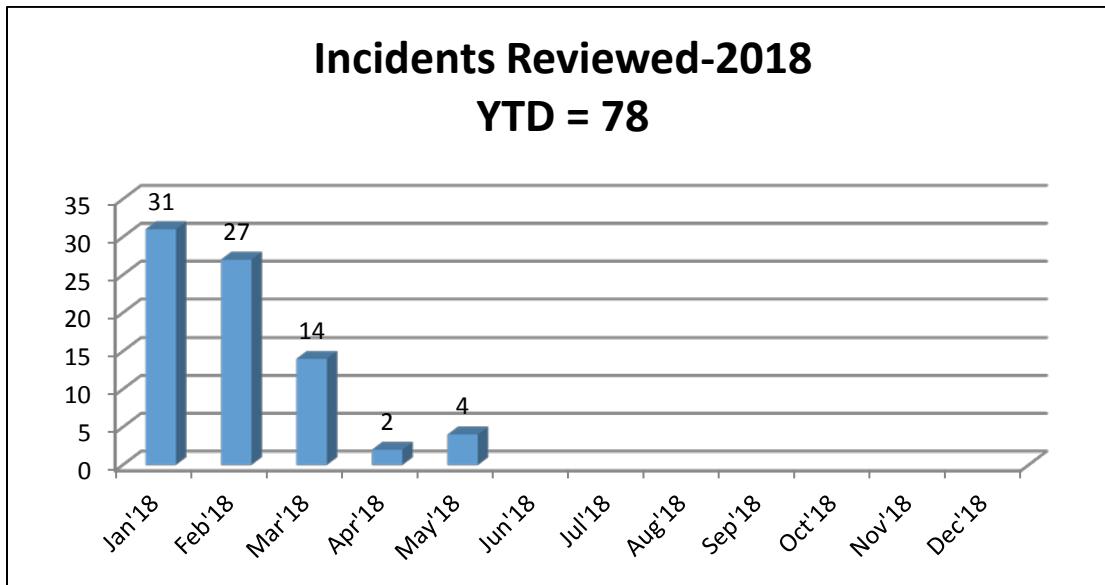
### RAIL CROSSINGS AND ENGINEERING BRANCH - RCEB

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

	New	New YTD	Closed	Closed YTD
Crossing Incident Reviews	16	77	4	78
Safety Assessments/Quiet Zones/Reviews	15	136	15	136
Proceedings, Resolutions and G.O. 88-B Reviews	6	47	15	50
Operation LifeSaver Presentations	4	33	4	33

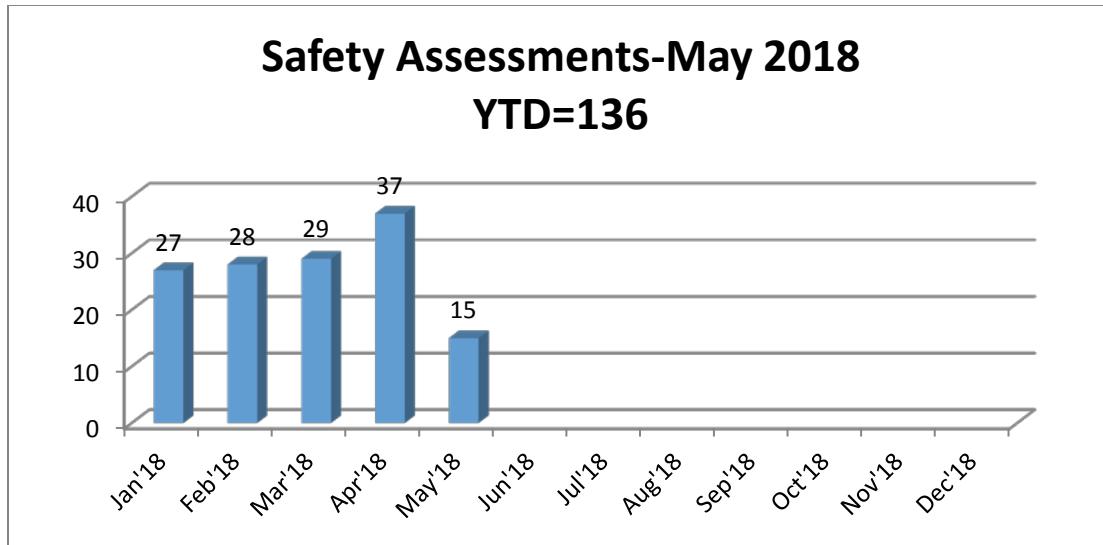
#### RAIL CROSSING INCIDENT INVESTIGATIONS

In May 2018, the Rail Crossings and Engineering Branch (RCEB) assigned 16 new incidents at highway-rail crossings. These collisions resulted in seven fatalities and three injuries. RCEB completed four crossing incident reviews reported at highway-rail incidents that resulted in one injury. RCEB will continue to monitor the crossings.



#### SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

In May 2018, RCEB completed 15 rail-crossing safety assessments involving: communications, field inspections, and diagnostic reviews with railroads and local agencies. In addition to the assessments, RCEB staff participated in two cross training activities: the first between RTSB and RCEB on May 3, 2018; and, the second between ROSB and RCEB on May 22-23, 2018. RCEB staff shared information related to our respective safety fields and discussed similarities and differences between our branches. On the chart below, RCEB updated the March data to show 29 assessments.



#### PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

In May 2018, RCEB staff received two new major proceedings requiring Administrative Law Judge (ALJ) review; and, four new General Order 88-B applications for changes to existing crossings. This month, RCEB closed five formal proceedings with the ALJ, reviewed two applications, and eight General Order 88-B applications.

- PROC A1701005 - On May 4, 2018, CPUC D.1804004 authorized an application of the San Diego Association of Governments for construction of two light-rail vehicle tracks grade separated above I-5 (South), I-5 (North) and grade separated below I-8, SR-52 in the City of San Diego, San Diego County, California. Application A.17-01-005 was initially limited to Caltrans jurisdiction, but in April 2017, the agency consolidated the application with applications A.17-01-006, 007, 008 and 009.
- PROC A1701006 – On May 4, 2018, CPUC D.1804004 authorized an application of the San Diego Association of Governments for the construction of two light-rail vehicle tracks grade separated at various locations. The project includes separations above: Ocean Beach Bike Path, Friars Road, Balboa Avenue, Genesee Ave / Regents Road, Eastgate Mall, Executive Drive, Executive Square, La Jolla Village Drive (East), and Esplanade Court in the City of San Diego, San Diego County, California.

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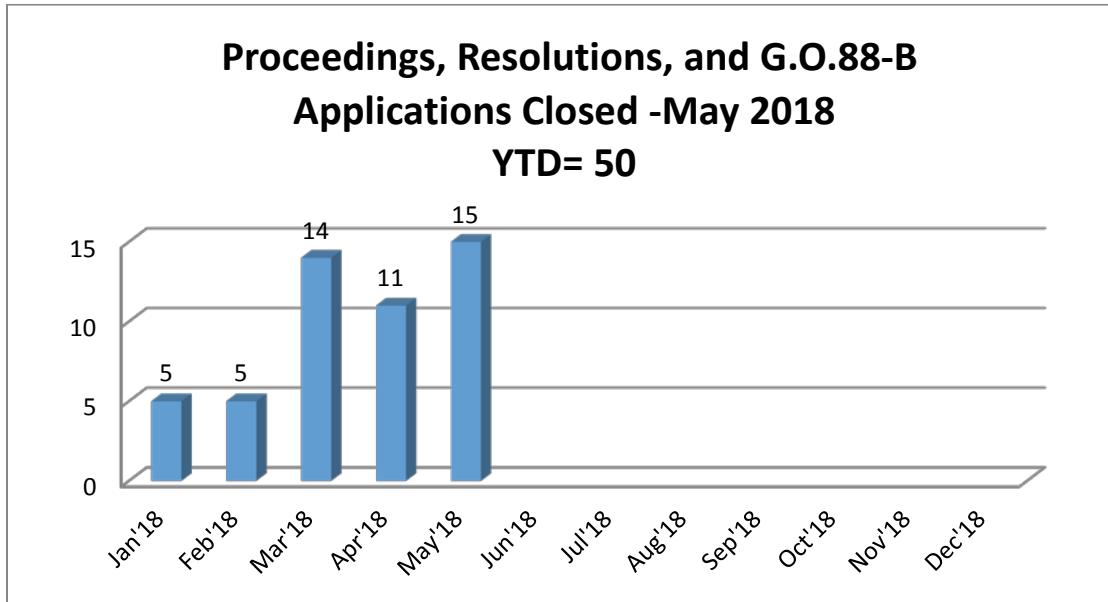
- PROC A1701007 – On May 4, 2018, CPUC D.1804004 authorized an application of the San Diego Association of Governments for the construction of two light-rail vehicle tracks grade separated above Nobel Drive, La Jolla Village Drive (West); and grade separated below Tecolote Road, Clairemont Drive and La Jolla Colony Drive in the City of San Diego, San Diego County, California.
- PROC A1701008 – On May 4, 2018, CPUC D.1804004 authorized an application of the San Diego Association of Governments for the construction of two light-rail vehicle tracks grade separated above the Los Angeles San Diego-San Luis Obispo Rail (LOSSAN) Corridor tracks in the City of San Diego, San Diego County, California.
- PROC A1701009 – On May 4, 2018, CPUC D.1804004 authorized an application of the San Diego Association of Governments for the construction of two light-rail vehicle tracks grade separated above Gilman Drive (South), Sixth Lane, Gilman Drive (North), Campus Point Drive, and Voigt Drive in the City of San Diego, San Diego County.
- PROC A1708019 – On May 31, 2018, staff closed the review of an application by the California High-Speed Rail Authority to construct proposed high-speed tracks and underpass grade separations at SR99 (MP 195.74) and SR99 Ramp (MP 195.83) within the City of Fresno.
- PROC A1801017 – On May 31, 2018, staff closed the review of an application by the City of Los Angeles to construct an at grade crossing over the current Metrolink tracks to connect bicyclists and pedestrians from Elysian Valley to Cypress park, in the City and County of Los Angeles.
- GO 88B - XREQ 2018040004 – Orange County - The City of Stanton requested authority to modify the UPRR crossing at Gilbert Street. The modifications include installation of a raised median, ADA compliant sidewalks and curb ramps. The review authorized the project and authorization expires on May 6, 2021.
- GO 88B - XREQ 2018050002 – Los Angeles County - The City of Pico Rivera requested authority to modify the UPRR crossing at Durfee Avenue. San Gabriel Valley Council of Governments (SGVCOG), with the cooperation with the City and UPRR, proposes to construct a 74.8-foot wide railroad bridge and a four-lane

roadway separated under the railroad bridge structure with a raised center median and two sidewalks. The review authorized the project and authorization expires on May 9, 2021.

- GO 88B - XREQ 2018040003 – Fresno County – The California High Speed Rail Authority (CHSRA) requested authorization to modify the BNSF crossing at E. South Avenue in Fresno County. The applicant proposes to grade-separate the crossing with an overhead roadway crossing over three BNSF tracks and two CHSRA proposed tracks. The review authorized the project and authorization expires on May 6, 2024.
- GO 88B - XREQ 2018040005 – Placer County – The City of Auburn requested authorization for modification of the UPRR grade separated crossing at State Route 49. The project plans to install an ADA compliant sidewalk on the easterly side of SR 49 for the roadway northwest and southeast of the underpass. This project is part of an overall Caltrans project that includes other roadway improvements along SR 49. The review authorized the project and authorization expires on May 6, 2021.
- GO 88B - XREQ 2018040008 – Merced County – The City of Merced requested the authorization to modify the BNSF crossing at Tower Road. The project includes installation of a second mainline track, relocating warning devices, installation of warning signs, and crossing surface improvements. The review authorized the project and authorization expires on May 30, 2021.
- GO 88B - XREQ 2018040007 – Merced County – The City of Merced requested the authorization to modify the BNSF crossing at Kirby Road. The project includes installation of a second mainline track, relocating warning devices, installation of signal houses, warning signs, and crossing surface improvements. The review authorized the project and authorization expires on May 15, 2021.
- GO 88B - XREQ 2018040009 – Merced County – The County of Merced requested the authorization to modify the BNSF crossing at Arboleda Drive. The project includes installation of a second mainline track, relocating warning devices, installation of signal houses, warning signs, and crossing surface improvements. The review authorized the project and authorization expires on May 30, 2021.

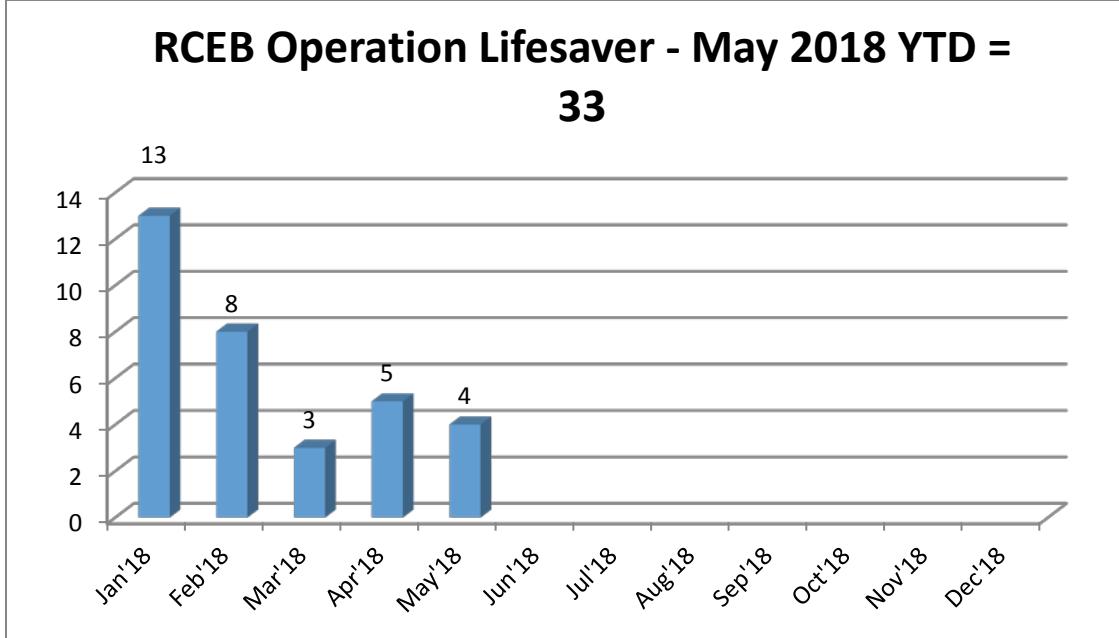
## California Public Utilities Commission |Safety and Enforcement Division

- GO 88B - XREQ 2018040006 – Merced County – The County of Merced requested the authorization to modify the BNSF crossing at East American Avenue. The CHSRA and County of Merced propose to grade separate the crossing with an overhead roadway over two existing BNSF tracks and two CHSRA proposed tracks. The review authorized the project and authorization expires on May 15, 2024.



### OPERATION LIFESAVER INC.

In May 2018, RCEB volunteers participated in Operation LifeSaver Inc. (OLI) activities resulting in three presentations and one event. On May 1, 2018, staff participated and the ACE/Amtrak First Responder Training sharing the OLI rail safety message at the ACE maintenance facility in Stockton. The 50 participants that stopped by the OLI booth consisted of firefighters and law enforcement officers. On May 4, 2018, staff shared the OLI rail safety message with three groups of 8<sup>th</sup> graders at the Great Valley Elementary School in Stockton. A total of 85 adults and teenagers participated received the OLI message using the new OLI presentations slides and “Are You In Control” video. 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.



## RAIL TRANSIT - RTSB

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

### CORRECTIVE ACTIONS PLANS

- Two (2) Corrective Action Plans (CAP's) were opened.
- Eleven (11) CAP's were closed.

### INCIDENT INVESTIGATIONS

- Thirty (30) incidents were reported by Rail Transit Agencies (RTA).<sup>3</sup>

<sup>3</sup> 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.

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- Twenty-two (22) incident investigations were closed.

### MAJOR AUDITS

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- Staff have been preparing for two Triennial Reviews planned for the summer months in San Diego County. The first review of San Diego Trolley, Inc. (SDTI) will begin in June and the second slated for later summer will cover North County Transit District (NCTD.)
- Management and staff from RTSB and BART met on May 29 to discuss the BART Triennial Safety Review Draft Audit Report. The objective was to discuss any concerns BART management had with the draft. BART management is currently working on its response to the draft report for submission to RTSB staff.

### ADMINISTRATIVE ACCOMPLISHMENTS

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- **General Order 164-E:** RTSB has planned a 2-day workshop with the Rail Transit Agencies in July to discuss implementation of changes brought about by GO 164-E and other related issues.
- **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 made revisions to 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. On April 30, RTSB formally transmitted its Certification Application to the FTA. 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.

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- 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/Meetings/Workshops:**
  - On May 23-24, two engineers completed the “Systems Engineering for Technology Projects” course in Los Angeles, offered by the National Transit Institute.
  - FTA-SSOA Workshop in Maryland: On May 15-17 Staff attended the FTA-SSOA Workshop held in Bethesda, Maryland. Representatives from all states with SSO programs participated in the workshop. This was a great opportunity to network and share lessons learned with other SSOAs, and receive information from the FTA.
  - RTSB 2-Day Staff Meeting: On May 9-10 RTSB held a 2-Day staff meeting at the CPUC’s Los Angeles offices.

### PROCEEDINGS / RESOLUTIONS

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#### 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

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- **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 Innova 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. On May 2 and 4, BART invited staff to review test results and participate in a test run for the next set of ten cars slated for revenue service later in the month. Staff identified no concerns. On May 29, Deputy Director Clugston issued a letter to BART's General Manager authorizing BART to launch the subject cars into 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. This project was safety certified by RTSB, whose staff regularly attended safety certification meetings and witnessed testing. In a May 2 letter to BART's General Manager, the CPUC approved the eBART Safety and Security Verification Report that was dated April 19, 2018. The eBART system began revenue service on May 26.
- **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 May 3, staff attended the follow up meeting related to Communication testing and the update. On May 17, staff attended and participated in the SSRC meeting. On May 23, staff attended and participated in the SVBX workshop.
- **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 4<sup>th</sup> 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 provide 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. As of May 31, CPUC has approved 124 vehicles 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:** 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 Regional Connector Project just

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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 is scheduled to begin in late August or early September.
- **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. The project is nearly 80% complete. Substantial completion is scheduled for May 1, 2019 and the forecasted revenue service date is October 31, 2019. Southwestern Yard (part of the Crenshaw/LAX, but a separate contract) is on schedule for completion by January 2019.

- **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 are 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. Crossing applications for the project have been filed in Proceedings

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A.18-04-005, A.18-04-006, and A.18-04-007. 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. The Safety Certification Verification Report for single vehicles operating as single units was submitted on October 25, 2017, and was approved by the SED Director on November 3, 2017. 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. Additional certification and testing documentation for running the vehicles in multi-car consists was submitted on May 7, 2018. On May 25, 2018, Staff approved the vehicles for multi-car consists.
- **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.

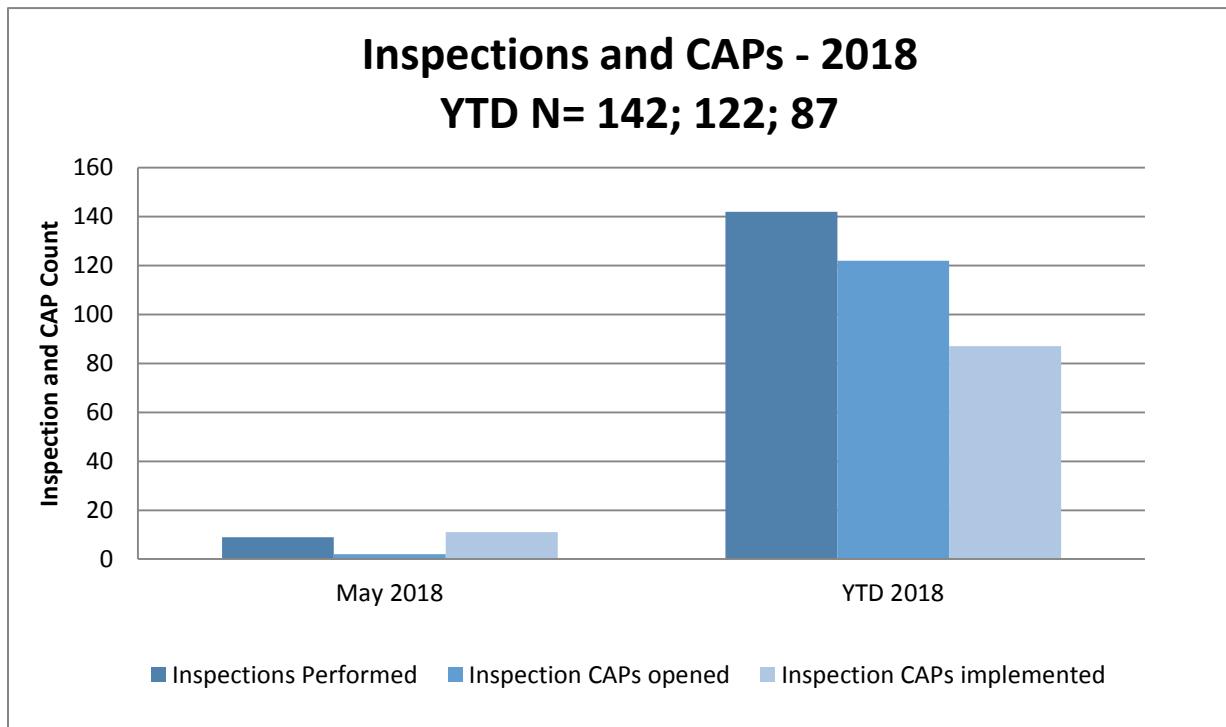
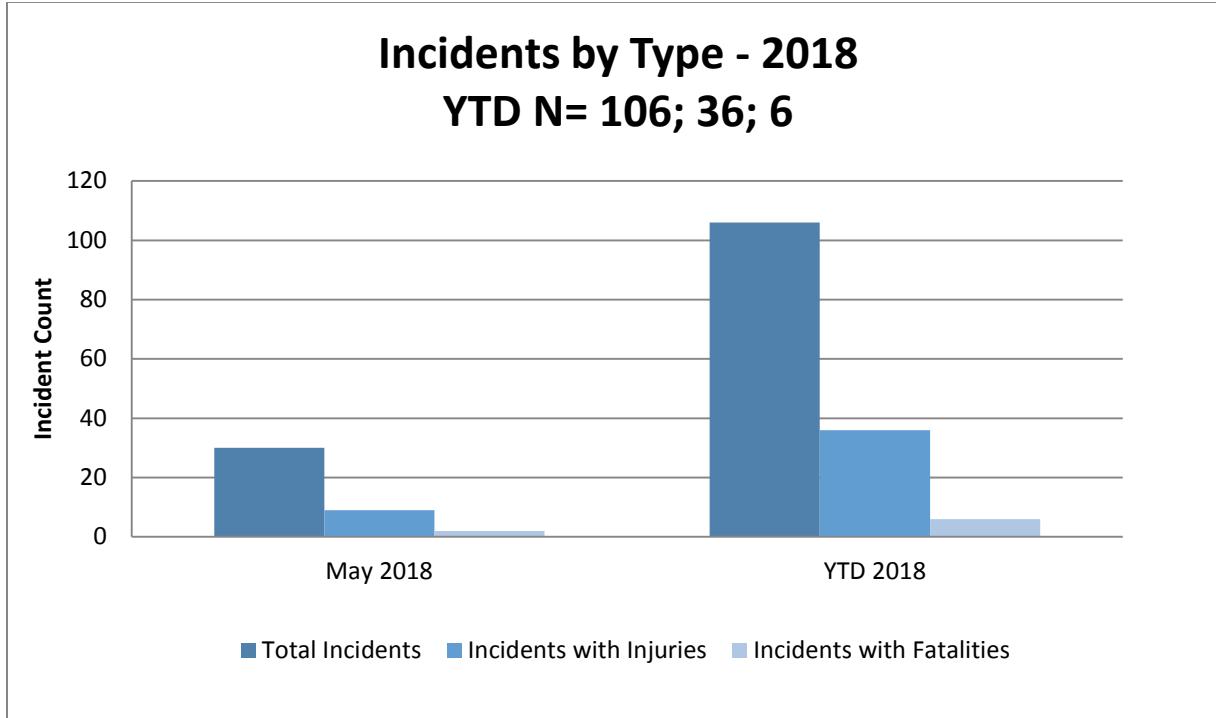
### STATISTICS SUMMARY

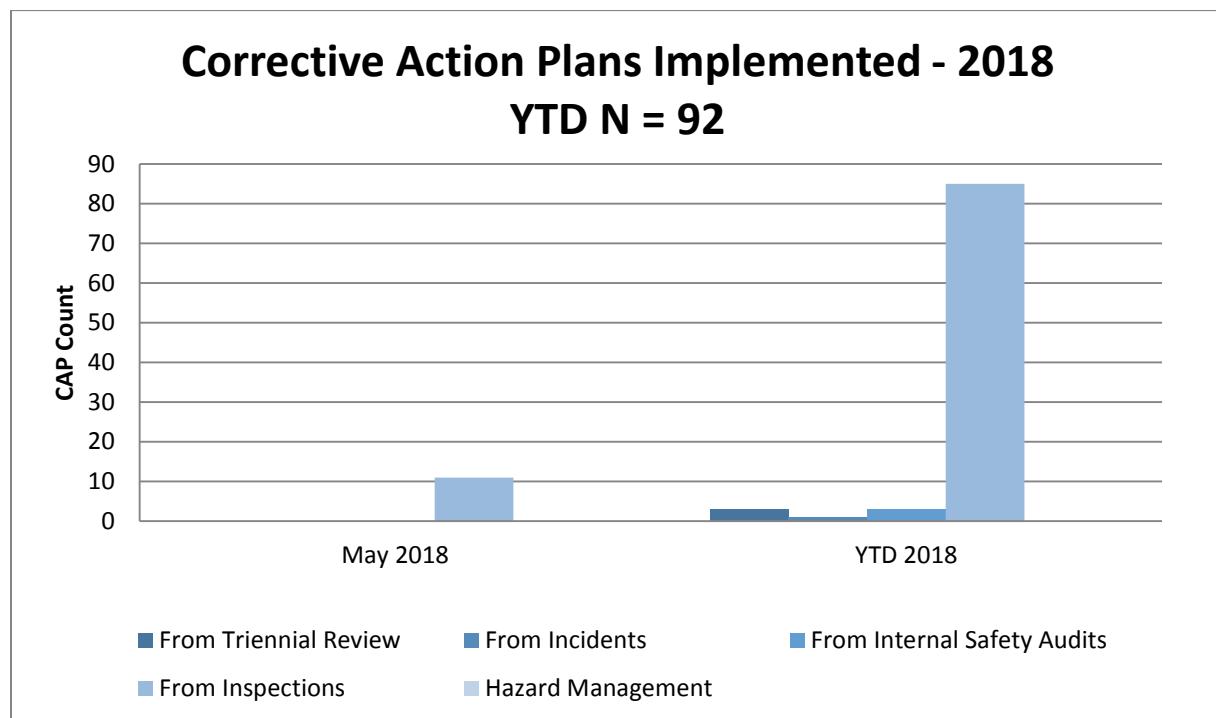
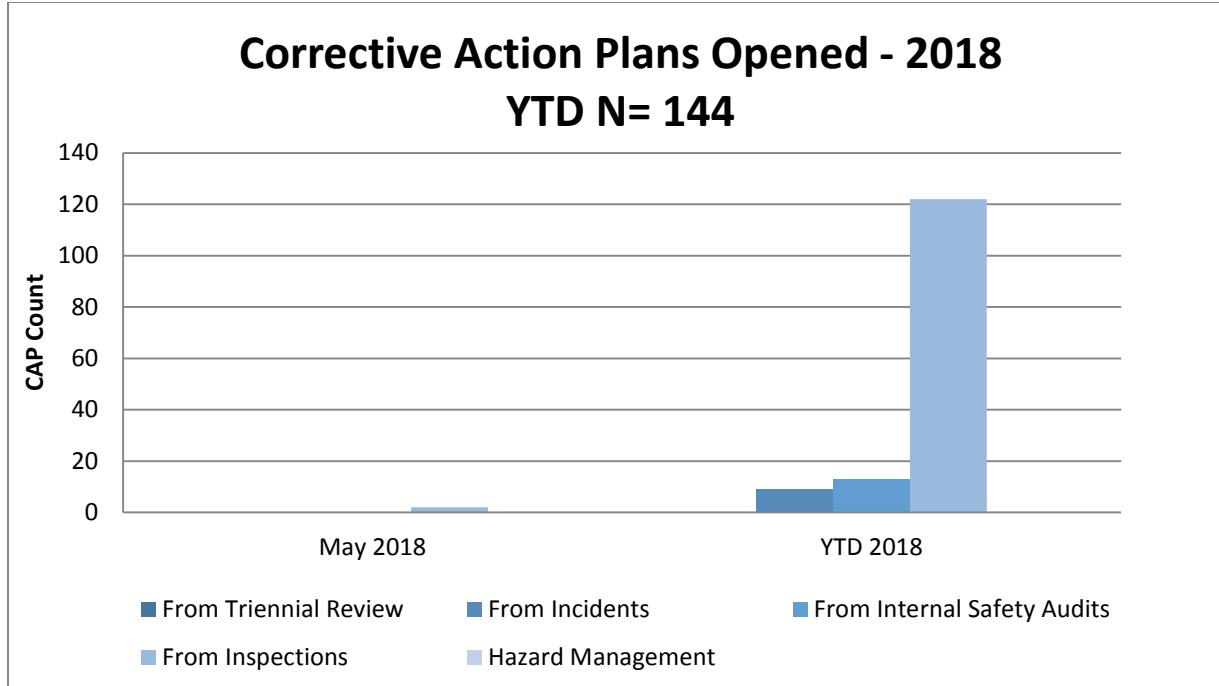
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<b>Investigations for Month</b>		<b>YTD 2018</b>
<b>Incidents Reported</b>	30	106
<b>Incident Investigations Closed</b>	22	216
<b>Complaints Investigated</b>	0	1
<b>Rail Transit Inspections</b>	9	142
<b>Triennial Review</b>	1	1

<b>Corrective Action Plans</b>		<b>YTD 2018</b>
<b>New Corrective Action Plans</b>	2	144
<b>From Triennial Review</b>	0	0
<b>From Incidents</b>	0	9
<b>From Internal Safety/Security Audits</b>	0	13
<b>From Rail Transit Inspections</b>	2	122
<b>From Hazard Management</b>	0	0
<b>Closed Corrective Action Plans</b>	11	92
<b>From Triennial Review</b>	0	3
<b>From Incidents</b>	0	1
<b>From Internal Safety/Security Audits</b>	0	3
<b>From Rail Transit Inspections</b>	11	85
<b>From Hazard Management</b>	0	0

ONGOING DATA / TRENDS





## **CORT MONTHLY REPORT**

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In California during the month of May:

- The railroads moved 6 trains with 604 crude oil cars via unit train
- Via manifest train the railroads moved 125 crude oil cars

During the month of May five (5) of the eight (8) crude oil trains were delivered to **Plains All America** in Taft, California. Each train consisted of 100 cars: four (4) were heavy crude coming from Edmonton, Canada; one (1) was light crude originating in Carlsbad, New Mexico. These trains were spotted by the San Joaquin Valley Railroad (SJVR) originating from there yard in Bakersfield.

Plains All America will be expecting 6 (six) to 8 (eight) unit trains during the month of June. The Plains manager communicated via email that their expectations of inbounds may be affected by contract negotiations taking place with the Canadian Pacific (CP) and their union representatives. Plains all America receives ninety five percent of their products from Canada via the CP; during the winter the inbound trains were delayed by weather now they may be delayed by contract talks.

The SJVR also spots the unit train for Kern Oil which is a refinery operating in Bakersfield. Kern received one (1) unit train this month consisting of one hundred and four (104) cars, which originated in Carlsbad, New Mexico. Kern Oil is expecting one (1) train next month.

**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.

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The CORT Team traveled to Plains All America for a formalization trip on May 7, 2018. We were given total access to the facility, starting in the office where we viewed maps showing where the SJVR rail ended and the facilities started. Our Operating Practices members now know where their testing ability stops for the inbound SJVR crews. The Track members learned which rail and derails can be inspected. Our MP&E inspector was informed that the facility uses the inbound power to spot and pull the train, and the facility uses licensed engineers. Our Hazmat team members received information about how a spill would be contained, off-loading safety features available on the rack, and finally the excellent fire protection containment available. After the team departed they travelled to the SJVR Yard to conduct an O.P. and Hazmat inspection. While meeting the new manager we were informed that when the SJVR calls a crew to spot the unit trains they also call a high-rail to inspect the route prior to departure. Per the Genesee and Wyoming policy the track crew inspects and locks the line-up ahead of the unit train, and it is not released back until the train arrives at the facility. The track crew inspects and locks the line-up for the unit train and is not released back until the train arrives at the facility. The CORT team is lining up future facility trips to Delta and Kern in the coming quarters.

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**For the month of May, a total of six (6) crude oil unit trains entered California with none of them containing Bakken crude oil.**



*CPUC Staff Receiving information about Plains All American Oil Facilities*