

California's most isolated rural communities. In approving the transfer, the CPUC imposed conditions on the sale and transfer of the properties to ensure that the transaction is in the public interest and will improve service in the affected areas. ([A.15-03-005](#))

Top Transportation Issues

Annual Railroad Safety Report

Public Utilities Code Section 765.6 requires the CPUC to report on the actions the CPUC has taken to ensure the safe operations of railroads in this state. In addition, Section 765.6 requires the CPUC to report annually on the impact on competition, if any, of the regulatory fees assessed railroad corporations for the support of the CPUC's activities. The CPUC's [Annual Railroad Safety Report](#) details the more than 3,000 inspections performed and more than 9,000 defects identified by CPUC staff in 2015.

Expanding Rail Transit Systems and New Lines

The CPUC continues to conduct safety oversight of transit agency capital projects and system expansions, which have grown significantly over the past several years. Nearly every California rail transit agency is building new line extensions and system expansions. Each project requires a Safety Certification Plan and continual involvement of CPUC staff to oversee project implementation and inspect installations for safety and compliance. Capital projects under construction or placed in service during the past year include:

1. BART – Oakland Airport Connector, BART extension to San Jose, new vehicle procurement, eBART to Contra Costa County
2. Santa Clara VTA – Mountain View pocket track
3. SFMTA – Central Subway
4. Sacramento Regional Transit-South Line Phase 2
5. San Diego Trolley – Blue Line Crossovers project, Mid-coast project
6. LA Metro – Foothills Extension Phase 2, Expo Line Extension Phase 2, Regional Connector project, Crenshaw Transit Corridor project, Westside Subway project, new P3010 vehicle procurement

Additionally new streetcar projects are now being pursued by Anaheim, Los Angeles, Sacramento, and Santa Ana/Garden Grove.

California High Speed Rail Activities - California

California High Speed Rail Authority (CHSRA) submitted the first rail crossing application for the California High-Speed Train System (CHSTS) to the CPUC Docket Office. This Application involves a proposed underpass at Raymond Road in the County of Madera. The CPUC's Railroad Operations & Safety Branch (ROSB) is working with CHSRA in reviewing the application.

Rail Transit Citation Program

In December 2014 the CPUC adopted Resolution ST-163, which approved a Rail Transit Safety Branch (RTSB) citation program that became effective January 1, 2015. This delegated CPUC authority follows the citation programs implemented for several other industries regulated for safety by the CPUC. The citation program imparts to CPUC staff the authority to take prompt action to protect public and worker safety in urgent circumstances: when rail transit agencies fail to timely correct noncompliance and safety issues, are responsible for repeated noncompliance, or when

noncompliance is particularly egregious or willful. RTSB staff issued its first citation to a public transit agency in February, citing the Sacramento Regional Transit District (SRTD) \$10,000 for actions leading to a runaway train.

Federal Transit Administration (FTA) State Safety Oversight Grant

The 2012 Federal transportation bill, the *Moving Ahead for Progress in the 21st Century (MAP-21) Act*, required the FTA to make safety a higher priority. MAP-21 directed the FTA to develop criteria and certify state agencies to conduct oversight of rail transit systems and to make grant funding available to fund such efforts. California has a long-standing rail transit safety program that pre-dates the FTA programs and was one of two state programs certified. In 2015, the FTA approved the CPUC's grant application, which will help sustain the CPUC's safety oversight of FTA-funded agencies.

Federal Transit Administration Rulemakings

The MAP-21 legislation required FTA to become more involved in safety. As part of the Act, the FTA is required to undertake rulemakings and other programmatic activities to support the State Safety Oversight Program. To that end, the FTA has issued a number of rulemakings pertaining to rail transit safety, including transit asset management, state safety oversight agency requirements and roles, and a national public transportation safety program.

The CPUC authorized filing specific comments to the FTA to pursue consistency with the CPUC's existing safety oversight program. The FTA is expected to open additional rulemakings in 2016.

Roadway Worker Protection – General Order 175

The CPUC continues to work through its open proceeding ([R.09-01-020](#)) to establish a final General Order for California's first-in-the-nation rail transit roadway worker protection rules. The proceeding was opened several years ago and rules were adopted as General Order 175 in November 2013. In 2015 the CPUC analyzed early implementation efforts and held workshops to examine implementation problems or concerns. A final Staff report was issued and included a proposed final General Order 175-A. A final decision is expected to be issued in early 2016.

Transportation Network Companies (TNCs)

The CPUC examined existing and emerging regulatory questions with respect to TNCs, including the appropriate background check standard for drivers primarily transporting unaccompanied minors, trade dress standards for all TNCs, and data and information appropriate for collection by the CPUC's Safety and Enforcement Division. Proposed decisions on these issues are anticipated in early 2016.

Other Notable Issues

Penalties Levied for Ex Parte Violations

The [CPUC penalized Southern California Edison \\$16.7 million](#) in December 2015 for failure to timely report ex parte communications and for misleading the CPUC, in violation of CPUC rules. The CPUC determined that Edison engaged in eight unreported ex parte communications between March 26, 2013, and June 17, 2014, related to the shutdown of the San Onofre Nuclear Generating Station, in violation of Rule 8.4 of the CPUC's Rules of Practice and Procedure stemming from failure to report, before or after, ex parte communications that occurred between an Edison executive(s) and a Commissioner. In addition, the CPUC determined that Edison twice violated Rule 1.1, the CPUC's ethics rule, as a result of the acts and omissions of Edison and its employees, which misled the CPUC, showed disrespect for the CPUC's Rules, and undermined public confidence in the CPUC.