

Safety and Enforcement Division



Monthly Performance Report,

November 2016

2015 Safety Action Plan Deliverable #1

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

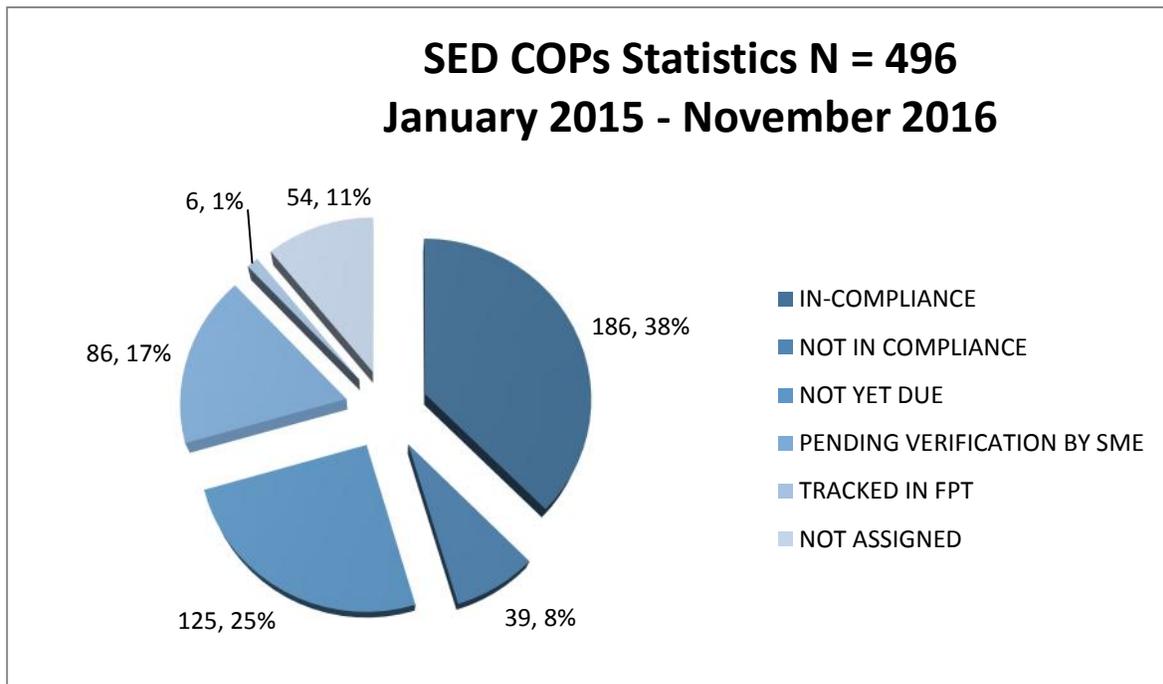
COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

With the launch of the Commission’s Compliance with Ordering Paragraphs (COPs) effort in January 2015, SED is including our program-to-date summary statistics. Although the Transportation Enforcement and Utility Enforcement branches are no longer part of SED, the COPs statistics still bundle entries for those branches in with other Safety COPs. SED has requested the data base be reconfigured to provide a separate accounting.

Through November 30, 2016, SED shows 496 total entries in the COPS system; with 186 reaching compliance (38%), 125 (25%) not yet due for compliance, and 39 (8%) currently remaining out of compliance. During November 2016, there were no new entries into the COPS system for Safety divisions.

Looking just at the January-November 2016 period, there were 279 new COPs entries reported, with 95 in compliance (34%); 17 not in compliance (6%); and 27 not yet due (10%); the remainder are awaiting assignment.

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	Work Type	Utility	Amount	Violations	Date Cited	Status
ALJ 274 16-03-001	Investigation	PG&E	\$200,000	192.805	3/29/2016	Paid
ALJ 274 16-05-001	Inspection	SoCal Gas	\$2,250,000	192.465(d)	5/13/2016	Paid

As authorized by ALJ Resolution-274, SED Staff has citation authority for the enforcement of safety regulations for violations by Gas Corporations of General Order 112 and Title 49, Parts 191, 192, 193 and 199 of the Code of Federal Regulations.¹

INSPECTIONS

- **2016 Inspections:** We have conducted 83 scheduled inspections in Q1, Q2, & Q3, and have completed the final inspection report for 29 of these 83 inspections during 2016.

INCIDENT INVESTIGATIONS

As of November 30, 2016, GSRB Staff received 155 incidents year to date. All pre-2015 incident investigations have been completed. Metrics on 2015 Incident Investigations:

TOTAL reported in 2015	191	Percent
Open	7	4 %
Closed	184	96 %

The CY 2016 incidents² are categorized as follows:

- 127 – Level 1 incidents
- 15 – Level 2 Incidents
- 6 – Level 3 Incidents
- 7 – Level 4 Incidents

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

² 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.

The CY 2015 incidents are categorized as follows:

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

UTILITY SELF-IDENTIFIED VIOLATION (SIV) INVESTIGATIONS

At the end of each year, the SIV process owner will conduct an annual review, which includes a trend analysis of systemic issues, determination of investigation effectiveness, and possible revision of investigation criteria. There were two self-identified violations in November 2016.

NATURAL GAS RELATED PROCEEDINGS

- **Distribution Record Keeping (I.14-11-008) (Commissioner Peterman/Lirag) (Advocacy):** Decision 16-08-020 was issued on August 18, 2016 which ordered Pacific Gas and Electric to pay a fine of \$25,626,000 for several violations of General Order 112 and the Public Utilities Code. The decision also ordered PG&E to convene, support and report no later than 120 days after the effective date of the order a meet-and-confer process to develop additional remedial measures necessary to address the issues identified in the decision. Staff from GSRB attended two meet-and-confer sessions and submitted comments on PG&E's draft compliance plan. Additionally, SED has a pending application for rehearing that was submitted on September 26, 2016. On November 22, 2016, the Commission issued a Notice of Reassignment from ALJ Maribeth Bushey to ALJ Rafael Lirag.
- **Gas Safety OIR (R.11-02-019) (Advisory):** Decision 15-06-044 Adopting Revised General Order (GO) 112-F signed by the Commission at its June 25, 2015, Commission Meeting. GO 112-F in Attachment A of D.15-06-044 is effective June 25, 2015; except that as to Sections 105, 122, 123, 125, 142, 143, 144, 145, and 162, the gas operators shall comply with these sections as soon as feasible but no later than January 1, 2017, unless compliance is extended for a particular provision pursuant to Rule 16.6 of the Commission's Rules of Practice and Procedure or its successor. R.11-02-019 was closed in June 2015, however, it was re-opened on an application for rehearing of the June 2015 decision, still pending.
- **Citation Program OIR (R.14-05-013) (President Picker/ALJ Burcham) (Advisory):** The current status of R.14-05-013 is "closed". 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 issued under the gas and electric safety citation programs should be adopted.
- Both the gas and electric safety citation programs should be modified to make utility reporting of self-identified potential violations voluntary.
- Under the modified rule, we will not require the utility to notify city and county officials of a self-identified potential violation unless staff requires it.
- **Sempra Pipeline Safety Enhancement Program (A.14-12-016) (Commissioner Peterman/ALJ Mason) (Advisory):** This proceeding deals with disposition of expenses in the balancing account for pipeline safety work. A proposed decision was issued September 9, 2016, with comments and replies filed that challenged some elements of the ruling. Based on Intervenor comments, Commissioner Florio on November 8 issued an alternate proposed decision affecting the cost allocation for high pressure distribution projects. The Commission will consider the proposed decisions in December.
- **Sempra Pipeline Safety Enhancement Program (A. 15-06-013) (Commissioner Picker/ALJ Mikita) (Advisory):** This proceeding addressed the SoCalGas and SDG&E application for authorization to proceed with Phase 2 of their Pipeline Safety Enhancement Plan and establish Memorandum Accounts to record Phase 2 costs. The application was approved (D. 16-08-003) on August 18, granting the applicants' unopposed request for memorandum accounts and adopting SED Staff's proposal for an interim rate increase subject to refund. On November 1, the ALJ issued a proposed decision that would approve the utilities' subsequent request to defer certain maintenance projects to ensure adequate gas deliveries while Aliso Canyon storage was non-operational. The PD will be considered during a December business meeting.
- **Mobile Home Parks Pilot Program (Implementing D.14-03-021):** This decision established a three-year pilot program authorizing each California investor-owned utility to convert 10% of master-metered gas and/or electric Mobile Home Park spaces within its operating territory to direct utility service. The Pilot Program began on January 1, 2015, and will continue through 2017. No significant updates for November.
- **OIR (R.16-07-006) Commissioner Randolph/ALJ Wildgrube):** The Order Instituting Rulemaking on the Commission's Own Motion to Revise General Order 58A to Comply with Decision 14-01-034 was issued on July 20, 2016. The Joint Utilities addressed the proposed changes to GO 58A and provided some suggested edits to improve clarity or consistency with earlier legislation and prior Commission decisions. ALJ Wildgrube requested that SED review and provide him advisory support on the Joint Utilities "Simplified Proposal" found in the Opening Comments of San Diego Gas & Electric Company (U 902 M), Southern California Gas Company (U 904 G), Pacific Gas and Electric Company (U 39 G) and Southwest Gas Corporation (U 905 G) on Order

Instituting Rulemaking on the Commissioner’s Own Motion to Revise General Order 58A to Comply with Decision 14-01-034. On September 7, 2016, SED provided ALJ Wildgrube comments on the Joint Utilities “Simplified Proposal.” SED’s comments are currently being reviewed by ALJ Wildgrube.

ELECTRIC SAFETY AND RELIABILITY PROGRAMS

ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM: AUDITS AND INCIDENT INVESTIGATIONS

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

- Received six electric incidents and closed one previously reported electric incident;
- Investigated 18 customer safety and reliability complaints;
- Issued four Notice of Violation (NOV) letters.

Metrics for Facility Incident Investigations as of November 30, 2016

Electric and Communication Facilities	Level 1	Level 2	Level 3	Level 4	Total ³
Total open incidents	11	24	31	42	108
Total incidents reported in 2016	15	24	28	31	98
Total incidents closed in 2016	11	10	16	18	55
Total open 2016 incidents	9	21	25	27	82
Incidents reported in November 2016	1	3	0	2	6
Incidents closed in November 2016	0	0	0	1	1

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS

- **Investigation into Incident (I.16-07-007) (Commissioner Picker/ALJ Cooke)(Advocacy):**
On July 15 and July 30, 2015, fires and explosions in underground electric vaults caused power outages that affected thousands of Long Beach customers for several days. On

³ 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.

August 15, 2015, another fire occurred in an underground vault with additional outages. After ESRB's investigation and upon SED's recommendation, the Commission adopted an Order Instituting Investigation on July 14, 2016. On September 6, 2016, the Commission held a prehearing conference, and on September 21, 2016, the assigned commissioner issued a scoping memo outlining the schedule and other matters related to this OII. The schedule opened a Discovery period from November through January 2017, with the potential for evidentiary hearings in February.

- **Investigation into Incident (I.15-11-006) (Commissioner Randolph/ALJ Kim) (Advocacy):** A subcontractor was fatally injured in a Southern California Edison underground vault in Huntington Beach. ESRB has undertaken discovery and is discussing a possible settlement in this proceeding.
- **Fire Safety Rulemaking (R.15-05-006) (Commissioner Florio/ALJ Kenney) (Advocacy):** D.16-05-036 adopted Fire Map 1, which depicts areas of California with an elevated hazard for the ignition and rapid spread of fires. In July 2016, assigned Commissioner Florio issued an amended scoping memo and ruling directing the Fire Safety Technical Panel (FSTP) to hold workshops to develop a work plan for creation and adoption of Fire Map 2. In November 2016, a subject matter expert (SME) working group held workshops to discuss potential revisions to existing General Order (GO) 95 rules and the development of possible new regulations in conjunction with the fire map currently being developed. The SME working group developed several documents summarizing the parallel work, in regards to fire safety regulation assessment and development, the group has conducted and presented that information to parties. Parties will hold workshops in early December to review the work and discuss next steps.
- **Applicability of Right-of-Way Rules to CMRS Carriers (R.14-05-001) (Commissioner Randolph/ALJ Kenney) (Advocacy):** D.16-01-046 adopted GO 95 amendments to provide Commercial Mobile Radio Service (CMRS) carriers with nondiscriminatory access to public utility infrastructure, including poles. The decision closed the proceeding. ESRB has updated GO 95 to incorporate the adopted changes and will undertake other follow-up work directed by the decision.
- **Petition to Repeal GO 95, Rule 18 (P.16-05-004) (President Picker/ALJ Kenney) (Advocacy):** On May 9, 2016, SED filed a petition for a rulemaking to consider repeal GO 95, Rule 18, because it compromises the minimum safety standards that GO 95 provides. On October 6, 2016, the assigned Commissioner issued a Proposed Decision (PD) that would institute a rulemaking to consider amendments to Rule 18. The matter is set for consideration by the Commission in December.
- **Physical Security of the Electric System (R.15-06-009) (President Picker/ALJ Kelly) (Advocacy):** Phase I will address physical security for electric supply systems, and additional phases will address disaster and emergency preparedness plans for electrical corporations and regulated water companies. On October 11, 2016, the ALJ issued a ruling directing parties to address six questions posed by the Assigned Commissioner at the PHC. SED did not file comments. ESRB is waiting for a scoping memo or further guidance in the proceeding.

- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ Cooke) (Advisory):** ESRB continues to provide advisory support to help determine best practices related to energy storage, and the proper way to inspect such facilities. A set of inspection protocols was issued for review by the ALJ on September 29, 2016, who sought comment on whether Commission general orders need to be revised to include the protocols. On October 24, 2016, SCE, SDG&E, Green Power Institute and PG&E filed comments recommending not to have a new general order to cover a preliminary commission inspection checklist for energy storage facilities. On November 7, 2016, Parties filed reply comments and ESRB is currently reviewing the reply comments.
- **Distributed Energy Resources (R.14-08-013) (President Picker/ALJ Allen) (Advisory):** ESRB continues to review the issues and provide advisory support. On October 21, 2016, the Assigned Commissioner filed a ruling on the scope of Track 3
- **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. Additionally, this bill requires the Commission (for electrical corporations) or the governing board (for publicly owned electrical utilities or electrical cooperatives) to review and to accept, accept provisionally, or reject the submitted plans. ESRB will begin planning next steps for the Commission’s consideration.
- **Resolution E-4791:** Adopted in May 2016, this resolution authorized expedited procurement of storage resources to ensure electric reliability in the Los Angeles Basin due to limited operations of Aliso Canyon Gas Storage Facility. Southern California utilities have since filed several advice letters seeking approval for contracts under this initiative. ESRB will follow, review and evaluate all documents related to safety.

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: REPORTS AND OTHER ACTIVITIES

- **Caltrain Modernization Project:** ESRB, Rail Safety, Energy Division, and staff from Legal have worked with Caltrain and other parties to develop safety rules regarding Caltrain’s proposed 25 kV electrification project between San Jose and San Francisco. On October 7, 2016, SED served a Draft Resolution SED-2 with attached proposed rules. Comments were due by October 27, 2016, with reply comments by November 1, 2016. ESRB amended the resolution to reflect the comments, and Resolution SED-2 was adopted at the November 10, 2016 Commission meeting.
- **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 and attends quarterly meetings.
- **Utility Diagnostic Testing:** ESRB surveyed the three largest investor owned utilities regarding the types of diagnostic testing and inspections they perform on distribution system switches, transformers and capacitors. ESRB’s report will compare the utilities’ practices to national best practices and industry standards. The draft report is in internal review.

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

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

- Investigated 15 forced or planned outages at power plants (all through phone calls and email inquiries).
- Completed the draft report of the Colusa power plant audit, and continued work on the audit report of the Walnut Creek power plant. Continued to monitor and track corrective actions of two plants (Redondo Beach and Los Esteros) for compliance with GO 167 requirements.
- Received one safety incident (a tower failure occurred at a 265 MW wind facility). Please see the 2016 year-to-date incident statistics in the table below.

Metrics for Generation Incident Investigations as of November 30, 2016

Electric Generation Incidents	Level 1	Level 2	Level 3	Level 4	Total ⁴
Total incidents reported in 2016	1	0	2	0	3
Total incidents closed in 2016	1	0	0	0	1
Total open 2016 incidents	0	0	2	0	2
Incidents reported in November 2016	0	0	1	0	1
Incidents closed in November 2016	0	0	0	0	0
Average closure time of incidents in 2016	1 day	-	-	-	1 day

UTILITY RISK ASSESSMENT AND MANAGEMENT

REVIEWING SAFETY & RISK IN GENERAL RATE CASES

On September 1, Southern California Edison filed its application for the Test Year 2018 General Rate Case (A.16-09-001). SCE seeks authority for a total base revenue requirement of \$5.555 billion, with an increase in TY 2018 of \$313 million (5.5%) over currently authorized base rates.

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

Within this request, SCE is seeking authorization for substantial amounts attributed to projects and programs that it claims are meant to improve safety and reliability of electric operations. Because this GRC was not fully incorporated into the new Safety Model Assessment Procedure (S-MAP), SCE was not obligated to file a Risk Assessment Mitigation Phase (RAMP) in advance, but the utility claims to have addressed RAMP elements and risk management in its testimony.

The Commission held a prehearing conference on October 25, 2016, to consider major procedural issues and a schedule, which will be incorporated in a Scoping Memo.

SED Risk staff has issued numerous data requests to obtain more precise risk spending information, which it will use to draft an evaluation report by January 31, 2017. In this report, staff will be analyzing the filing and testimony:

- To evaluate how well SCE's risk management program matches their S-MAP process and Commission RAMP guidance (as per D. 14-12-025 and D.16-08-018);
- To assess the GRC spending request for risk-related safety improvements, mitigations and alternatives;
- To review specific, identified areas of significant safety concern (i.e., aging infrastructure, generation assets, training, pole loading and distributed resources);
- To identify any "acute" safety issues that should receive attention outside of the GRC.

NEW RAMP FOR SEMPRA UTILITIES

On November 30, 2016, San Diego Gas & Electric and Southern California Gas filed their Risk Assessment Mitigation Phase (RAMP) documents to be addressed in I.16-10-015/-016. The utilities identified and analyzed proposed mitigations for 28 individual safety risks for natural gas, electric distribution and utility cross-cutting risks. The process for RAMP involves a utility workshop on December 13, followed by an evaluation report by SED Staff due in February.

PROCEEDINGS

- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ DeAngelis) (Advisory):** NorthStar Consulting has been conducting an intensive schedule of meetings with utility executives and managers, as well as field visits to monitor how safety is being discussed and safety practices instilled in the company. The Risk section is project manager for this contract, and SED staff has attended many of these interviews and field visits. NorthStar principals on October 4 briefed President Picker on status of investigation, and they continue their interviews and field observations in preparation or a report due in January 2017.

- **Safety Model Assessment Proceeding (A.15-05-002, et al) (President Picker/ALJ Kersten) (Advisory):** The Phase 1 Interim Decision to advance this proceeding (D. 16-08-018) determined that the risk scoring models initially proposed by utilities were not adequate and should be supplemented by use of a multi-attribute scoring model that was developed for the Electric Power Research Institute and proposed by stakeholder groups TURN/Indicated Shippers/Electric Producers & Users Coalition. A pre-hearing conference for Phase 2 was held November 16 to consider scope and scheduling for Parties to conduct “test drives” of the Joint Intervenor Approach, utility pilots, and technical working group activities. A Scoping Memo is pending.
- **PG&E 2017 General Rate Case (A.15-09-001) (President Picker/ALJ Roscow) (Advisory):** On August 3, 2016, Pacific Gas & Electric and 14 parties filed a Joint Motion for Commission approval of a settlement of issues in the TY 2017 General Rate Case (A.15-09-001). A joint exhibit of testimony on executive compensation and safety was filed on October 3. An Energy Division report on past safety spending was issued in late October. A PD is pending.
- **Gas Leak Abatement OIR (R.15-01-008) (President Picker/ALJ Kersten) (Advisory):** Gas companies filed their annual reports on leaks and emissions during 2015 on June 17, 2016. SED Staff, working with CARB Staff anticipates releasing a draft of the report for comment in December. Staff on November 3 conducted a workshop on cost-effectiveness and expected impacts of new legislation.
- **SCE 2017 General Rate Case (A.16-09-001) (President Picker/ALJs Roscow & Wildgrube) (Advisory):** While not subject to the full S-MAP/RAMP requirements for this GRC cycle, SCE has included some level of analysis of its risk mitigations in the new GRC application testimony filed Sept. 1. SED Risk staff will be advisory and is currently engaged in issuing data requests for an evaluation report. A PHC was held on October 25, and SCE hosted three days of workshops on its proposals.
- **Long Beach Outage Incidents (I.16-07-007) (Commissioner Picker/ALJ Cooke)(Advisory):** In July and August 2015, a series of fires and explosions in underground electrical vaults caused repeated power outages in Long Beach. Following an investigative report by SED’s Electric Safety & Reliability Branch (ESRB) the Commission on July 14, 2016, adopted an Order Instituting Investigation. The Commission held a prehearing conference on September 6, and on September 21, 2016, the assigned commissioner issued a scoping memo outlining the schedule and other matters related to this OII. The schedule opened a discovery period from November through January 2017, with potential for evidentiary hearings in February. ESRB will be an active party in the proceeding, while Risk Assessment section will provide advisory support, as needed.
- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ Cooke) (Advisory):** In compliance with D. 16-01-032 (Track 1 decision in this rulemaking), staff has convened a technical group to consider appropriate Safety-related issues for facility inspections of grid-connected storage operated by utilities. The resulting set of inspection protocols was issued for review by the ALJ on Sept. 29, who sought comment on whether Commission general orders need to be revised to include the protocols.

- **Fire Safety Rulemaking (R.15-05-006) (Commissioner Florio/ALJ Kenney) (Advisory):** D.16-05-036 adopted Fire Map 1, which depicts areas of California with an elevated hazard for the ignition and rapid spread of fires. In July 2016, Commissioner Florio issued an amended scoping memo and ruling directing the Fire Safety Technical Panel (FSTP) to develop a work plan for creation and adoption of Fire Map 2. Parties filed a work plan on October 7, 2016, proposing a process for developing Fire Map 2. SDG&E, working with CalFIRE was expected to file a draft “Shape A” map on November 23, but requested an extension, which was granted, to November 28.
- **PG&E Supplemental Energy Storage Procurement (A.16-04-024) (Peterman/ALJ Cooke) (Advisory):** PG&E in April 2016 applied for approval of an additional energy storage project contract with STEM, which was not part of its A.16-03-001 case. A Scoping Memo was issued by Commissioner Peterman on July 25, which included as an issue whether the contract promotes safe and reliable operation and maintenance of the energy storage systems. In a proposed decision issued October 21, ALJ Cooke determined that the project was not cost-effective, and she recommended against approval. However, the ALJ noted that PG&E made a reasonable showing regarding safety provisions in its contracting: “[W]ere the contract approved, we would find that PG&E has addressed potential safety concerns in a proactive and responsible manner and that there are no obvious safety concerns that remain to be addressed.” The decision is set for consideration in December.
- **PG&E Gas Transmission & Storage Rate Case (A.13-12-012/I.14-06-016) (Picker/Bushey) (Advisory):** The GT&S case was decided on June 25, 2016, with D.16-06-056. Among other provisions for disallowances for safety lapses, the decision also disallowed from immediate recovery \$696.4 million for 2011-2014 capital expenses above that previously approved in Gas Accord V. \$120 million is permanently disallowed, but \$576 million would be subject to an audit by Commission staff or a third party. SED staff is currently conferring with Energy Division and the Division of Water and Audits to determine whether to conduct the audit internally or using an outside expert.

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 - 1/01/16 TO 11/30/16

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

Confirmed or Possible Whistleblower Complaints						
	CAB	Transportation	Electric Safety	Gas Safety	Telco Fraud	Rail
January	0	0	1	0	0	0
February	0	5	1	0	2	0
March	0	0	0	0	0	0
April	0	2	0	0	0	0
May	0	0	0	0	1	0
June	0	0	0	0	0	0
July	0	0	0	0	0	0
August	0	0	0	1	0	0
September	0	0	0	0	0	0
October	1	1	0	0	0	0
November	0	0	0	0	0	2
Total 2016	1	8	2	1	3	2

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

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June	0	0	1	0	0	0	0
July	0	0	0	0	0	0	0
August	0	0	3	0	0	0	0
September	0	0	0	0	0	0	0
October	1	1	0	0	0	0	0
November	0	1	0	0	0	0	0
YTD	1	1	1	1	0	0	1

Test, Incomplete or Duplicate Whistleblower Complaints	
January	0
February	4
March	0
April	3
May	0
June	0
July	0
August	1
September	0
October	0
November	3
YTD	11

OFFICE OF RAIL SAFETY

RAILROAD SAFETY - ROSB

In the month of November 2016, SED Staff's Railroad Operations group completed the following:

New Incidents Investigated	6
Informal Complaints Investigated	2
Safety Assessments/Reviews	8

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Compliance Actions	424
Major Inspections Completed - Such as Focused Inspections	7
Operation LifeSaver Presentations	2

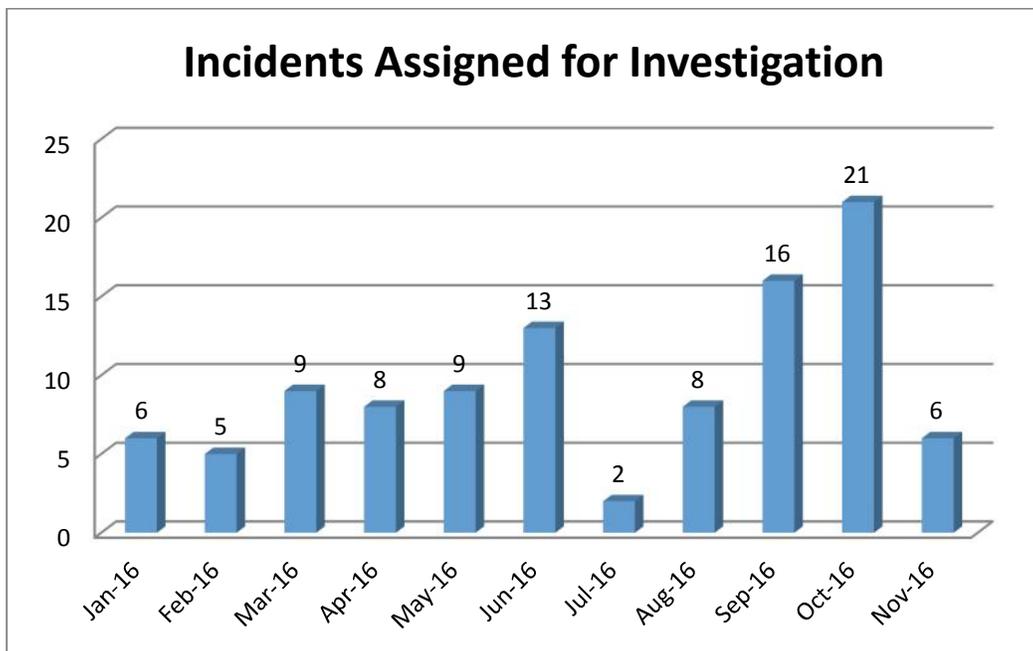
ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

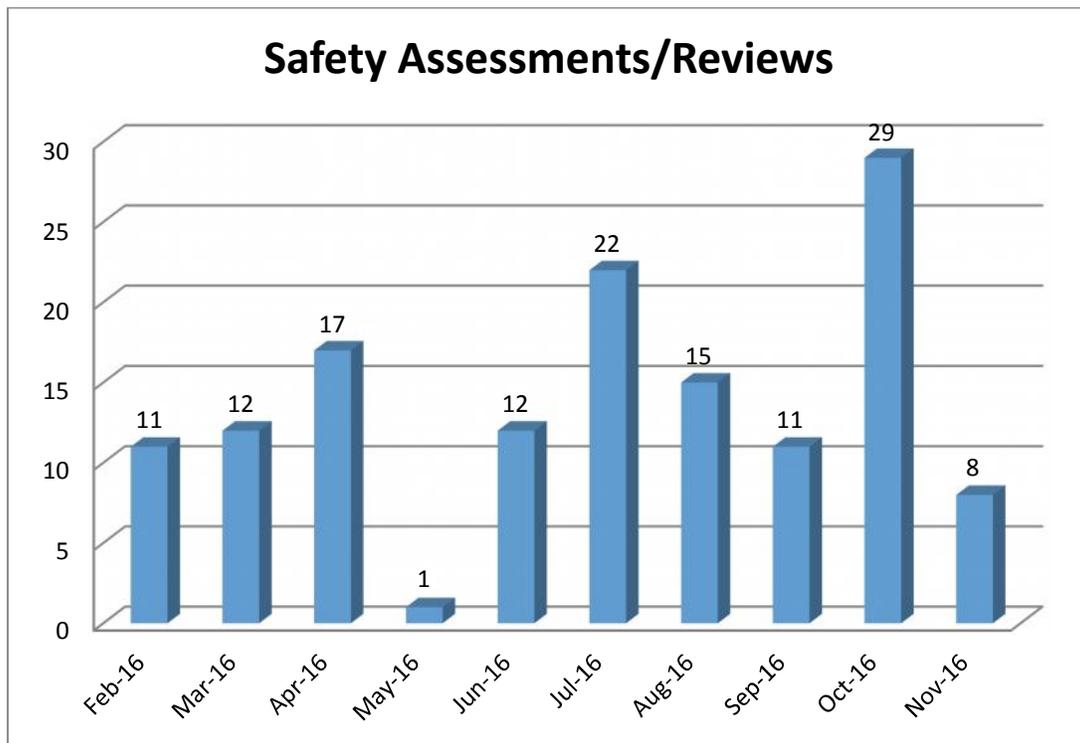
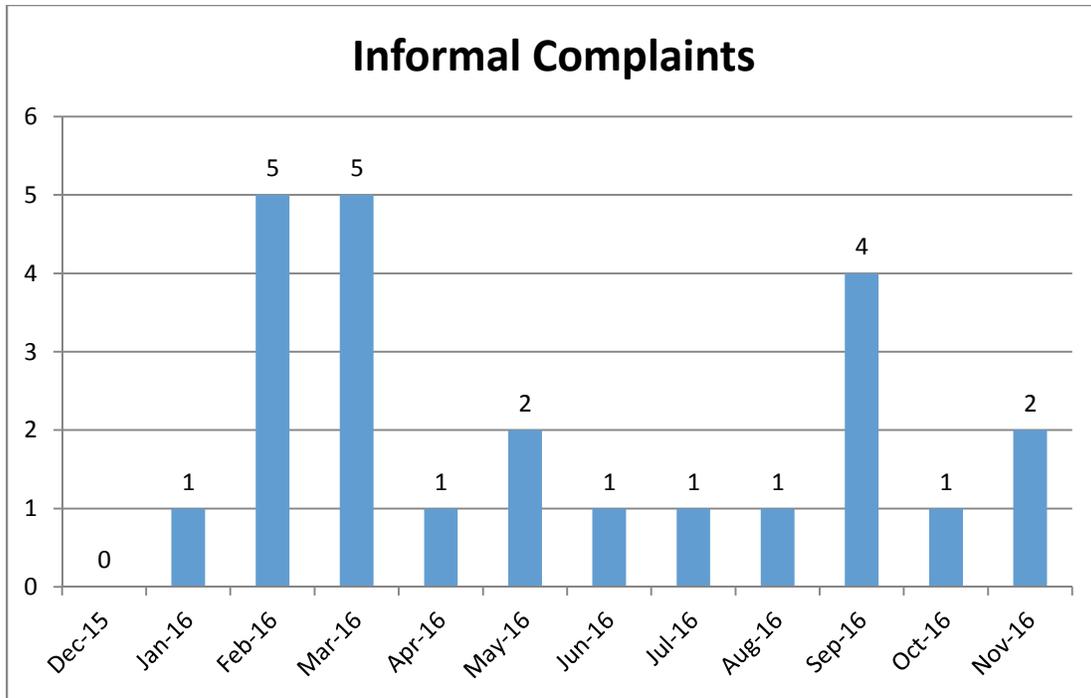
November 1, 2016: CPUC Railroad Safety Inspectors and one FRA Inspector performed a Joint, Two-Day Multi-Discipline (Hazmat and Operating) Focused Inspection of the BNSF Railroad’s Intermodal (Mariposa Yard) and Freight (Mormon Yard) facilities in Stockton, California. Several unsafe practices and conditions were observed and reported to BNSF Management for remediation. A CPUC General Order inspection for walkway footing conditions and side clearances was also part of the exercise. The CPUC Rail Safety Inspectors found the following defects: Generator Field contacts closed (a condition that could enable unintended movement of a locomotive), Walkway Chains hung low (a condition that could allow a crewperson to fall off a locomotive), a container not secured to its’ trailer, and No Rear Headlight on a locomotive that was moving (a BNSF Rule violation). Hazardous Materials Inspectors removed and replaced security seals on intermodal containers containing HazMat. They found several placarding exceptions; missing or degraded placards (which pose a hazard to emergency response personnel as different materials require different handling) and one container that did not have proper bracing of the palletted HazMat contents (a shifted load could result in a breach of the drums causing either a release of the flammable liquid or a fire, which could result in an explosion in the enclosed space). The container with improper bracing was placed in a “Do Not Move” status until the contents were properly braced. All defects cited were corrected by the railroad.

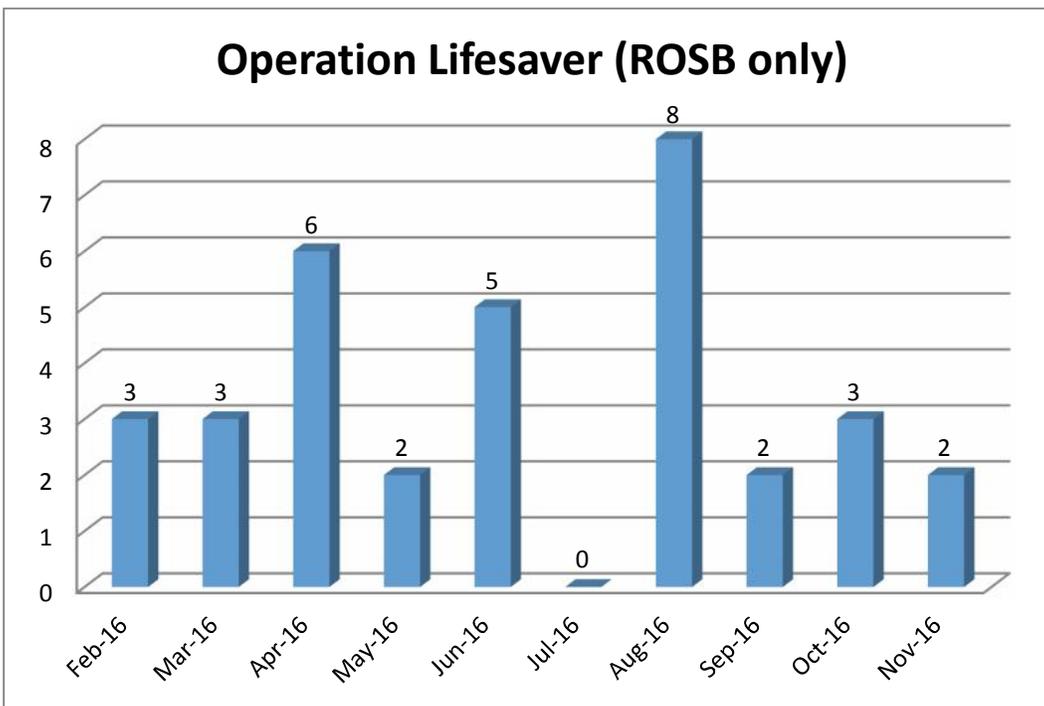
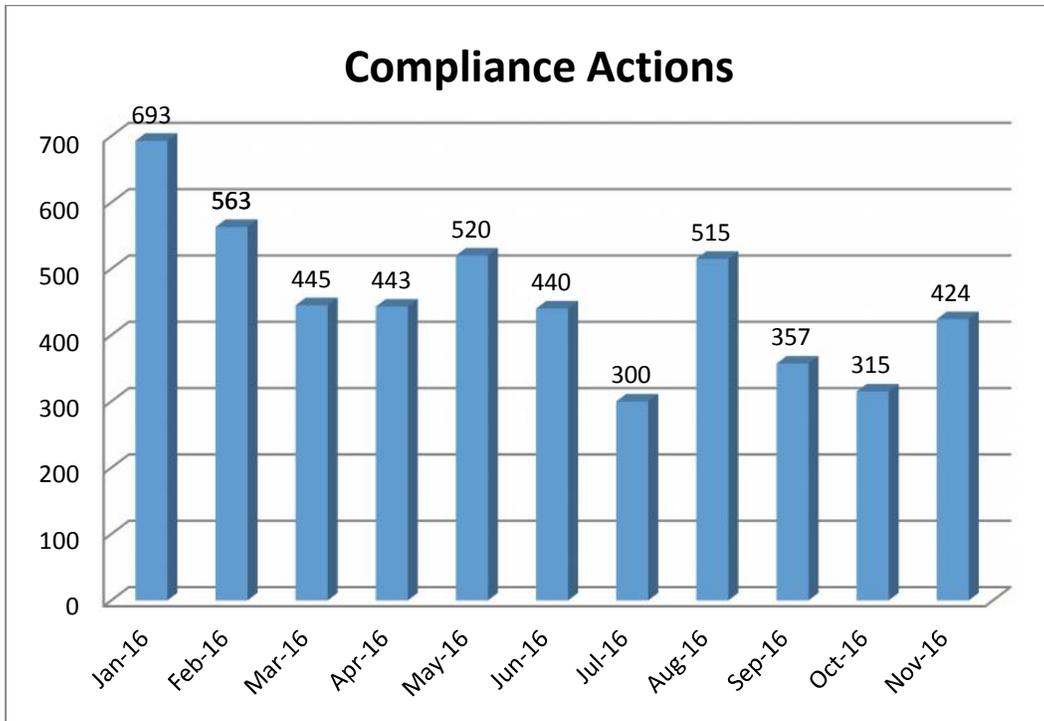
November 5, 2016: Continuing to participate in the ongoing Neighborhood Justice Program (NJP) of the LA City Attorney's Office, a CPUC Rail Safety Inspector spoke to a group of adults who had been cited for trespassing onto railroad tracks, a misdemeanor under the penal code. The plan behind the Neighborhood Justice Program is to allow cited trespassers the

opportunity to attend an Operation Lifesaver presentation covering life saving tips regarding trains and RR tracks, as an alternative to going to court, of being convicted or pleading guilty, and of having a criminal record. The inspector explained to attendees that trains cannot stop quickly, that at 55 mph a freight train needs the distance of 18 football fields to come to a stop, that trains cannot swerve, that one should always expect a train, which are all very significant points to encourage people to not violate the law and not trespass onto RR tracks which after all is private property. The inspector also covered posted advance warning signs that warn drivers of tracks ahead and how to respond to the signs, what to do in case the car stalls on RR tracks, emergency phone numbers posted at grade crossings, etc. After the presentation, he asked attendees to recite tips covered and they were able to repeat many of the tips confirming that tips were clearly explained and understood.

November 16, 2016: On November 3, 2016, a CPUC Rail Safety Inspector conducted a General Order compliance inspection in the UPRR El Centro yard and observed a grade crossing not in compliance with CPUC General Order requirements. The inspector informed the railroad of his findings and provided him with a General Order inspection report. On November 16, 2016, the inspector received notice and verification from the railroad that all non-complying issues at the crossing were resolved.







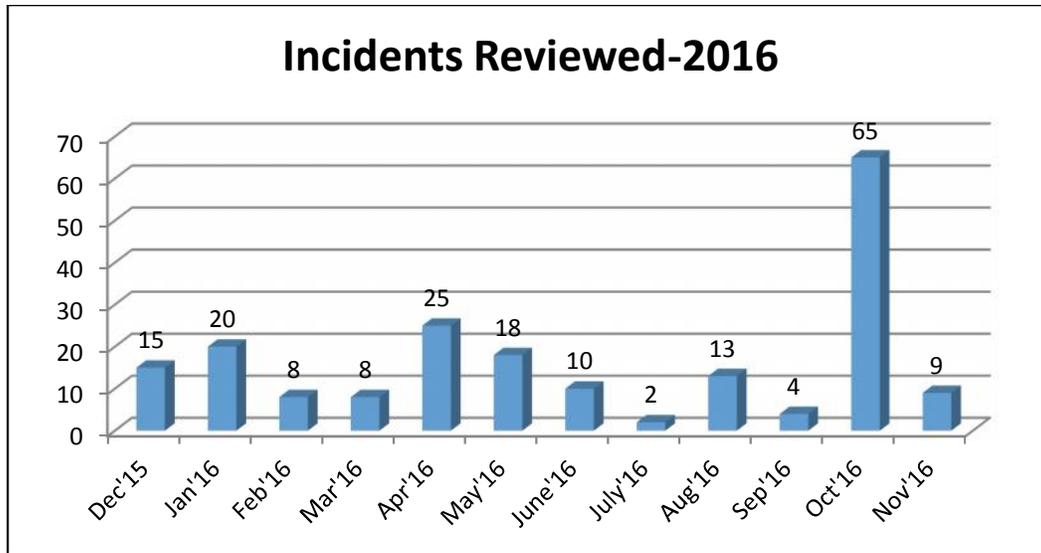
RAIL CROSSINGS AND ENGINEERING BRANCH – RCEB

In the month of November 2016, the Rail Crossings and Engineering Branch completed the following:

	Open at Period Start	New During Period*	Closed During Period	Open at End of Period
2015 Crossing Incident Investigations	2	0	2	0
2016 Crossing Incident Investigations	74	13	9	78
Informal Complaints Investigations	27	0	0	27
Safety Assessments/Quiet Zones/Reviews	0	26	26	0
Environmental Reviews	0	62	62	0
Proceedings, Resolutions and G.O. 88-B Reviews**	18	8	10	17
Operation LifeSaver Presentations	0	0	0	0
<p>*As RCEB checks FRA data with CPUC data, RCEB adjusts the number of incidents for 2015 and 2016.</p> <p>** The number of Open GO88-B reviews is adjusted to reflect a group of crossings in Los Angeles as individual GO88B reviews.</p>				

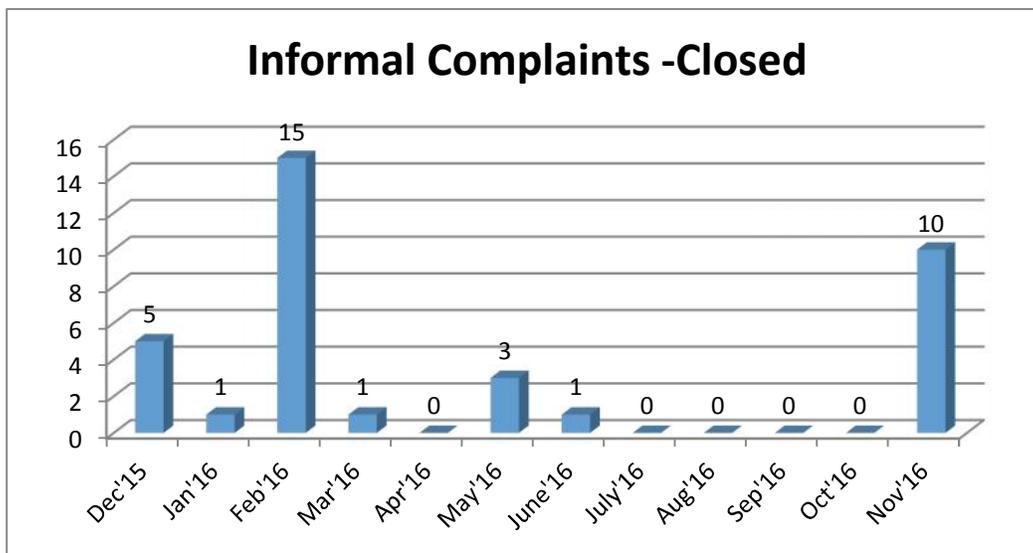
RAIL CROSSING INCIDENT INVESTIGATIONS

- In November 2016, the Rail Crossings and Engineering Branch engineers received 13 new incidents and completed 65 highway-rail crossing reviews.



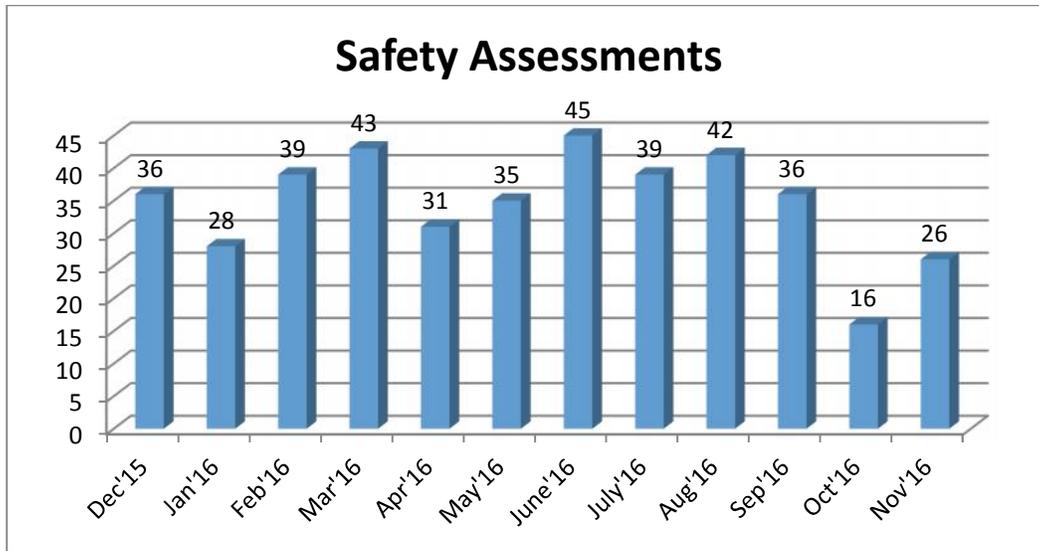
INFORMAL COMPLAINTS

- In November 2016, staff did not receive any new complaints involving highway-rail crossings. RCEB staff closed 10 complaints in November 2016 and continues to work with the remaining open complaints.



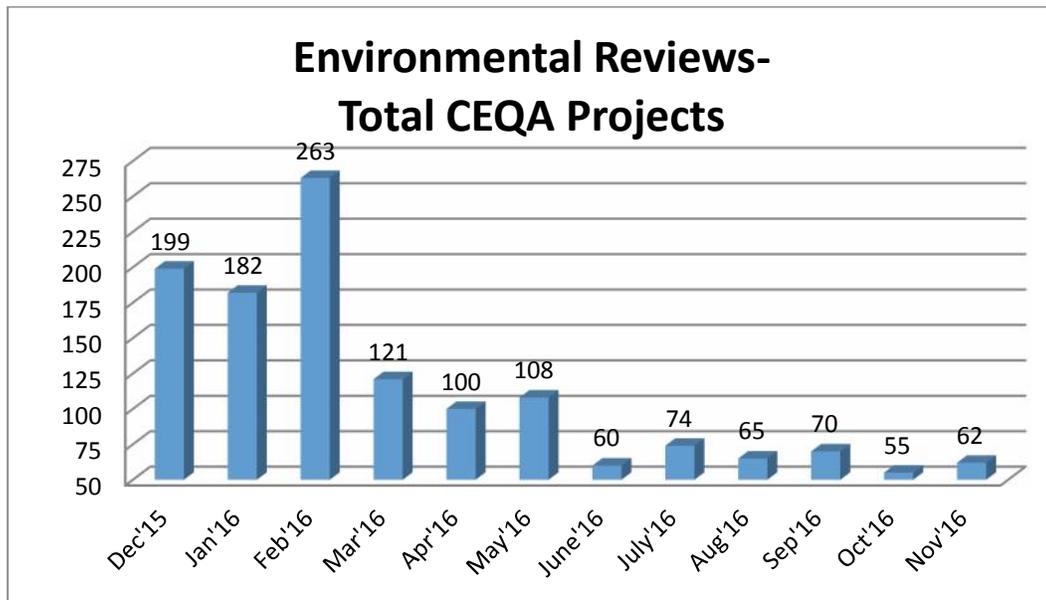
SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

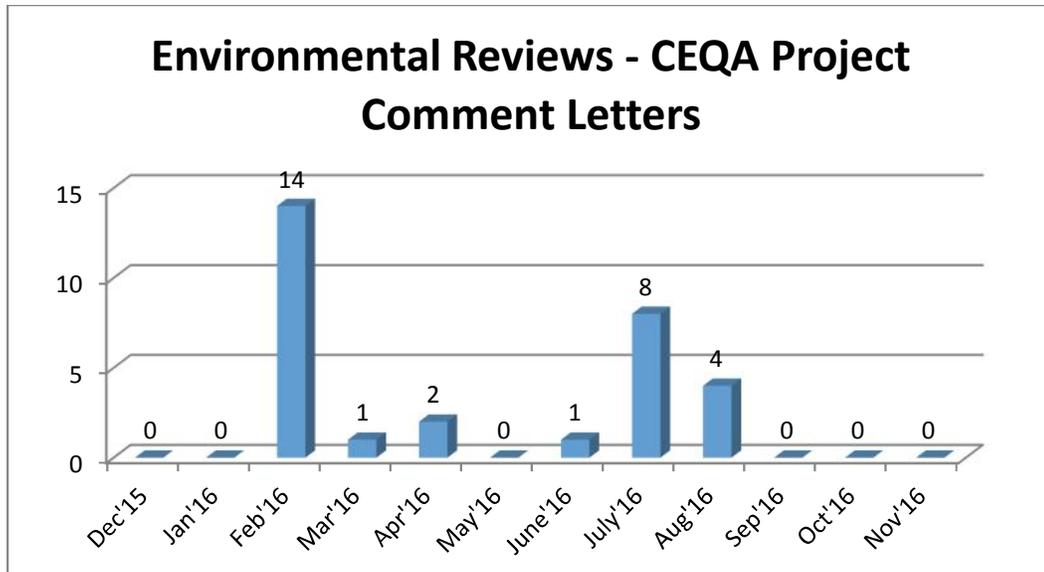
In November 2016, staff completed 26 rail crossing safety assessments involving communications, field inspections, Quiet Zones, and diagnostic reviews with railroads and local agencies.



ENVIRONMENTAL REVIEWS

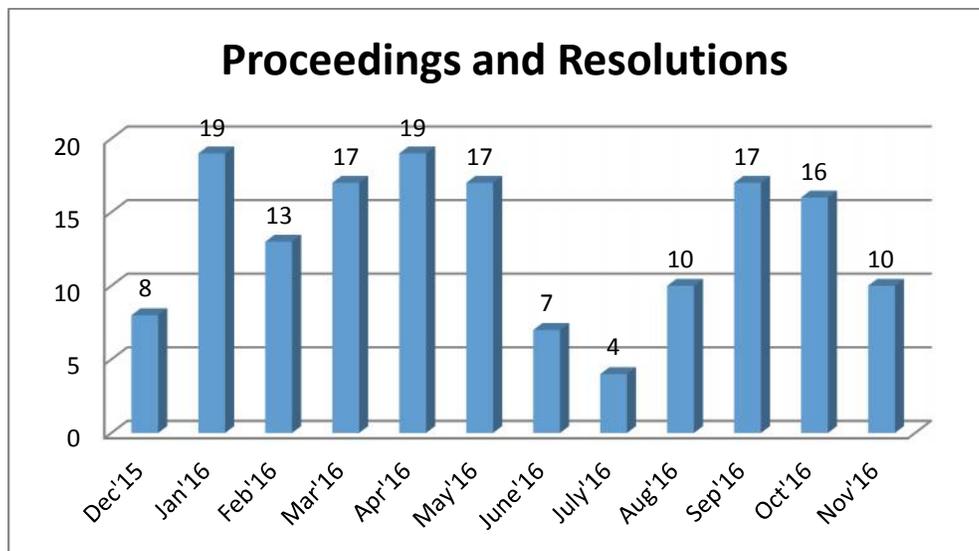
In November 2016, staff reviewed 62 CEQA reports. When railroads and local agencies plan new projects or developments, staff reviews the documents submitted by the agencies for safety impacts to crossings. The review addresses safety issues in highway-rail crossing design and nearby intersections during the design phase of the projects. RCEB did not issue any comment letters.





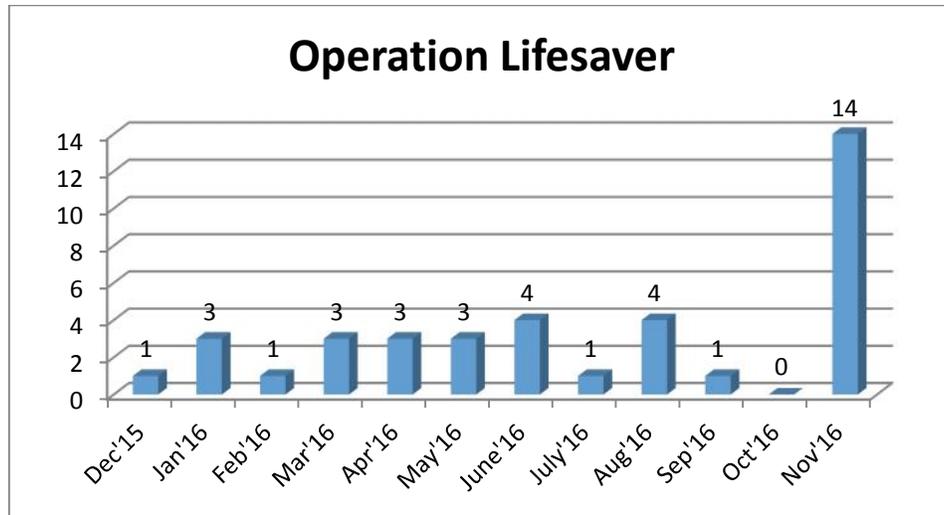
PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

In November 2016, engineering staff received 8 new General Order 88-B applications, and closed 10 General Order 88-B reviews. RCEB staff did not receive or close any formal proceedings or Resolutions.



OPERATION LIFESAVER INC.

In November 2016, RCEB staff participated at 6 Operation LifeSaver Inc. (OLI) events and completed 14 presentations sharing the OLI rail safety message. As time permits RCEB staff continues to participate in OLI events and activities.



RAIL TRANSIT - RTSB

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

CORRECTIVE ACTIONS PLANS

- RTSB opened 23 new Corrective Action Plans (CAPs) due to incidents, internal safety audits, and inspections in November 2016. RTSB is working with Rail Transit Agencies (RTAs) to close existing CAPs.
- 9 CAPs were closed this month.

INCIDENT INVESTIGATIONS

- In November 2016, 16 incidents were reported by RTAs.⁵
- 5 incident investigations were closed by RTSB.

⁵ 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.

PROCEEDINGS / RESOLUTIONS

- **ST-190** - This Resolution grants the request of San Francisco Municipal Transportation Authority (SFMTA) for approval of the Safety Certification Plan for the LRV4 Light Rail Vehicle procurement project. On November 10, 2016, Commission voted on and approved this Resolution, granting SFMTA the requested authority and requiring SFMTA to file required certification documentation with Commission staff, as well as submit a final letter to staff once all vehicles are safety certified upon the successful completion of this project.

I.16-06-010 Order Instituting Investigation (OII) (Commissioner Randolph/ALJ Kim) - On June 28, 2016, the Commission instituted a Formal Investigation in response to a two fatality Bay Area Rapid Transit (BART) accident on October 19, 2013. The purpose of this investigation is to a) examine the accident, b) determine whether BART repeatedly violated state codes and regulations by failing to provide adequate protection for BART's wayside workers, c) whether BART's train-operating personnel's lack of training and certification contributed to the accident, d) whether BART violated Rule 1.1 of the Commission's Rules of Practice and Procedure by failing to provide the Commission with an accurate list of who would be operating its trains during a strike occurring at the time of this accident, and e) whether Rule 1.1 was violated by BART's failure to obtain prior approval of the use of uncertified, untrained, and unapproved personnel to operate trains during the strike. Additionally, the investigation will determine whether BART should be fined or otherwise penalized for any of these violations. A prehearing conference was held on October 11, 2016. On October 18, 2016, both parties filed a Joint Case Management Statement.

SAFETY CERTIFICATION AND OVERSIGHT OF RAIL TRANSIT AGENCY PROJECTS

- **BART New Vehicle Procurement:** BART is in the process of procuring 775 new rail vehicles. BART has already received four of these vehicles (two D cars and two E cars) for testing, and is storing them at its Hayward Yard facility. RTSB staff is witnessing testing and participating in Safety and Security Certification meetings to oversee the procurement process. BART will submit its interim State Safety Certification Verification Report (SSCVR) for these first 10

vehicles in late February 2017. The 10-car pilot train should be ready for revenue service in mid-March 2017. Engineering tests, qualification tests and safety-related testing is on-going. Mainline tests are being conducted during blanket hours (1-3am). Safety-related tests currently in progress are Stability and Curve Negotiation (8010) and Communications, Signs & PIS (8052C.) The present goal is to complete qualification and safety-related testing in January 2017.

- **The 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 is currently in the construction phase, and is being safety certified by RTSB, whose staff regularly attends safety certification meetings. Signal testing is expected to begin in October 2016. Trains are currently undergoing testing during the non-revenue hours. Station and Maintenance Facility finishes continuing. This project expects to be in revenue service by approximately mid-September, 2017.
- **BART Warm Springs Extension:** This project proposes an additional 5.4 Miles of BART track connecting the currently existing Fremont BART station with a new BART station located in the Warm Springs district in the city of Fremont. Construction has been monitored by RTSB and will be safety certified when complete. Staff has attended and witnessed testing. Additionally, RTSB staff inspected this project on September 13, 2016. The Warm Springs Extension Project Team is in the process of reviewing past test records pertaining to the Safety Certification Verification Report (SCVR). The Warm Springs Extension contractor is conducting simulated automatic train control testing during non-revenue hours. A staff Engineer and inspector attended witnessed this testing. A problem with Boolean reading was detected in the automatic train control system and is currently being addressed. Continued simulator testing is required prior to moving to dynamic testing. The contractor is expected to complete their tests by December 16, 2016. BART train control engineering will then begin a series of verification tests of their own. Additionally, the contractor is working on addressing punch list items and submittals.
- **Silicon Valley Berryessa Extension:** BART and Santa Clara Valley Transportation Authority (SCVTA) are currently jointly in the process of constructing a 10-mile track extension and

two new stations – the Milpitas and Berryessa stations. The project is expected to be complete in late 2016/early 2017, and is currently in the construction phase for certain areas (I.E. Traction Power Substation (TPSS), Train Control, Communication, etc.), and in the pre-testing phase for others. On Wednesday, November 16, 2016, staff participated and observed the Dynamic testing (Pre and Post Shunt testing) at S24 region. On Monday, December 05, 2016, staff attended and observed the Fire Alarm pretesting and SCADA pretesting related to S24 (Warren Avenue) and S26 (Kato Road) Train Control Rooms in Milpitas. The S24 portion of this testing was observed at the Project Test Center (PTC) and the S26 testing was observed on the field (Train Control Room). On Wednesday, December 07, 2016, staff attended to discuss the outcome of the recent FTA PMOC audit findings and RTSB's comments/suggestions.

- **SFMTA New Vehicle Procurement:** San Francisco Municipal Transportation Agency (SFMTA) is in the process of procuring 260 new rail vehicles, which will be received by SFMTA over the next 15 years. The first batch, consisting of 24 cars, will be received in 2017. All new vehicles will be put through a wide range of tests in order to complete the safety certification process. Resolution ST-190 (see PROCEEDINGS/RESOLUTIONS section above) granted SFMTA's request for approval of their SSCP. RTSB staff will attend monthly meetings with SFMTA to oversee the Safety Certification Process and to monitor the progress of testing. The project is in the construction specification conformance phase.
- **Central Subway Project:** 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, and Chinatown. This project, due to be completed in 2019, is currently in the construction phase and is being monitored by RTSB through regular meetings, review of documentation related to safety certifiable elements to ensure conformance with specified safety requirements and design criteria, and site visits pursuant to CPUC's safety certification requirements.
- **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 to provide the needed capacity expansion for the recently

completed projects (Expo Phase 2 and Foothill Extension Phase 2), and for the future LAX/Crenshaw line which is currently in construction. On March 4, 2016, RTSB staff approved the LACMTA request to introduce the first batch of P3010 cars into revenue service after review of the Safety Certification Verification Report, various test records, and the individual vehicle history books. As of 11/31/2016, Forty-three (43) P3010 vehicles have so far been approved for revenue service by RTSB staff.

- **LACMTA HR4000 Heavy Rail Vehicle Procurement:** LACMTA is in the process of procuring up to 282 new heavy rail vehicles to provide for the future expansions of Regional Connector and Purple Line Extensions, and to replace the existing aging HRV fleet.
- **LACMTA Regional Connector Project:** Currently in utility relocation phase. RTSB staff regularly attends LACMTA's monthly Fire Life Safety and Security Meetings, as well as Safety and Security Certification Review Meetings.
- **LACMTA Purple Line (Westside) Extension Project:** LACMTA is currently expanding rail network and services, including 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, consisting of nearly nine miles of track and seven stations, is planned to be constructed in three sections, and is currently in the utility relocation phase. RTSB staff regularly attends LACMTA's monthly Fire Life Safety and Security Meetings, as well as Safety and Security Certification Review meetings.
- **LACMTA/MGLFECA Foothill Extension Phase 2B:** LACMTA and Metro Gold Line Foothill Extension Construction Authority have submitted the project's Safety Certification Plan (SCP). Staff has reviewed the SCP and the draft 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", is currently being reviewed RTSB Management.
- **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

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revenue service to the Linda Vista, Clairemont, University California San Diego (UCSD) campus and the University City areas The additional stations will be: Tecolote Road, Clairemont Drive, Balboa Avenue, Nobel Drive, potential Veterans Administration (VA) Medical Hospital, UCSD West (along Voigt Drive), UCSD East (along Voigt Drive), Executive Drive, and University Town Center (UTC) Transit Center. Construction is planned for late 2016 and revenue service begins late 2021. RTSB staff is attending the System Safety Review Committee Meetings and Fire Life Safety Committee meetings for this project. The Safety and Security Certification Plan (SSCP) for the project has been reviewed and staff prepared Resolution ST-186 accepting the SSCP for consideration at the Commission's January 19, 2017, meeting.

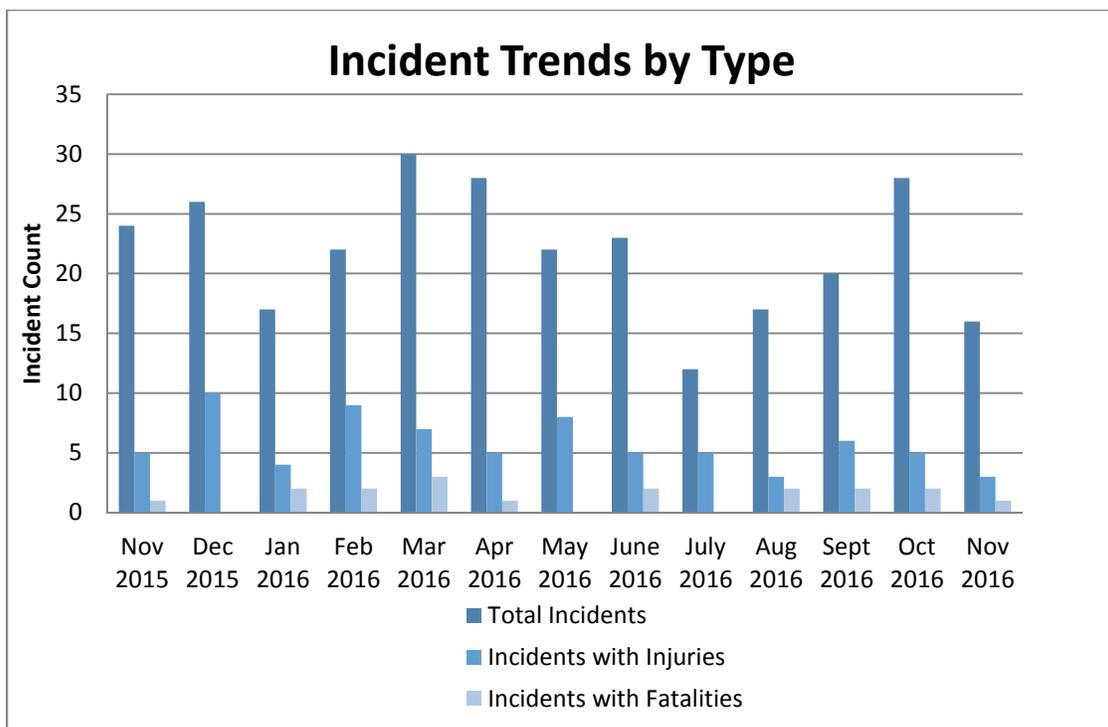
- **Other SoCal Safety Certification Projects:** Several projects are in various phases of early design and engineering in the Southern California region: OC Streetcar Project (in Orange County), LA Streetcar Project (in City of Los Angeles), Angels Flight Railway (in City of Los Angeles), and LAX Automated People Mover (for Los Angeles International Airport). RTSB staff regularly attends Fire Life Safety Committee meetings, Safety Certification Team meetings, etc., to monitor and track any safety related issues.

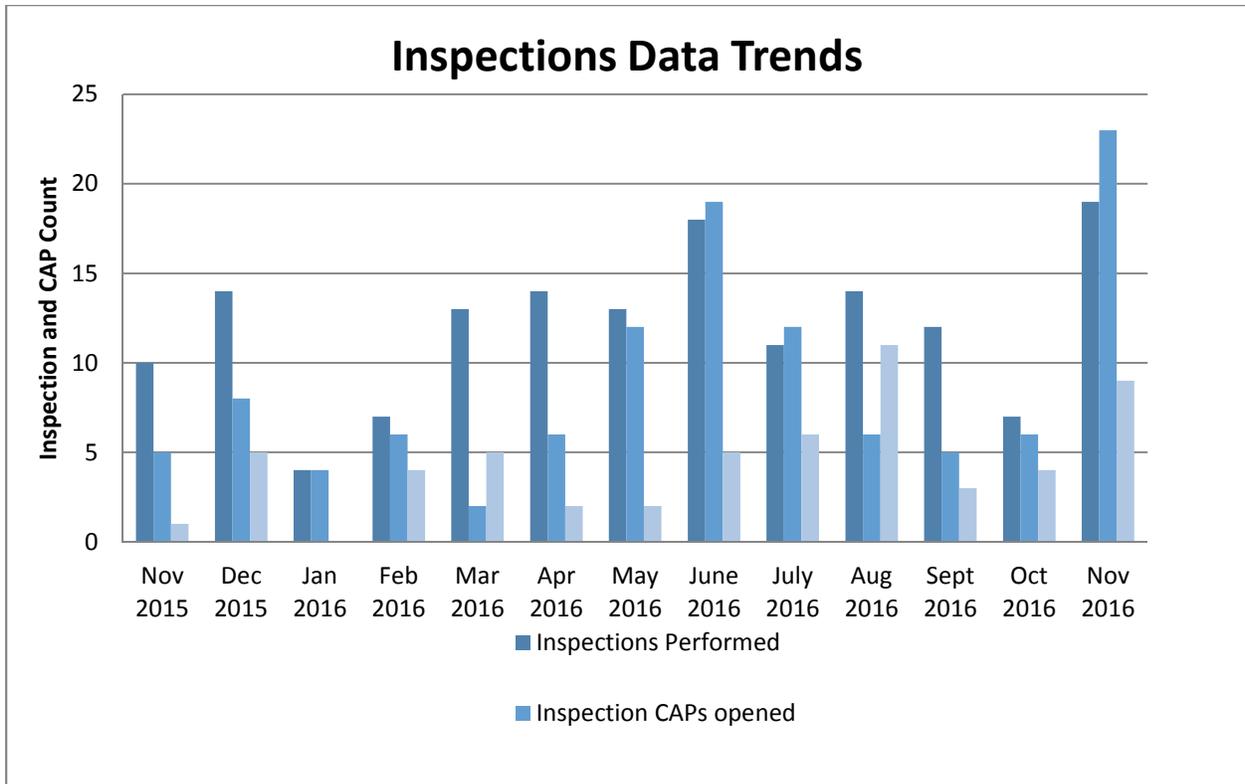
STATISTICS SUMMARY

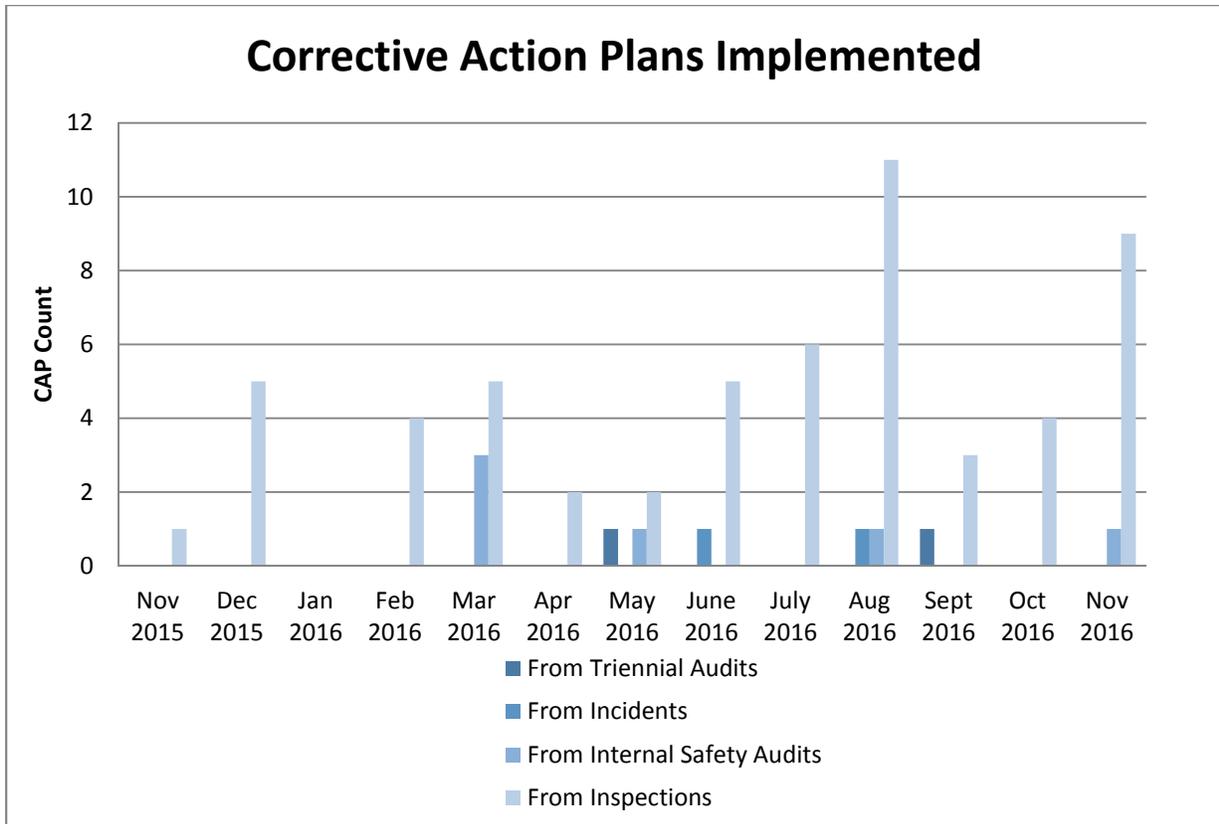
Investigations	
Incidents Reported	16
Incident Investigations Closed	5
Complaints Investigated	1
Rail Transit Inspections	19
Triennial Audits	0

Corrective Action Plans	
New Corrective Action Plans	23
From Triennial Audits	0
From Incidents	0
From Internal Safety/Security Audits	0
From Rail Transit Inspections	23
Closed Corrective Action Plans	10
From Triennial Audits	0
From Incidents	0
From Internal Safety/Security Audits	1
From Rail Transit Inspections	9

ONGOING DATA / TRENDS







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