Safety and Enforcement Division



Monthly Performance Report April 2017

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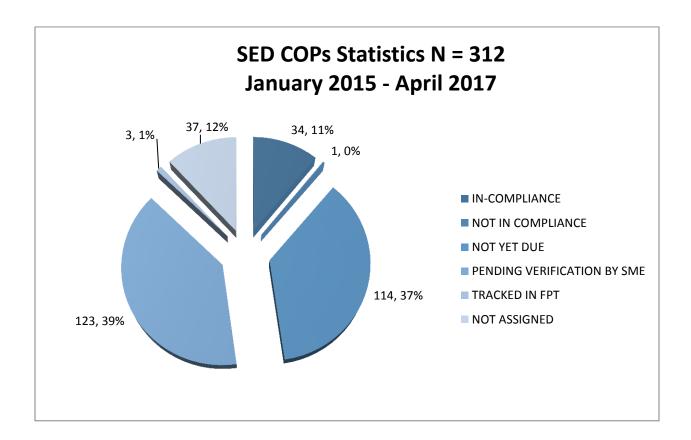
This Report has not been approved or disapproved by the CPUC.

COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

Through March 31, 2017, SED shows 312 total entries in the COPS system; with 34 reaching compliance (11%), 114 (38%) not yet due for compliance, and 1 (<1%) currently remaining out of compliance. The remaining 163 (52%) are either pending verification or have not yet been assigned for verification.

During April 2017, there was just 1 new entry into the COPS system 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

No citations in 2017 YTD.

INSPECTIONS

2017 Inspections: GSRB has conducted 23 scheduled inspections in 2017 and has completed the final inspection report for 8 of these 23 inspections during 2017.

INCIDENT INVESTIGATIONS

As of April 30, 2017, GSRB Staff received 87 incidents year to date. All pre-2016 incident investigations have been completed. Metrics on 2016 Incident Investigations:

TOTAL reported in 2016	167	Percent
Open	33	20 %
Closed	134	80 %

The CY 2016 incidents¹ are categorized as follows:

- 135 Level 1 incidents
- 15 Level 2 Incidents
- 8 Level 3 Incidents
- 8 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 was one self-identified violation reported in April 2017.

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

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, which was filed in the docket on December 16, 2016. Additionally, SED has a pending application for rehearing that was submitted on September 26, 2016, and is still pending. On November 22, 2016, the Commission issued a Notice of Reassignment to ALJ Rafael Lirag. On December 16, 2016, Pacific Gas and Electric Company filed its Initial Compliance Plan.
- Gas Safety OIR (R.11-02-019) (Advisory)(Commissioner Guzman Aceves/ALJ Kersten): 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 by Office of Ratepayer Advocates and Utility Workers Union of America in July 2015. In addition, Pacific Gas and Electric Company filed a petition to modify Decision 15-06-044 on January 31, 2017, causing the proceeding to be re-opened and reassigned. Decisions on the rehearing requests and PG&E's petition are still pending.
- 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 April.
- Citation Program OIR (R.14-05-013) (President Picker/ALJ Burcham) (Advisory): Decision 16-09-055 was issued on September 29, 2016. Some key points are listed below:
 - An administrative limit of no more than \$8 million for each citation 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.

However, the status of R.14-05-013 became "reopened" when on February 21, 2017, Senator Jerry Hill issued a petition for modification, requesting that the Commission modify the Decision so as 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 April. The matter is pending.

■ Pipeline L-1600 Replacement (A.15-09-013) (Commissioner Randolph/ALJ Kersten) (Advisory): This application was filed on September 30, 2015. The project described in the application, 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. SED performed a technical review of available records related to Line 1600 from the pipeline safety and integrity perspective. Energy Division is in discussion with Marine Corps Air Station Miramar about the environmental documents to be prepared and next steps prior to holding public hearings scheduled for May 23-25, 2017, at various locations in San Diego County.

ELECTRIC SAFETY AND RELIABILITY PROGRAMS

ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM: AUDITS AND INCIDENT INVESTIGATIONS

In April 2017, Electric and Communications Facility Safety Section Staff:

- Received seven electric incident reports and closed 12 previously reported electric incident investigations;
- Investigated 24 customer safety and reliability complaints;
- Conducted four electric distribution audits;
- Issued five Notice of Violation (NOV) letters/reports.

Metrics for Facility Incident Investigations as of April 30, 2017

Electric and Communication Facilities	Level 1	Level 2	Level 3	Level 4	Total ²
Total open incidents	6	13	40	41	100
Total incidents reported in 2017	3	5	15	12	35
Total incidents closed in 2017	6	11	7	11	35
Total open 2017 incidents	3	3	15	11	32
Incidents reported in April 2017	1	1	2	3	7
Incidents closed in April 2017	2	6	3	1	12

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

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS

- Investigation into Long Beach Incident (I.16-07-007) (President 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 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. In January 2017, the Commission approved the suspension of the current schedule to allow for potential settlement negotiations/agreement among the parties.
- Investigation into Huntington Beach 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. On December 15, 2016, SED and Southern California Edison filed a settlement agreement for Commission consideration; pending.
- Fire Safety Rulemaking (R.15-05-006) (President Picker/ALJ Kenney/ALJ Kao) (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 January 2017, D.17-01-009 adopted a work plan for completing Fire Map 2 and developing potential new fire safety rules. The schedule anticipates that a final map and the new rules will be in place by the end of 2017. Over the next several months, parties will be holding numerous workshops and filing comments to address proposed rules and mapping products.
- 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 is undertaking follow-up work directed by the decision, and on March 1 filed a petition to adopt, amend, or repeal rules in GO 95 (P.17-03-004). ESRB is currently reviewing responses that are filed by the parties and preparing to file reply comments.
- 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 to consider repeal of GO 95, Rule 18, the Commission opened this proceeding to consider specified amendments to, and possible repeal of, Rule 18 of GO 95. On January 25, 2017, SED and other parties requested a suspension in the schedule to allow settlement discussions; in response, the ALJ has suspended due dates for comments and reply comments in the rulemaking. A prehearing conference was held on April 11, 2017.
- Physical Security of the Electric System (R.15-06-009) (Commissioner Rechtschaffen/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 March 10, 2017, Commissioner Rechtschaffen issued a Scoping Memorandum setting the schedule. The first workshop was held on May 2, 2017, and was held at the Governor's Office of Emergency Services (Cal OES).

- 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 January 10, 2017, the assigned ALJ issued a ruling seeking comments on the joint staff Proposed Rules for Station Power for Electric Storage Devices and reply comments were filed by January 31, 2017. On February 24, 2017, the assigned Commissioner issued a Proposed Decision (PD), and on March 16 and 21, 2017, parties filed comments and reply comments on the PD. ESRB will continue to follow, review and evaluate all documents related to safety.
- Distributed Energy Resources (R.14-08-013) (President Picker/ALJ Mason/ALJ Allen) (Advisory): On February 10, 2017, the Commission held a workshop on DER Growth Scenarios and Load Forecasting. A February 27 Assigned Commissioner's Ruling set a new schedule for developing a utility framework based on the workshop discussions, with working group meetings scheduled during April and May. On April 19, 2017, the Assigned Commissioner issued two rulings related to the integration capacity analysis and locational net benefit analysis for Distribute Energy Resources Plan. ESRB continues 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. 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 comment on the submitted plans. ESRB is planning next steps for the Commission's consideration.
- **Butte Fire Investigation and Citation:** ESRB completed its incident investigation of the Butte Fire, which burned 70,868 acres, destroyed 921 structures, damaged 44 structures, and resulted in two indirect civilian fatalities and one injury. On April 25, 2017, SED issued two citations to PG&E for its involvement in the Butte Fire. The total financial penalty for the two citations is \$8.3 million.

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: REPORTS AND OTHER ACTIVITIES

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

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

The Electric Generation Safety and Reliability Section (EGSRS) staff has performed the following in April 2017:

- Completed a draft investigation report for a fatality incident that occurred on March 6,
 2017 at Sentinel Energy Project in North Palm Springs.
- Conducted a field investigation of an injury incident that occurred on April 8, 2017 at La Paloma Generating Station in McKittrick.
- Conducted a field investigation of a fire incident that occurred on January 29, 2017 at Delta Energy Center in Pittsburg.
- Continued to work on the investigation of the Ocotillo incident that resulted when one
 of the towers on a wind turbine buckled and fell.
- Improved EGSRS' Incident Investigation Procedure by updating the methods and best practices that the investigators should follow to conduct more efficient and effective investigations.
- Monitored four forced and 26 planned outages that were reported by natural gas and renewable power plants.
- Closed the Inland Empire power plant audit.
- Continued to verify the corrective actions that were taken by the Generating Asset Owners (GAO) as a result of the Colusa, Redondo Beach, and Walnut Creek power plants audits for compliance with GO 167 requirements.
- Worked with the Information Technology Department to develop a new web-based outage reporting database which will allow the GAOs not only to report the outages but also provide notifications by directly entering the information into the database.
- Coordinated and attended the PG&E's Annual Emergency Exercise at the Grid Control Center in Vacaville.
- One Level 4 safety incident was reported this month. Please see the 2017 year-to-date incident statistics in the table below.

Metrics for Generation Incident Investigations as of April 30, 2017

Electric Generation Incidents	Level 1	Level 2	Level 3	Level 4	Total ³
Total open incidents	0	0	2	2	4
Total incidents reported in 2017	0	0	1	2	3
Total incidents closed in 2017	0	0	0	0	0
Total open 2017 incidents	0	0	1	2	3

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

Incidents reported in April 2017	0	0	0	1	1
Incidents closed in April 2017	0	0	0	0	0

UTILITY RISK ASSESSMENT AND SAFETY ADVISORY

REVIEWING SAFETY & RISK IN GENERAL RATE CASES

During April, there were few new developments in the currently open General Rate Cases or related proceedings with regard to safety and risk analysis. Parties in the San Diego Gas & Electric/Southern California Gas Company (Sempra utilities) Risk Assessment Mitigation Phase (RAMP) proceeding (I.16-10-015/016) on April 24 filed comments on the Safety & Enforcement Division's review of the Sempra RAM)P filing.

Parties generally concurred with SED's analysis and recommendations. Aside from SED's suggestion that an additional workshop might be warranted to address wildfire mitigation spending or Corporate Safety Culture in greater detail, there were no other requests for another workshop. Parties, including the utilities, concurred with SED's finding that the Sempra RAMP process – particularly the first use of a Risk Spend Efficiency (RSE) calculation is still evolving and should not be relied upon to determine reasonableness of proposed GRC expenditures for risk mitigations.

In its response to the SED evaluation, Sempra noted it will not be relying on RSE to justify its forthcoming GRC budgeting proposals, but it expects to provide "lessons learned" about its first use of RSE in this proceeding. Sempra also admitted that developing alternatives to its proposed risk mitigations was "extremely challenging for most risks, especially those crosscutting risks." The utilities pledged to provide more robust alternatives analysis in future RAMPs.

Sempra is currently putting together its GRC testimony for the application expected in September; the utilities said that to the extent SED posed questions or recommended

additional analysis related to the risk mitigations, they will incorporate that into their GRC filings.

In other GRCs:

The Proposed Decision and Commissioner's Alternate Proposed Decision in the Pacific Gas & Electric 2017 GRC (A. 15-09-001) are set for consideration at the May 11 business meeting. The differences in the PD versions pertain largely to Rule 20A undergrounding funding and some taxation treatment matters, not safety-related aspects of the proposed settlement.

The Southern California Edison 2018 GRC (A.16-09-001) is currently in Public Participation Hearings, with evidentiary hearings commencing in July. Parties filed their opening testimony on May 2, 2017. The next report will review any safety related issues raised by intervenors.

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 on March 23 delivered a draft version of its evaluation of PG&E's safety culture. SED staff reviewed the document and recommended putting a sharper focus on the report findings and recommendations in the executive summary section along with clarifying edits throughout. NorthStar has made these revisions and briefed President Picker and staff in April. The report is expected to be released publicly in mid-May along with a Scoping Memo that addresses how the Commission intends to proceed with the second phase of the OII.
- Safety Model Assessment Proceeding (A.15-05-002, et al) (Commissioner Rechtschaffen/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 proposed by stakeholder groups TURN/Indicated Shippers/Electric Producers & Users Coalition. The Phase 2 Scoping Memo was issued on December 13, 2016, establishing a new schedule for the proceeding. Test Drive working groups commenced in mid-January and continue. A workshop for joint utility methodologies was held on February 15, 2017. SED is leading a technical working group to determine applicable safety performance metrics; the group held a conference call on April 19.
- 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 Proposed Decision approving the settlement with some modifications was issued on

- February 27; an alternate PD was subsequently issued by Commissioner Picker, deferring consideration of a final decision to the May 11, 2017, business meeting.
- Gas Leak Abatement OIR (R.15-01-008) (Commissioner Rechtschaffen/ALJ Kersten) (Advisory): Gas companies filed their annual reports on leaks and emissions during 2015 on June 17, 2016, and CPUC staff joined with Air Resources Board staff to produce a report analyzing the data. An ALJ ruling January 19, 2017, issued for comment the Joint CARB/CPUC report, as well as a RASA staff recommended list of Best Practices for leak detection, quantification and mitigation, which may form the basis of utility Compliance Plans. Comments on these staff recommended Best Practices and on the Joint Report were received February 10, with replies on February 17, 2017. A Proposed Decision is expected in May 2017.
- 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 September 1, 2016. SED Risk Assessment staff issued an evaluation report on January 31, 2017. No parties requested a workshop on the SED evaluation. Parties filed their initial testimony on May 2, 2017.
- Long Beach Outage Incidents (I.16-07-007) (President 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 SED's and SCE asked the ALJ to suspend the proceeding schedule. On January 10, 2017, ALJ Cooke approved the suspension and directed parties to provide status reports on a monthly basis; the next report is due May 10, 2017.
- Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ Cooke) (Advisory): D.17-04-039 was approved April 27; the Track 2 decision includes new storage safety inspection protocol for grid-scale storage located at utility substations or other facilities. SED RASA is working with ESRB to implement the new protocols in the field.
- Fire Safety Rulemaking (R.15-05-006) (President Picker/ALJ Kenney/ALJ Kao) (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. D. 17-01-009 adopted a revised work plan and schedule on January 19, 2017. Workshops and working groups are underway to complete the fire mapping process and develop new policies or regulations.
- Physical Security of Electric Infrastructure (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly) (Advisory) After a year-long hiatus, this proceeding resumed with a Pre-Hearing Conference on February 2. Risk section staff issued data requests to IOUs to update information from 2014. A Scoping Memo was issued March 10, establishing a series of staff-led workshops to address the current state of federal policies and establish information sharing protocols. A first workshop was held May 2, 2017, at California Office of Emergency Services (Cal-OES) facilities in Mather, CA.
- PG&E Gas Transmission & Storage Rate Case (A.13-12-012/I.14-06-016) (Picker)
 (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. Staff has been doing preliminary analysis of PG&E's documentation of GT&S projects and programs to scope out the audit.

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 - 1/01/17 - 3/31/2017

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

Confirmed or Possible Whistleblower Complaints						
						Rail
January	0	0	1	0	0	0
February	0	0	0	0	0	0
March	0	1	0	0	0	0
April	0	1	0	1	2	0
Total 2017	0	2	1	1	2	0

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

Test, Incomplete or Duplicate Whistleblower Complaints					
January	1				
February	3				
March	0				
April	1				
YTD	5				

OFFICE OF RAIL SAFETY

RAILROAD SAFETY - ROSB

In the month of April 2017, SED Staff's Railroad Operations group completed the following:

New Incidents Investigated	7
Informal Complaints Investigated	0
Safety Assessments/Reviews	12
Compliance Actions	811
Major Inspections Completed - Such as Focused Inspections	0
Operation LifeSaver Presentations	9

ROSB Inspection, Investigation & Field Activities

April 4, 2017: On January 23, 2017, a CPUC railroad safety inspector performed a routine inspection at the UPRR yard in Fremont to ensure UPRR compliance with state and federal laws. The inspector discovered track material that was stored too close to the track, which obstructed the walkway and impaired side clearances. The track material was stacked approximately 3 feet high and was located close to the rail. CPUC GO 26-D requires minimum side clearances of 8′ 6″ from the center line of tangent tracks to provide adequate walkways

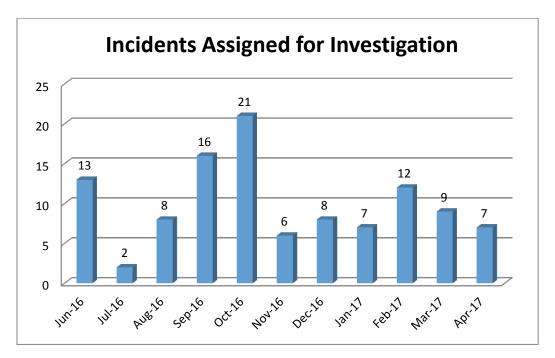
clear of tripping hazards. The CPUC railroad safety inspector also identified mounds of dirt and ballast which created an uneven walking surface and a steep slope. GO 118-A requires a walkway slope not to exceed 1" to 8". These non-complying conditions could cause serious injuries to UPRR employees working at this location. The CPUC railroad safety inspector immediately notified the UPRR Manager of Track Maintenance and the Manager agreed to remedy the non-compliant conditions. On April 4, 2017, the CPUC railroad safety inspector performed a follow-up inspection and noted that both conditions had been rectified.

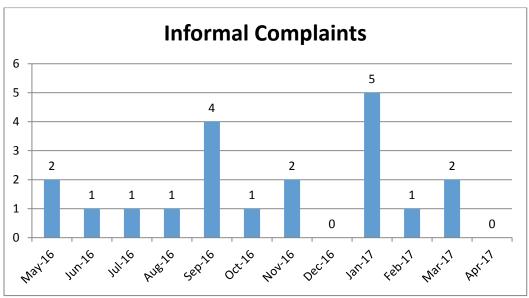
April 20, 2017: Two CPUC railroad safety inspectors, along with UPRR managers, performed a joint hazardous materials compliance inspection of tank cars in UPRR's Ozol Yard in Martinez.

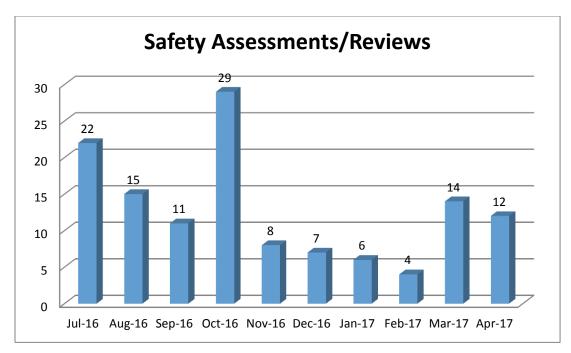
During the inspection, a train crew reported possible toxic fumes coming from rail cars that they were switching in the yard. The local UPRR manager instructed the crew to stay out of that area and to shelter in place in the yard office building. He then contacted UPRR's Response Management Communications Center (RMCC). RMCC contacted their HazMat Manager, and arrangements were made to send Patriot Environmental Services to inspect the cars. After it was deemed safe to work around the cars, the train crew was allowed to continue working.

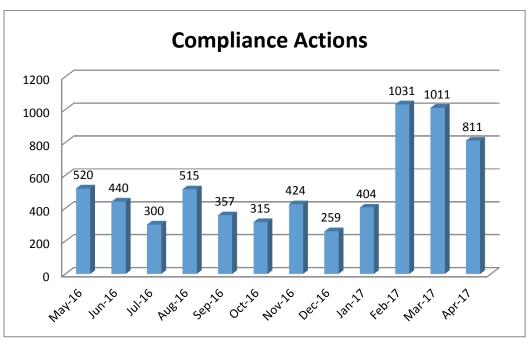
The inspectors discovered a tank car with degraded Proper Shipping Name (PSN) markings that could cause confusion about the contents and result in delay of identification and mitigation if a release were to occur. Federal law 49 CFR Part 172.304 requires that all tank cars containing hazardous material be marked legibly with the PSN. The car owner was contacted and will make arrangements to correct the markings.

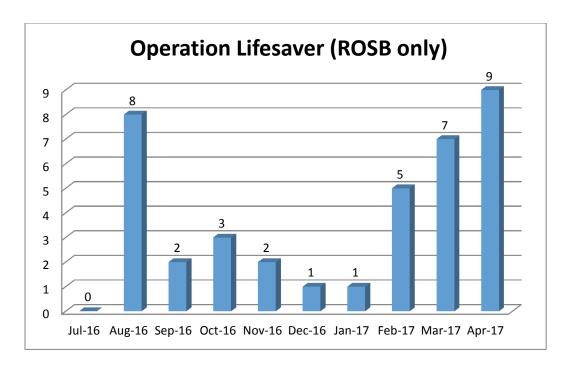
The inspectors also discovered two tank cars that did not have correct safety appliances. The safety chain was dangling and did not properly enclose the platform. Without an enclosed platform, an employee could fall off the car and incur serious injury. Federal law 49 CFR Part 231.21 requires that "The safety railing shall enclose the operating platform, manway and fittings used in the loading and unloading of the tank." The shipper was notified of the safety requirement to prevent possible future injuries.











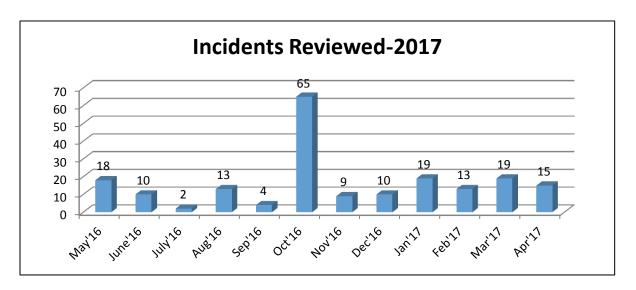
RAIL CROSSINGS AND ENGINEERING BRANCH - RCEB

In April 2017, the Rail Crossings and Engineering Branch completed the following:

	New During Period	Closed During Period
Crossing Incident Reviews	12	15
Informal Complaints Investigations	0	0
Safety Assessments/Quiet Zones/Reviews	34	34
Environmental Reviews	40	40
Proceedings, Resolutions and G.O. 88-B Reviews	8	9
Operation LifeSaver Presentations	4	4

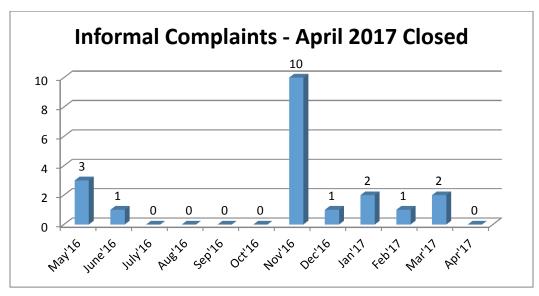
RAIL CROSSING INCIDENT INVESTIGATIONS

In April 2017, the Rail Crossings and Engineering Branch (RCEB) engineers assigned 12 new incidents reviews at highway-rail crossings and none at highway-light rail transit (LRT) crossings (crossings). RCEB completed 15 crossing incident reviews and evaluations.



INFORMAL COMPLAINTS

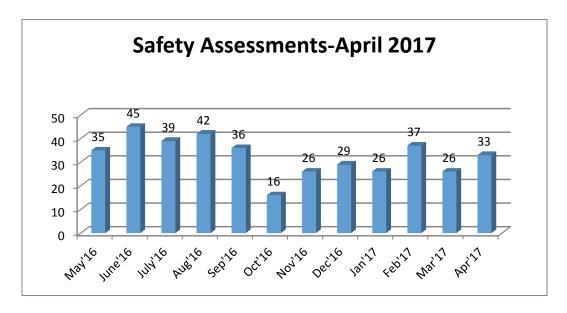
In April 2017, RCEB did not receive any new complaints or close any past informal complaints.

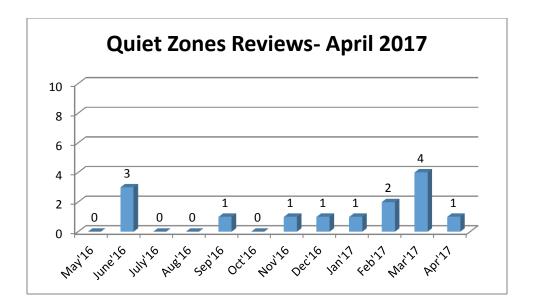


SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

In April 2017, RCEB completed 33 rail crossing safety assessments involving communications, field inspections, and diagnostic reviews with railroads and local agencies. RCEB also reviewed one new Quiet Zone in the City of Petaluma that became effective on 4/19/2017.

QTZN 2016120002-On November 21, 2016, the City of Petaluma (Petaluma) issued a notice of intent (NOI) for creating a new 24-hour quiet zone of 8 at-grade crossings on the Sonoma Marin Area Rail Transit (SMART) and North Coast Rail Authority (NCRA) route, including Caulfield Lane (DOT 498692U), D Street (DOT 498689L), East Washington Street (DOT 498688E), Lakeville Street (DOT 498687X), Payran Street (DOT 498685J), Southpoint Boulevard (DOT 498683V), North McDowell Boulevard (DOT 498682N), and Corona Road (DOT 498681G) under 49 CFR 222.39(a)(3). The Quiet Zone is now in effect and initiated on April 19, 2017.

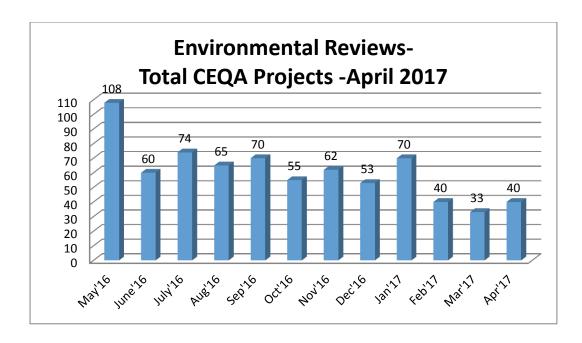


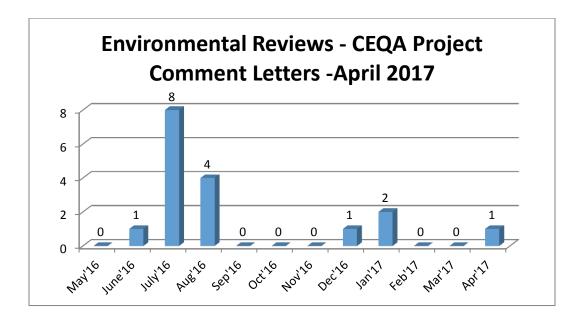


ENVIRONMENTAL REVIEWS

In April 2017, RCEB reviewed 1 CEQA report and issued a comment letter for the Boron/Desert Lake Pedestrian Path. 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.

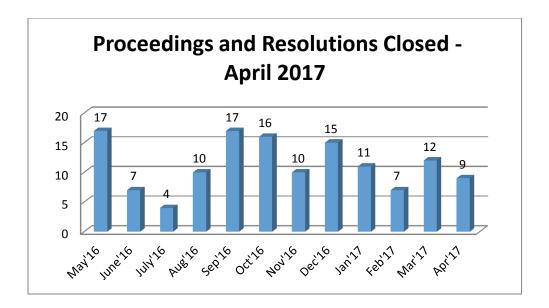
• The Kern County Roads Department proposes to construct a six foot wide, paved multiuse path for 1.5 miles and 1 mile of sidewalks connecting Desert Lake to Boron. The project includes American Disability Act compliant sidewalks, high visibility crosswalks and solar-powered street lights. The sidewalks will be constructed along existing Twenty Mule Team Road, which crosses the Burlington Northern Santa Fe Mojave Subdivision spur tracks (DOT # 028211D, CPUC # 002-784.93-C) and along existing Boron Avenue, which crosses the BNSF mainline (DOT # 028210W, CPUC # 002-783.90).





PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

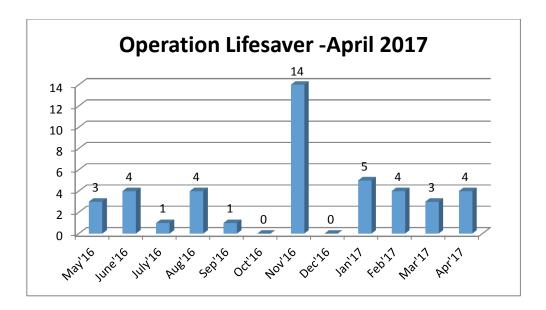
In April 2017, RCEB staff received one major proceeding requiring Administrative Law Judge review, and seven new General Order 88-B applications. In this month, RCEB approved nine General Order 88-B applications to modify existing crossings.



OPERATION LIFESAVER INC.

In April 2017, RCEB completed four Operation LifeSaver Inc. (OLI) activities that resulted in one presentation and participation at three OLI events. As time permits RCEB staff continues to volunteer and participate in OLI events and activities.

- On April 7, 2017 staff presented the OLI Rail Safety message to the Elk Grove Consumes
 Oaks High School students in the Driver's Education class. A total of 38 students
 received the rail message presentation. The high school in the Sacramento County.
- On April 19, 2017 RCEB staff manned a booth at the Zenith Ag Fair in Visalia, Tulare
 County reaching a total of 160 people with the OLI rail safety message. On April 20,
 2017, staff manned a booth at the CALVANS Driver Appreciation event providing OLI
 information in English and Spanish. The event was at King City in Monterey County and
 staff shared the OLI Rail Safety message with 100 adults and children.
- On April 20, 2017 Staff participated in the CA OLI Training and Appreciation meeting to recognize the active Operation Lifesaver Authorized Volunteers (OLAV). RCEB's Dave Stewart received special recognition for being the third highest OLAV in outreach activities. Linda Passini, Irma Ramos, Jim Hernandez (ROSB OLAV) and Jim Esparza (RCEB OLAV) also received certificates and appreciation for being active with CAOLI.



RAIL TRANSIT - RTSB

In April 2017, the Rail Transit Safety Branch (RTSB) completed the following:

CORRECTIVE ACTIONS PLANS

- Twelve CAPs were opened for April 2017.
- 3 CAPs were closed this month.

INCIDENT INVESTIGATIONS

- In April 2017, 14 incidents were reported by RTAs.⁴
- 19 incident investigations were closed by RTSB in April 2017.

PROCEEDINGS / RESOLUTIONS

⁴ 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.

Ongoing:

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. On December 28, 2016, the Commission issued a scoping memo for the case, identifying the topics to be investigated and affirming the need for a hearing. Additionally, both parties were ordered to file another joint Case Management Statement. BART and SED engaged in a debate over evidence, and filed separate Case Management Statements on January 13, 2017. On January 23, 2017, ALJ Kim issued a ruling setting the dates of evidentiary hearing to February 13-16, 2017. On February 1, 2017, ALJ Kim issued a ruling reminding BART to adhere to *ex parte* communication rules. BART summited documents related to non-disclosure agreement between National Transportation Safety Board (NTSB) and parties to investigation. On February 8, 2017, ALJ Kim opened hearing for BART's two *in limine* motions, a motion filed by a party to a lawsuit which asks the court for an order or ruling limiting or preventing certain evidence from being presented. On February 9, 2017, ALJ Kim issued a ruling on BART's two *In Limine* motions, Motion to Dismiss, and two Motions to Accept Late-filed Opposition *In Limine*, and SED's Motion for Continuance of the Hearing and Motion for

Order Shortening Time to Respond for Continuance. BART and SED filed responses, with SED filling a couple of motions with BART responding. The evidentiary hearing adjourned on February 15, 2017, ALJ Kim requested parties to review exhibit list and exhibits for submission by ruling dated March 1st, having received no requests for corrections or amendments; ALJ is preparing final exhibits and exhibit list. BART, separately filed a motion to seal a portion of the evidentiary record. ALJ Kim requested parties, within five working days of March 1st, to review, meet and confer, and file one set of jointly prepared list of proposed corrections or amendments to exhibit list. Closing briefs were filed by both SED and BART on March 28, 2017. Draft decision is pending.

R.09-01-020: - On January 29, 2009, the Commission instituted an Order Instituting Rulemaking "OIR" or "rulemaking" in response to a fatality Bay Area Rapid Transit (BART) employee accident on January 12, 2001, a fatal July 24, 2008 Sacramento Regional Transit District ("SRTD") maintenance employee accident and an October 14, 2008, BART employee fatal injury accident. The purpose of this investigation is to determine (1) whether current protections for rail transit agency roadway workers are adequate, (2) whether the State of California should implement a General Order (GO) implementing new rules for rail transit agency protection of maintenance-of-way, track, signal, operating employees, and others engaged in roadway work, and (3) if new protections are needed, a description of the protections to be required by rail transit agencies and included in the General Order. On March 17, 2017, as requested by the ALJ, staff filed a report that contained staff's recommendations for reconciling Commission GO 172: Rules and Regulations Governing the Use of Personal Electronic Devices By Employees of Rail Transit Agencies And Rail Fixed Guideway Systems and Go 175-A: Rules And Regulations Governing Roadway Worker Protection Provided By Rail Transit Agencies And Rail Fixed Guideway Systems language and the proposed GO language. Staff proposed changes to GO 172 only.

Recently Approved:

ST-203 – On March 28, 2017, Commission approved SED's report for the "2016 Triennial Security Review of the San Francisco Bay Area Rapid Transit District Oakland Airport

- Connector." The security review results show that the BART OAC is in compliance with its System Security Plan. Staff found no areas of non-compliance during the review.
- ST-202 On March 28, 2017, Commission approved SED's report for the "2016 Triennial Safety Review of the San Francisco Bay Area Rapid Transit District Oakland Airport Connector."
- ST-201 On March 28, 2017, Commission approved SED's final report for the "2016 Triennial Security Review of Los Angeles County Metropolitan Transportation Authority (LACMTA)." The security review results show that LACMTA is in compliance with its System Security Plan. Staff found no areas of non-compliance during the review.
- ST-200 On March 28, 2017, Commission approved SED's final report for the "2016
 Triennial Safety Review of the Los Angeles County Metropolitan Transportation Authority."
- ST-191 On April 27, 2017, Commission voted to approve SED's resolution to approve Orange County Transportation Authority's (OCTA) Safety Certification Plan for the OC Streetcar project, as named and requested by the Orange County Transportation Authority. The trackway includes operations in the Pacific Electric (PE) right-of way and along Santa Ana Boulevard and 4th Street. Bi-directional operations occur over a new bridge north of the existing Pacific Electric Santa Ana River Bridge. The Project includes 10 stations in the eastbound direction and 10 stations in the westbound direction. A new operations and maintenance facility will be bordered by 5th Street to the north, the PE right-of-way to the south, approximately 500 feet west of Raitt Street to the east, and approximately 1,000 feet west of Raitt Street to the west.

SAFETY CERTIFICATION AND OVERSIGHT OF RAIL TRANSIT AGENCY PROJECTS

■ AirTrain Extension: The San Francisco International Airport (SFO) AirTrain Extension Project will expand the existing AirTrain System to include a new Long Term Parking (LTP) Garage and add an additional in-line station (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 three new Innovia APM 100 vehicles. The project is

currently in the final design phase. The project may have multiple Safety Certification Verification Reports, as it has multiple phases and will start revenue services accordingly, from October 2018 to June 2019. Safety Certification Plan review is underway. Staff attends weekly progress meeting.

- BART New Vehicle Procurement: BART is in the process of procuring 775 new rail vehicles. BART has already received ten of these vehicles (five D cars and five 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 approximately June 2017. The 10-car pilot train should be ready for revenue service in mid to late July 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 friction break tests (8069).
- 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 on-going. Trains are currently undergoing testing during the non-revenue hours. Station and Maintenance Facility construction is currently on-going. Track work is completed. eBART is hiring new staff for operations. This project expects to be in revenue service by approximately May 2018. The draft System Safety Program was submitted unofficially to RTSB staff to review and provide feedback.
- BART Warm Springs Extension: This project added 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. This project was safety certified by RTSB staff. Warm Springs Station opened for revenue service on March 25, 2017.
- Silicon Valley Berryessa Extension: Bay Area Rapid Transit (BART) and Santa Clara Valley
 Transportation Authority (SCVTA) are currently in the process of jointly constructing a 10-mile track extension and two new stations the Milpitas and Berryessa stations. The project

is expected to be completed in the Fall 2017 (December), and is currently in the construction and testing phase for Traction Power Substation (TPSS), Train Control, Communication, etc., and in the pre-testing phase for other elements of the system. RTSB Staff regularly attends and participates in the Safety and Security Review Committee (SSRC) and Fire Life Safety and Security Committee (FLSSC) meetings and monitors the project progress. Additionally, RTSB Staff receives weekly or monthly schedule updates via email on the testing progress. On April 3 & 4, 2017, staff attended and participated in the safety walk through inspections with VTA contractors, BART Train Control Engineers, & AR contractors from WSX interface to Berryessa Station in San Jose (approximate 10 miles). On Thursday, April 13, 2017, staff and management participated in the SSRC meeting related to the SVBX project at the SVBX Office in Milpitas.

- 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 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.
- 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 March 9, 2017, 2017, fifty-nine (59) 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 (HRV) 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), which 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.
- 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 LACMTA Green Line and will serve the cities of Los Angeles, Inglewood and El Segundo; and portions of unincorporated Los Angeles County. The project is currently in the early construction phase and is being monitored by RTSB through regular meetings. The project is due to be completed in 2019.
- San Francisco Municipal Transportation Agency (SFMTA) LRV4 Procurement to Expand and Replace the Rail Fleet: In September of 2014, SFMTA awarded the contract to provide up to 260 new light-rail vehicles, to replace and expand the existing fleet. The first new car arrived in January of this year, for a total of three cars received. The cars are now undergoing qualification testing on site to ensure integration with the existing and newly

installed systems of ATCS, radio replacement, passenger information system and new fare collection system. This on-going project is expected to be completed in the next ten years in given phases of five needs. SFTMA, and their contractor have met with staff to discuss the overall project and the requirements and submittal of the Safety and Security Certification Verification Report—a draft report is in the works.

- Transit System 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 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. The Safety and
 Security Certification Plan (SSCP) was approved at the Commission Meeting on January 19,
 2017, as Resolution ST-186.
- Other SoCal Safety Certification Projects: Several projects are in various phases of early design and engineering in the Southern California region: LA Streetcar Project (in City of Los Angeles), and LAX Automated People Mover (for Los Angeles International Airport). Safety upgrades to the Angels Flight Railway (in City of Los Angeles) are currently under review.
 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	14
Incident Investigations Closed	19
Complaints Investigated	0
Rail Transit Inspections	25
Triennial Audits	4

Corrective Action Plans	
New Corrective Action Plans	12
From Triennial Audits	0
From Incidents	0
From Internal Safety/Security Audits	0
From Rail Transit Inspections	12
Closed Corrective Action Plans	3
From Triennial Audits	0
From Incidents	0
From Internal Safety/Security Audits	0
From Rail Transit Inspections	3

ONGOING DATA / TRENDS

