

# Safety and Enforcement Division



**Monthly Performance Report,**

**June 2016**

**Safety Action Plan Deliverable #1**

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## Disclaimer

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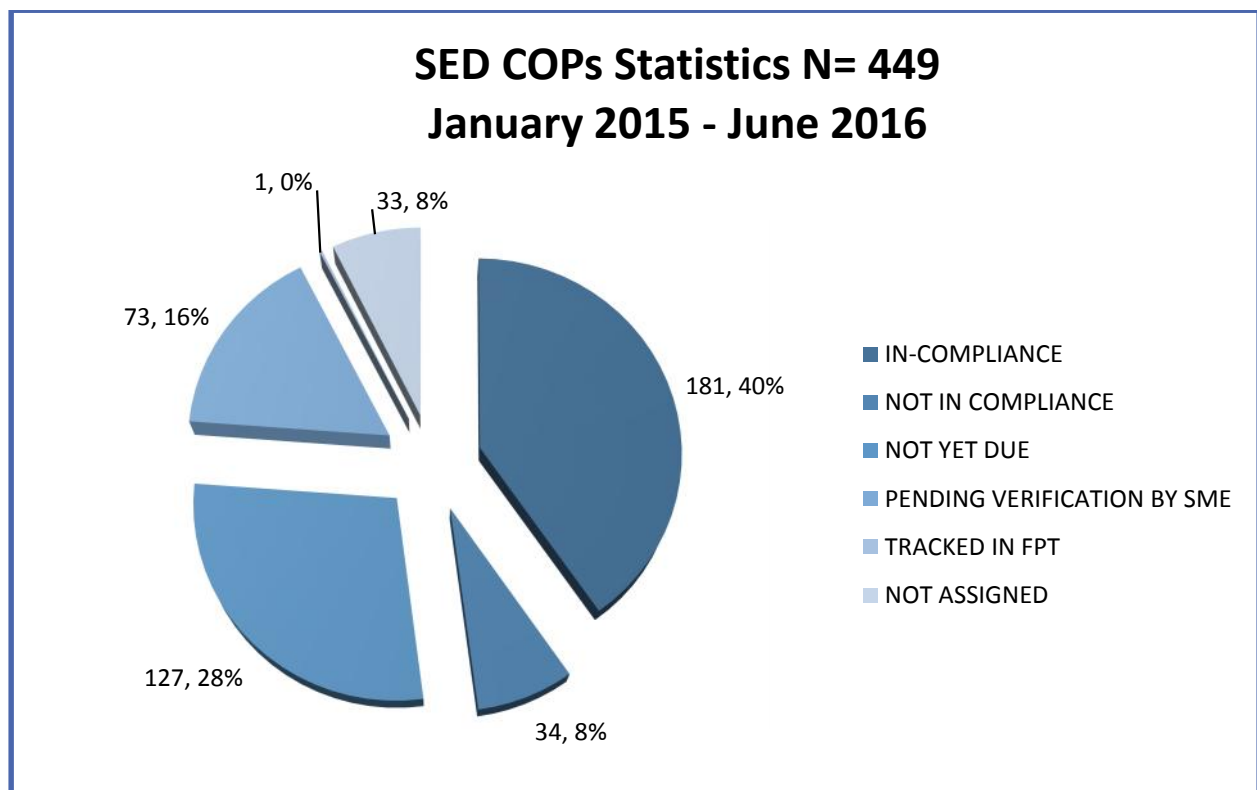
This Report has not been approved or disapproved by the CPUC.

## COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

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 June 30, 2016, SED shows 449 total entries in the COPS system; with 181 reaching compliance (40%); 127 (28%) not yet due for compliance, and only 34 (8%) currently remaining out of compliance. However, there has been a large uptick in COPS pending verification from previous months. During June 2016, there were 28 new entries, which are reflected in the totals below.

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.<sup>1</sup>

### INSPECTIONS

- **2016 Inspections:** We have conducted 48 scheduled inspections in Q1 and Q2, and have completed the final inspection report for 6 of these 48 inspections during 2016.
- **Pre-2015 inspection backlog remaining:**
  - 1 open inspections from 2014

### INCIDENT INVESTIGATIONS

As of June 30, 2016, GSRB Staff received 77 incidents year to date. All pre-2015 incident investigations have been completed.

Metrics on 2015 Incident Investigations:

TOTAL reported in 2015	191	Percent
Open	37	19 %
Closed	154	81 %

The CY 2015 incidents<sup>2</sup> are categorized as follows:

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

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

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

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

### NATURAL GAS RELATED PROCEEDINGS

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- **Distribution Record Keeping (I.14-11-008) (Commissioner Peterman/ALJ Bushey) (Advocacy):** The Presiding Officer's Decision was issued on June 1, 2016, with comments due on July 1, 2016.
- **Gas Safety OIR (R.11-02-019) (Commissioner Florio/ALJ Bushey) (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):** GSRB and ESRB jointly prepared an SED report on self-identified potential violations, dated June 1, 2016. Commissioner Michael Picker's Amended Scoping Memorandum and Ruling for Phase II of the instant proceeding was issued on June 15, 2016. It amended the October 1, 2015, Scoping Memo for Phase II by modifying the scope and schedule regarding the requirements on self-identified potential violations. This Amended Phase II Scoping Memo requests that parties comment on the June 1 SED staff report, with Opening Comments by July 15, 2016, and Reply Comments by August 5, 2016.

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

- **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. No updates for June.
- **Sempra Pipeline Safety Enhancement Program (A. 15-06-013) (Commissioner Picker/ALJ Bushey)** This proceeding is to address 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. On April 5, 2016, the assigned Commissioner issued a scoping memo and ruling that noted that SoCalGas proposed to defer a number of transmission pipeline maintenance projects in order to ensure reliable energy supplies in the Los Angeles basin while the Aliso Canyon Natural Gas Storage Field is prohibited from injecting and storing additional natural gas. The Scoping memo ruling required SoCalGas to file and serve comprehensive description of projects proposed to be deferred, the revised schedule for completion, and a complete safety analysis of the risk to the public and employees caused by this delay. On June 17, 2016, SED distributed its analysis of the SoCalGas' projects proposed to be deferred. Comments on SED analysis report were due on June 24, 2016. A Proposed Decision (PD) was issued in June to approve memo account treatment for design work and partial funding, as per a settlement with SED. The proceeding would remain open to address the deferred maintenance projects due to the unavailability of the Aliso Canyon Storage.
- **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 June.

## ELECTRIC SAFETY AND RELIABILITY PROGRAMS

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### ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM: AUDITS AND INCIDENT

#### INVESTIGATIONS

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

- Received 11 electric incidents and closed 7 previously reported electric incidents;
- Investigated 21 customer safety and reliability complaints;
- Performed two Communication Infrastructure Provider (CIP) audits; and
- Performed two Electric Distribution audits.

Metrics for Facility Incident Investigations as of June 30, 2016

Electric and Communication Facilities	Level 1	Level 2	Level 3	Level 4	Total <sup>3</sup>
Total open incidents	4	16	20	31	71
Total incidents reported in 2016	9	14	14	17	54
Total incidents closed in 2016	10	7	13	14	44
Total open 2016 incidents	4	13	13	15	45
Incidents reported in June 2016	2	0	6	3	11
Incidents closed in June 2016	2	0	3	2	7
Average closure time of incidents in 2016	83 days	195 days	186 days	186 days	162 days

**ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS**

- **Investigation into Incident (I.15-11-006) (Commissioner Randolph/ALJ Kimberly) (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):** On May 26, 2016, D.16-05-036 adopted Fire Map 1 that was developed by the California Department of Forestry and Fire Protection in collaboration with SED and the many parties in this proceeding. Fire Map 1 depicts areas of California where there is an elevated hazard for the ignition and rapid spread of fires due to strong winds, dry vegetation, and other environmental conditions. In June 2016, the assigned ALJ issued a ruling setting a prehearing conference to discuss the next steps of the proceeding and the development of Fire Map 2. As part of that effort, SED filed a pre-hearing conference statement and attended the pre-hearing conference on June 22. Parties are currently awaiting a Scoping Memo for the next phase.
- **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.

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



- **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. Interested parties filed comments on June 9. ESRB has reviewed the comments and filed its response to the comments. A proposed decision is pending.
- **Citation Rulemaking (R.14-05-013) (President Picker/ALJ Burcham) (Advisory):** ESRB continues to provide advisory support regarding Phase II issues. Citation Program OIR (R.14-05-013). As described in the GSRB section above, GSRB and ESRB jointly prepared an SED report on self-identified potential violations, dated June 1, 2016, and Commissioner Picker has issued an Amended Scoping Memo that provides for comments on the report.
- **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. ESRB is waiting for a scoping memo or further guidance in the proceeding.
- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ DeAngelis)**  
**(Advisory):** ESRB continues to provide advisory support to help determine best practices related to energy storage, and the proper way to inspect such facilities.
- **Distributed Energy Resources (R.14-08-013) (President Picker/ALJ Mason) (Advisory):** ESRB continues to review the issues and provide advisory support.
- **Distribution Level Interconnection (R.11-09-011) (President Picker/ALJ Bushey)**  
**(Advisory):** The proceeding addresses improvements to distribution level interconnection rules and regulations for certain classes of electric generators and electric storage resources. On February 16, 2016, the Assigned ALJ filed a proposed decision. On May 6, 2016, Commissioner Sandoval recommended an Alternate Proposed Decision which addressed additional issues. On May 12, 2016, the assigned Commissioner amended the scoping memo and ruled to extend the duration of the proceeding for 12 months. ESRB will continue to review documents and attend scheduled workshops to evaluate any potential safety issues.
- **SB 1028 (Hill) “Electrical corporations: wildfire mitigation plans”:** On February 12, 2016, Senator Hill introduced SB 2018, which would require each electrical corporation and each publicly owned electrical utility or electrical cooperative to annually prepare a wildfire mitigation plan. Additionally, this bill would require 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 has analyzed the bill and its effect on the Commission safety program. ESRB is currently waiting for additional instructions regarding next steps.

### ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: REPORTS AND OTHER ACTIVITIES

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- **Caltrain Modernization Project:** ESRB, Rail Safety, Energy Division, and staff from Legal continue to meet with Caltrain and review documents related to the design and construction of Caltrain’s proposed 25 kV electrification project between San Jose and San

Francisco. ESRB is reviewing Caltrain's proposed electrification operating procedures and proposed rules.

- **Long Beach Outages Investigation:** 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. ESRB has conducted a full investigation of the outages and is drafting an investigation report.
- **General Order 174 Substation Program:** D.12-10-029, which adopted substation inspection programs, requires the electric utilities to hold annual best practice workshops in 2014, 2015 and 2016, and for ESRB staff to attend the workshops and to report on them in 2016. ESRB attended the final meeting on January 29, 2016, prepared a report, as required by D.12-10-029, and submitted it to the Commissioners, served it on parties, and posted it online.
- **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, most recently on January 21, 2016.
- **Smart Inverter Working Group (SIWG):** ESRB continues to attend the weekly meetings of the SIWG when available.
- **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.
- **Database Update Project:** ESRB is working with a consultant to update the Facilities Section database. The database was migrated in January, with faster and more efficient access. ESRB is currently working with the consultant to add more features and analysis.

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

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

- Investigated 23 forced or planned outages at power plants (21 through phone calls and email inquiries, and two through on-site visits).
- Continued to monitor and track corrective actions of four plants (Gateway, Redondo Beach, Los Esteros, and Inland Empire) for compliance with GO 167 requirements. Staff completed comprehensive audits of the four plants in 2015.
- There were no safety incidents reported. Please see the 2016 year-to-date incident statistics in the table below.

### Metrics for Generation Incident Investigations as of June 30, 2016

Electric Generation Incidents	Level 1	Level 2	Level 3	Level 4	Total <sup>4</sup>
<b>Total incidents reported in 2016</b>	2	0	0	0	2
<b>Total incidents closed in 2016</b>	1	0	0	0	1
<b>Total open 2016 incidents</b>	1	0	0	0	1
<b>Incidents reported in June 2016</b>	0	0	0	0	0
<b>Incidents closed in June 2016</b>	0	0	0	0	0
<b>Average closure time of incidents in 2016</b>	1 day	-	-	-	1 day

## UTILITY RISK ASSESSMENT AND MANAGEMENT

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### REVIEWING SAFETY & RISK IN GENERAL RATE CASES

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On June 23, 2016, The Commission adopted final decisions in two major utility rate case proceedings: the combined San Diego Gas & Electric/Southern California Gas Company TY2017 General Rate Case (D.16-06-054) and the Pacific Gas & Electric Gas Transmission and Storage (GT&S) rate case (D.16-06-056). Both proceedings involved significant issues of expenditures related to safety of operations and capital improvements to replace aging or at-risk infrastructure.

#### **SDG&E/SoCalGas (Sempra) GRC**

As reported last month, the Sempra utilities' consolidated GRC was subject to a series of settlements among parties, which the final decision approved (with some adjustments to revenue requirement based on tax depreciation issues). The final decision endorsed TY2017 GRC budgets very close to what the utilities had originally sought, providing nearly full funding for such programs as wildfire mitigation, Safety & Reliability projects for electric operations, natural gas transmission and distribution integrity management programs, and the newly proposed Storage Integrity Management Program (SIMP) for the natural gas operations.

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<sup>4</sup> 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.

SIMP has particular relevance to storage facilities at Aliso Canyon and other facilities, approving a six-year inspection, maintenance and repair program expected to cost \$38.38 million for operating and maintenance costs, and a total of \$236 million for capital improvements over the GRC cycle.

The decision adopted SED's recommendation that the utilities provide limited accountability reports on spending for these programs one year following the final decision and then again two years after to provide the Commission with a way to track actual spending and impacts on safety. These compliance filings would focus on specific risk mitigations and safety related expenditures, as identified by SED, and by intervenors.

New risk management and mitigation policies being considered in the S-MAP (see below) are not quite developed enough to have significant impact on this transitional GRC, and it does not appear that any of the dollar amounts adopted in the PD were based on safety impact analysis.

Prior to rendering the decision, the Commission on June 20 held an Oral Argument on issues in the proceeding. While most parties were signatories to the settlements and spoke in favor of them (including TURN and the Office of Ratepayer Advocates), the Coalition of Utility Employees (CUE) which represents several unions, was not a signatory to any of the settlements. CUE's representative contended that the settlements did not do enough to encourage safety, especially with regard to replacing aging infrastructure, and said the CPUC's proposed decision did not fully analyze safety-related proposals that CUE promoted in its testimony.

Assigned Commissioner Picker posed several questions to the parties about aging infrastructure and the possible impacts on system reliability targets due to changes in an electric reliability performance index used by SDG&E.

### **PG&E GT&S Case**

The PG&E GT&S case had been pending for more than one year after evidentiary hearings ended, largely because it involved contentious issues stemming from the San Bruno explosion in 2010. The final decision adopted a nearly \$850 million disallowance for PG&E safety lapses, among many determinations about capital spending for pipelines and facilities.

The utility was directed to make multiple advice letter filings and reports related to safety inspections, and SED was charged with overseeing two new audits:

1. The decision disallowed from immediate recovery \$696.4 million for 2011-2014 capital expenses above amounts previously authorized in the Gas Accord V. \$120 million is permanently disallowed, but \$576 million would be subject to an audit by Commission staff or a third party. Three components of the audit:
  - a) To assess whether relevant projects are PSEP-related or GT&S related;
  - b) the extent to which costs may have been inflated due to issues including acceleration of PG&E's system remediation work;
  - c) the extent to which the work is necessary because PG&E either had not performed it correctly in the past or that it was previously funded but never conducted.

This audit is to be overseen jointly by SED and Energy Division and "completed as soon as practicable. ED/SED shall provide a progress report to Executive Director every six months until audit is completed." After the audit is completed, PG&E may make an application to recover costs covered by the audit. The audit "shall be part of the record and be sponsored by SED."

2. A separate safety audit relates to an issue of PG&E building up a backlog of "unremediated contacted casings" in which PG&E had either not previously received funding to mediate or "was the result of PG&E's failure to originally perform the work properly" including failure to inspect properly.

This audit is assigned solely to SED, which will evaluate, among other things, when the contacted casing was discovered, the course of action taken prior to determining what mitigation was needed, and the factors determining the need for mitigation. This audit shall be concluded within 12 months of the effective date of the decision.

### **Intervenor Testimony on Risk and Safety in PG&E GRC**

Also during June, parties to the PG&E General Rate Case (A. 15-09-001) entered settlement negotiations, resulting in a deferral of evidentiary hearings from the original schedule to late August or early September.

RASA staff has reviewed testimony served by parties to the proceeding and PG&E's rebuttal testimony to help formulate questions for the ALJ to consider during evidentiary hearings. Since the filing of this testimony in April-June, PG&E and parties have twice asked for a delay in the procedural schedule.

On June 23, President Picker issued a revised Scoping Memo to set out new dates for the case; assuming that a motion for settlement may be filed as soon as July 18, hearings dates would be changed to August 25--September 2 and other procedural dates extended. If a settlement motion is made later, these procedural dates would be revisited.

With the potential for settlement, RASA's examination of testimony has been changed to establish a platform against which financial and operational settlement provisions might be compared. Staff will review any proposed settlement in light of a) what PG&E originally sought, b) what various parties may have countered, and c) what can be inferred about impacts on safety and mitigation programs should settlement amounts differ from original positions.

RASA has made it clear to PG&E that we expect to see any settlement proposal **explicitly** address anticipated safety impacts from reduced or deferred spending, for example, that parties agree to.

Separating out aspects of testimony that were related to the Risk Management modeling, RASA staff expects several of the major Safety/Reliability issue areas that may be addressed in settlement to include:

**Replacement vs repair** - TURN has argued for a substantial reduction in Gas Distribution budget, due to PG&E proposing service replacements for "Tee-caps" (pipeline joints) rather than repairs. TURN cited evidence that Tee-caps are responsible for a large percentage of underground service leaks. However, TURN argued that PG&E conflated Tee-cap leak risks on locations close to AND distant from buildings/people, thus inflating the risk in order to increase its capital budgets for leak events which might be common but not have a severe safety risk. TURN also contends that PG&E is de-emphasizing its Aldyl A pipeline replacement program in favor of Tee-cap mitigations.

**Leak Survey Cycles** – While PG&E has proposed a 4-year survey cycle, TURN argues to maintain the 5-year cycle, as it claims there is little evidence that a shorter cycle is cost-effective.

**Non-Hazardous Leak Repairs** – TURN recommended ZERO funding for a program to repair Grade 3 underground leaks (considered non-hazardous to persons/property, but a fairly substantial contributor to GHG/methane emissions). Note: policies regarding repairs of such leaks for emission abatement purposes are being address in the SB 1371 proceeding R.15-01-008, but budgets are determined in the GRC.

**Fixing past mistakes** – TURN argues that PG&E is seeking \$105 million to correct improperly installed surge detectors on its electric distribution system.

**Differences in actual expenditures vs. previously authorized programs** –One example in this GRC has to do with pipeline corrosion mitigation, in which PG&E had previously been authorized to spend \$3.1 million/year but because of a number of problems with its program, spent only \$150,000 in 2013, \$1.35 million in 2014, and \$3.1million as authorized in 2014. TURN objects to PG&E’s request for \$5.246 million in TY2017. Other claims of duplicative spending relate to mapping activities and records management, TURN argued.

**Lack/Insufficient risk analysis** – TURN objects to about \$45 million on PG&E’s electric Distribution Energy Resource Integration Capacity Program (DERIC) for a lack of risk analysis. DERIC is an initial outgrowth of the CPUC’s rulemaking on encouraging distributed energy resource planning (R.14-08-013), which is supposed to inform future GRC requests. TURN previously sought to have DERIC programs deemed out of scope of the GRC because the underlying rulemaking is still on-going.

**Aging infrastructure replacement/repair** – The CUE group of union employees generally argues in the other direction from ratepayer advocates, seeking added funding and accelerated repair/replacement programs for aging utility infrastructure. In this proceeding, CUE argued for \$1.4 billion in added expenditures for projects including: increasing replacement rates for wires, pipes and other components; shortening leak surveys to 3 years. However, CUE argued that lengthening depreciation schedules for certain assets would result in a net reduction to revenue requirements.

### S-MAP Proposed Decision Issued

A proposed decision (interim) in the Safety Model Assessment Proceeding (A. 15-05-002, et al.) was issued on June 14, which would adopt new structures for utility risk assessment models and provide guidance for upcoming GRCs. The PD would direct parties to further explore use of a multi-attribute impact model for scoring and prioritizing identified operational risks that was proposed by Joint Intervenors (TURN/Indicated Shippers/Energy Users & Producers Coalition) during the proceeding. The detailed PD would also adopt many findings and recommendations that derive from SED Staff evaluation of the utility models that was issued in February. This PD, which also establishes the agenda for ongoing model development work in a second phase of S-MAP, is rescheduled for consideration at the CPUC's August 18 business meeting.

## PROCEEDING UPDATES

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### PROCEEDINGS

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- **Safety Model Assessment Proceeding (A.15-05-002, et al) (President Picker/ALJ Kersten) (Advisory):** An Interim Proposed Decision was issued June 14, which determined that the risk scoring models proposed by utilities were not adequate but should be supplemented by use of a multi-attribute scoring model that was developed for the Electric Power Research Institute. The PD also provides guidance for upcoming RAMP filings in the 2019 SDG&E/SoCalGas General Rate Case, which will commence in fourth quarter 2016. Parties comments were due July 5, and replies on July 12. Originally set for the July 14 Commission meeting, action on the PD has been held until the August 18 agenda.
- **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, are analyzing the reports for completeness and will hold follow-up calls with companies to ensure the validity of data.
- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ DeAngelis) (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. Utilities and industry representatives have proposed elements of such inspection protocols, which are being reviewed by the Risk Assessment and Electric Generation sections for further action
- **Storage Procurement Solicitations 2016 (PG&E A.16-03-001; SCE A.16-03-002; SDG&E A.16-03-003) (Commissioner Peterman/ALJ Cooke) (Advisory):** On May 23 a Pre-Hearing Conference (PHC) was held for the three electric IOUs' new applications to establish the 2016 energy storage procurement solicitations, to meet 2020 targets as directed by D.13-10-040. SED Risk Staff raised the issue of consistency of safety conditions in the IOUs'



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solicitation and contracting materials, and will be pursuing options for working with the utilities and stakeholders to try to standardize utility requirements.

- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ Bushey) (Advisory):** SED Risk section will be the program manager for this contract, which will result in a thorough evaluation of PG&E’s efforts to advance a Safety Culture in its organization and operations. Through the month, expert witness 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.
- **SDG&E/SoCal Gas General Rate Case (A.14-11-003/004) (President Picker/ALJs Wong and Lirag) (Advisory):** On June 23, 2016, the Commission approved D.16-06-056, adopting TY2017 revenue requirements for Sempra utilities (see detailed description above).
- **PG&E 2017 General Rate Case (A.15-09-001) (President Picker/ALJ Roscow) (Advisory):** Intervenors began filing testimony and workpapers to support their positions. SED’s Risk section is currently reviewing those filings for any specific proposals or issues related to risk assessment methodologies or proposed spending to improve safety in PG&E’s gas and electric operations. Evidentiary hearings have been postponed until late August or early September, pending the outcome of settlement negotiations among parties.
- **Public Records Act Revisions Rulemaking (R. 14-11-001) (President Picker/ALJ Lirag) (Advisory):** An interim proposed decision was issued June 28, 2016, to update commission policies for public dissemination of various types of documents subject to Public Records Act requests. SED staff had previously supported this rulemaking by conducting a workshop, but its involvement is now ended.

### 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.

### STATISTICS - 1/01/16 TO 6/30/16

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
<b>January</b>	0	0	1	0	0	0
<b>February</b>	0	5	1	0	2	0
<b>March</b>	0	0	0	0	0	0
<b>April</b>	0	2	0	0	0	0
<b>May</b>	0	0	0	0	1	0
<b>June</b>	0	0	0	0	0	0
<b>Total 2016</b>	<b>0</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>0</b>

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
June	0	0	1	0	0	0	0
YTD	0	0	1	1	0	0	1

Test, Incomplete or Duplicate Whistleblower Complaints	
January	0
February	4
March	0
April	3
May	0
June	0
YTD	7

## OFFICE OF RAIL SAFETY

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### RAILROAD SAFETY - ROSB

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

<b>New Incidents Investigated</b>	13
<b>Informal Complaints Investigated</b>	1
<b>Safety Assessments/Reviews</b>	12
<b>Compliance Actions</b>	440
<b>Major Inspections Completed</b> - Such as Focused Inspections	2
<b>Operation LifeSaver Presentations</b>	5

### ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

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**June 3, 2016:** A ROSB Rail Safety Inspector conducted a routine inspection at Union Pacific's 4<sup>th</sup> Street Yard in Los Angeles, California. The purpose of this inspection was to check for compliance with both California State General Orders and Federal Railroad Administration regulations. While conducting the inspection, asphalt was found covering the walkway paths and inner tracks underneath the 4<sup>th</sup> Street Bridge. Upon further investigation, it was determined that the asphalt has been laid to create a smooth surface for repair trucks to access the area during demolition of the bridge starting June 4<sup>th</sup> 2016. This will also make it easier to pick up the debris and allow for the construction crew to avoid creating a defect of State General Order 118-A (reasonably safe and adequate walkways).

**June 7, 2016:** ROSB Rail Safety Inspectors performed a regular inspection at the Perris south station. Southern California Regional Rail Authority (Metrolink) started revenue operations of

its Perris/91 line on June 6th. This line runs from Perris to Los Angeles. Staff checked the operating crew for current certification and observed compliance with operating rules while the passenger train departed the station. After departure of the train staff inspected the yard for compliance. During a walking inspection staff determined that there were two switches that were not in compliance with operating rules and federal regulations. The regulations and rule require that if the switches are equipped with hooks or locks they must be engaged in the switch except with the switch is in operation. These switches were found with the hooks laying on the ground instead of being engaged in the switch. Since this was the second day of operation, rather than recommending a civil penalty, staff advised the carrier of the non-compliance and warned that additional occurrences will result in civil penalties.

**June 7, 2016:** A ROSB Rail Safety Inspector arrived unannounced at the Union Pacific Railroad property located in the town of Calexico, California, for the purpose of inspecting departing trains for compliance to the Code of Federal Regulations (CFR). While on the property, the inspector contacted the local UP railroad Manager of Train Operations (MTO) and inquired about the status of a train parked where UP Inspectors typically test and inspect the train prior to movement. The UP railroad MTO indicated to the ROSB Rail Safety Inspector that the train had already been tested inspected and had been declared ready for departure in revenue service. The ROSB inspector then proceeded with a follow-up inspection that identified several defects on various freight cars, 2 of which warranted recommending civil penalties. In one case, the ROSB inspector recommended a civil penalty due to a violation on a freight car creating the possibility for injury. In the second case, the ROSB Rail Safety Inspector identified another freight car defect and recommended a civil penalty. The UP railroad staff person that had inspected the car arrived on site and the ROSB Rail Safety Inspector showed them the non-compliance issue. The UP railroad staff person confirmed and did not dispute the ROSB Rail Safety Inspector's findings. The ROSB Rail Safety Inspector also communicated inspection results to the local UP MTO and also to the General Foreman located at the UP railroad West Colton facility that has jurisdiction and responsibility for repairs performed on freight cars at the property in Calexico. No one disputed the CPUC inspection findings or his recommendations

for civil penalty, and the UP railroad immediately placed both freight cars out of service pending repair.

**June 9, 2016:** This week was utilized working on an existing general order problem, on the newly opened, Valley Metrolink line, that currently runs to downtown Riverside. ROSB Rail Safety Inspectors conducted hazmat inspections at the Union Pacific, 4<sup>th</sup> street yard in Los Angeles, Mira Loma yard and at the UP railroad West Colton classification yard in Bloomington. As a result of the inspections, five defects were discovered that were turned over to the responsible parties for corrective action.

**June 14, 2016:** A team of ROSB Railroad Safety Inspectors conducted a Focused inspection of the BNSF Intermodal Facility in Mariposa, California. The team identified two CPUC General Order 118-A walkway tripping hazard defects at the east end of the yard. BNSF management was notified of the defective conditions so that they could take corrective action.

**June 14, 2016:** Three ROSB Railroad Safety Inspectors as part of a multidiscipline team of ROSB Inspectors performed a walking inspection of the BNSF switching and classification Mormon Yard located in Stockton, California. One of the defects identified was the Remote Control Operator (RCO) employee had a defective identification and certification to operate a remote control locomotive (RCL). RCLs are operated by certified RCO employees from the ground, on equipment such as a rail car and/or outside on a locomotive from a remote control transmitter (RCT) referred to as a "Belt Pack". The defects were immediately conveyed to the RCO employee and later in the shift reported directly to the local trainmaster who had a temporary certification issued. This was the first day for this group of inspectors. During the course of this inspection, inspectors identified 25 track defects, one general order defect and one operating practice defect all conveyed to the leadership of BNSF for corrective action.

**June 14, 2016:** A team of ROSB Railroad Safety Inspectors conducted a State General Order and Federal Railroad Administration (FRA) focused inspection of BNSF's Stockton Subdivision, Riverbank Yard located in Riverbank, California. The focused inspection was warranted due to continued non-compliance with State and Federal regulations involving track structure and

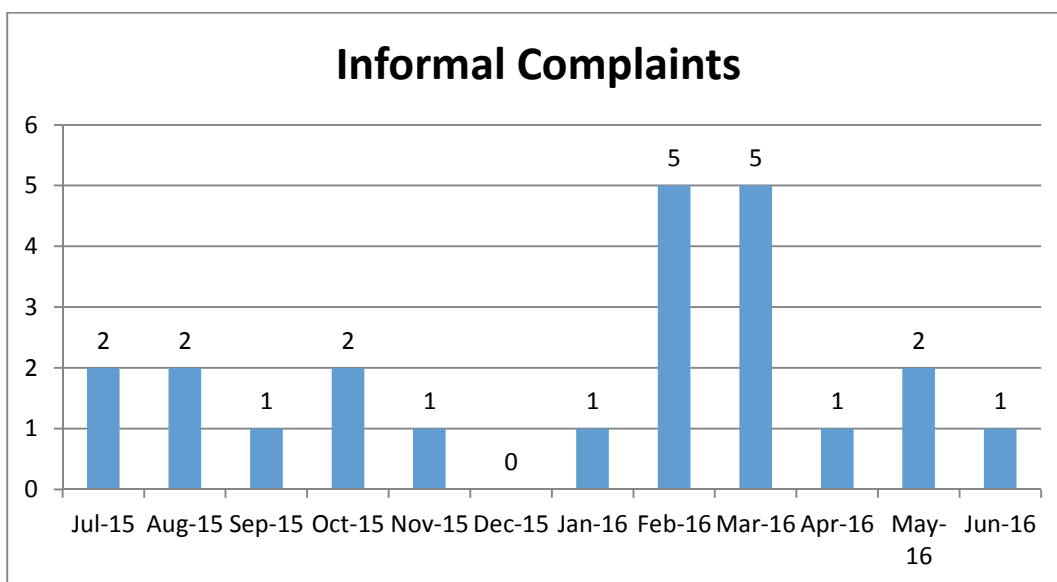
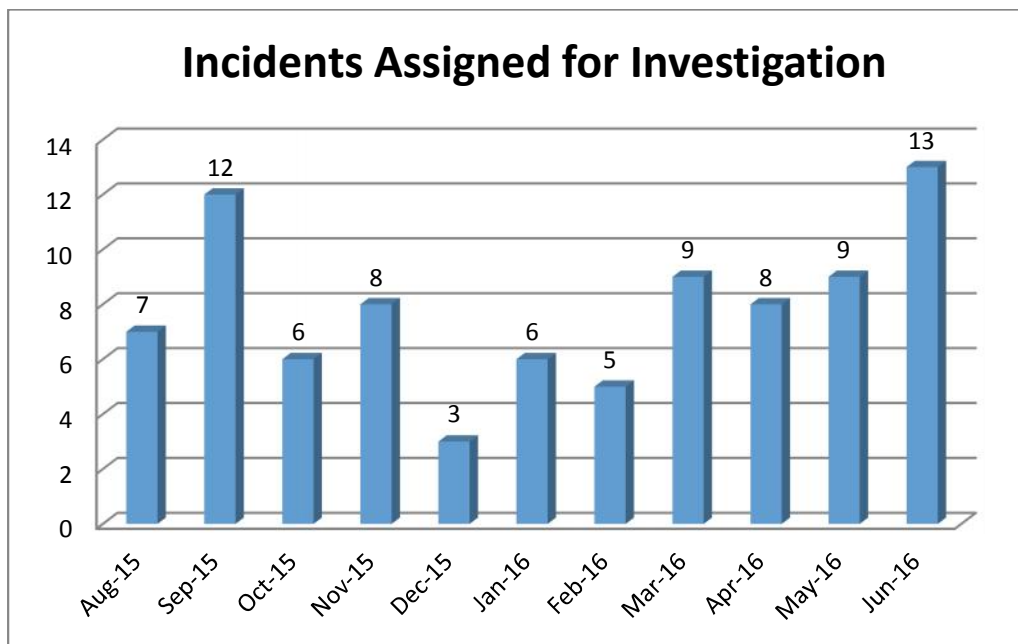
railroad employee safety. State and Federal defects were noted and railroad management was notified of the defective conditions so that they could take corrective action.

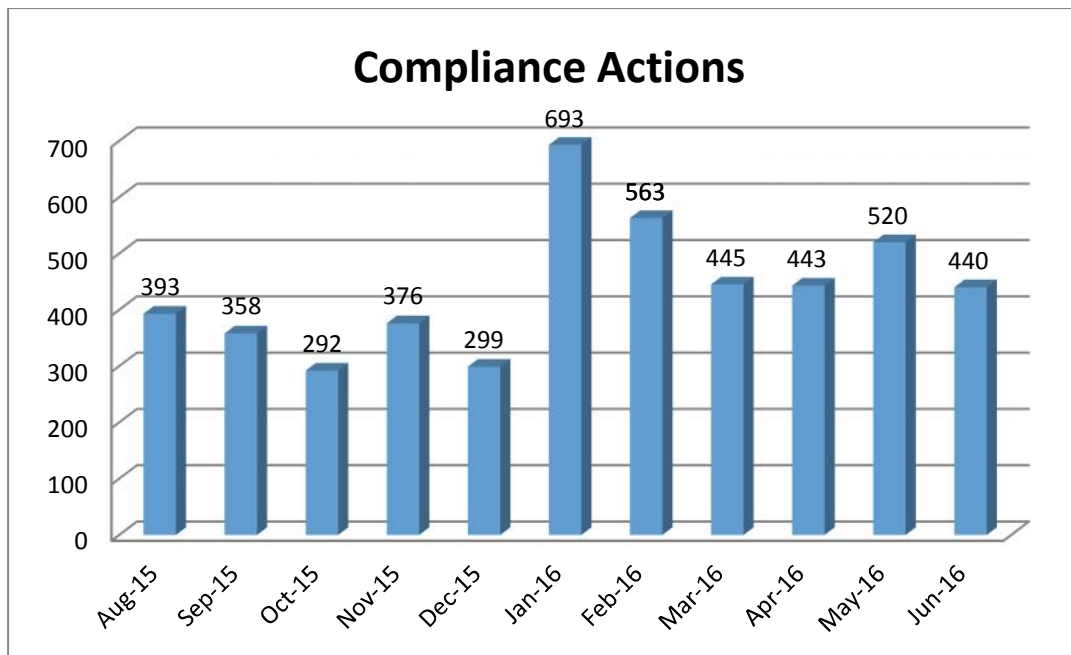
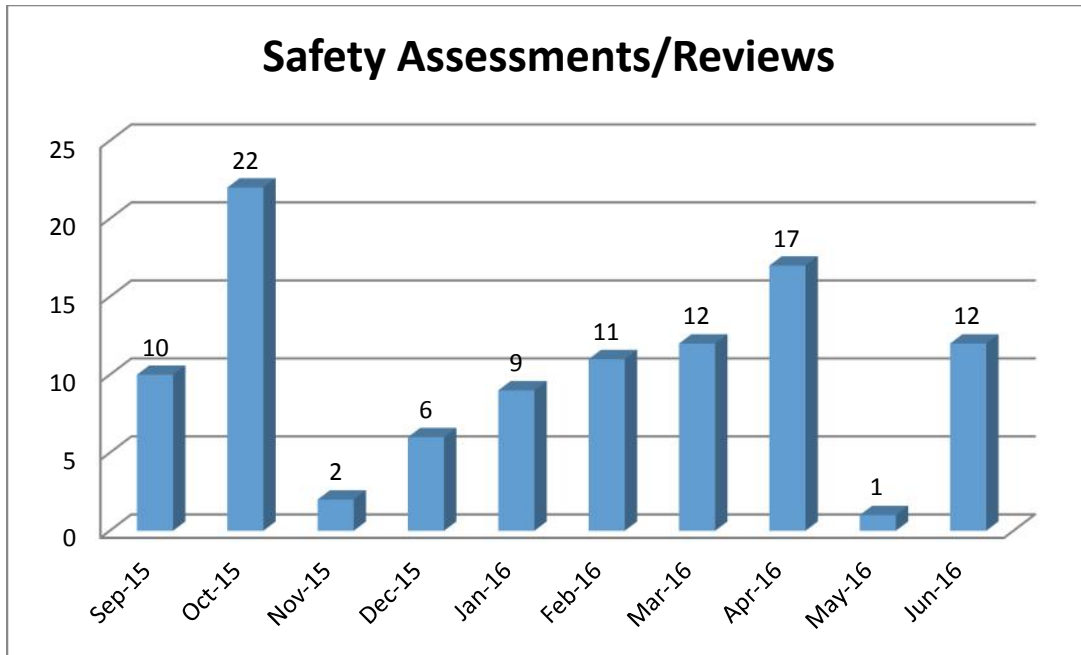
**June 15, 2016:** Three ROSB Railroad Safety Inspectors performed a walking inspection of the BNSF West Mariposa Hub and Intermodal Transfer facility in Stockton, California. Some of the defects identified include a California State General Order (GO) 118-A walkway defect and a Federal Railroad Administration (FRA) mechanical locomotive inspection defect (49 CFR 229.21). These and other defect findings were immediately reported to the BNSF Manager for corrective action. This team of three was made up of track, mechanical and operating practice ROSB inspectors and part of a larger team performing a three day focused inspection by a multidiscipline ROSB audit team composed of track, signal, mechanical, hazardous materials, operating and bridge inspectors.

**June 16, 2016:** ROSB Rail Safety Inspectors performed a joint inspection at the BNSF Malabar Yard. This is part of a new SED program to have two separate disciplines participate in the others area of expertise. The goal of the new program is to teach each discipline to recognize other disciplines defects during their normal daily inspections. They can contact the other discipline and give the location of the defect in an effort to obtain remediation as soon as possible. This program will not only increase each disciplines abilities, but also assist in focusing our inspectors scheduling. The new program will assist the CPUC in decreasing drive times for inspectors; wear on vehicles, and fuel costs. Having all disciplines cross trained will make the agency more cost effective through streamlining, and aid in communication since the terminology will understandable to all during staff meetings.

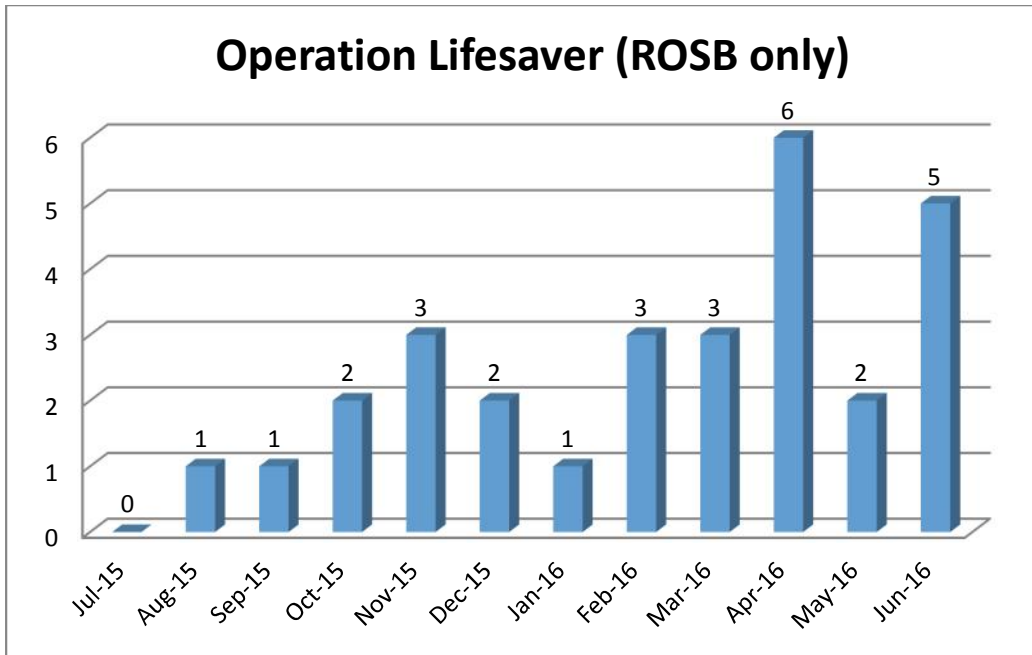
**June 25, 2016:** An ROSB Rail Safety Inspector, who is also a volunteer for Operation Lifesaver, used the time to visit the Los Angeles City Attorney's Office, to give an Operation Lifesaver Rail Safety presentation to adults who have been cited for trespassing onto railroad tracks. Presentations by the volunteer are part of a Neighborhood Justice Program (NJP), of the LA City Attorney's Office, intended to be a pre-filing diversion for people who have committed certain misdemeanors (such as trespassing onto railroad tracks), as a way to avoid going to court, of being convicted or pleading guilty, and of having a criminal record. The CPUC volunteer,

explained numerous safety tips educating and encouraging attendees to stay off railroad tracks, to stay away from railroad tracks, to stay alive. After the presentation, the CPUC volunteer asked attendees to recite safety tips explained in his presentation, and they were able to repeat many of the tips covered which confirmed that they got the message. The volunteer also covered what to do if a driver's car stalls over railroad tracks. The fact that the audience understood tips explained, made the time a worthwhile endeavor in the interest of public safety.









### RAIL CROSSINGS – RCEB

In the month of June 2016, the Rail Crossings and Engineering Group completed the following:

	Open at Period Start	New During Period*	Closed During Period	Open at End of Period
<b>2015 Crossing Incident Investigations</b>	20	0	9	11
<b>2016 Crossing Incident Investigations</b>	48	32	1	79
<b>Informal Complaints Investigations</b>	25	1	1	25
<b>Safety Assessments/Reviews</b>	0	45	45	0
<b>Environmental Reviews</b>	0	60	60	0
<b>Proceedings, Resolutions and G.O. 88-B Reviews</b>	14	6	7	13
<b>Quiet Zone Reviews</b>	0	4	4	0
<b>Operation LifeSaver Presentations</b>	0	4	4	0
<b>Staff Training</b>	0	2	2	0

\*As RCEB checks FRA data with CPUC data, RCEB adjusts the number of incidents for 2015 and 2016.

RAIL CROSSING INCIDENT INVESTIGATIONS

- In June 2016, the Rail Crossings and Safety Branch engineers received 32 new crossing incidents during this period and completed 10 highway-rail crossing investigations.

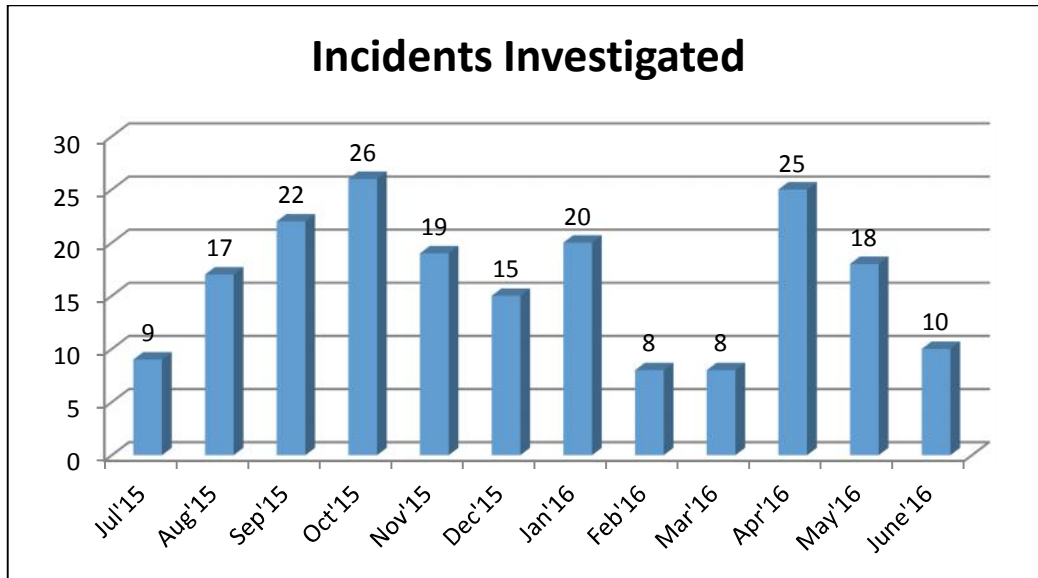
Year	No of Crossing Incidents	Fatalities	Injuries	Open – start June 2016	New June 2016	Closed June 2016	Open at End of Period
2015	154	56	57	20	0	9	11
2016	89	42	24	48	32	1	79

- **INCX 2015120009-Alondra Boulevard, CPUC 016-0.40, DOT No. 967686L, La Mirada, Los Angeles County** - On December 23, 2015, at 05:31, BNSF Train occupied the Alondra Boulevard crossing when a vehicle struck the train. The investigation found that the motorist, in violation of CVC 22451(a), did not stop in advance of the crossing after the train activated the warning devices and occupied the crossing.
- **INCX 2016050010-South Carolina Street, CPUC 002-1120.90, Dot No. 029606D, Stockton, San Joaquin County** - On May 16, 2016, at 21:50, BNSF train, eastbound, struck a pedestrian resulting in injury at the South California Street crossing near milepost 1120.9 in Stockton, San Joaquin County. The investigation found that the pedestrian was trespassing on the tracks at the crossing, dancing and waving arms like "conducting a band." The train crew continued to blow horn to warn the pedestrian and could not stop the train in time to avoid a collision that resulted in injuries to the pedestrian. RCEB did not issue any recommendations.
- **INCX 2015030018 –Private Crossing, CPUC 103BAH-310.73-X, DOT No. 029910G, Unincorporated Kern County** - On March 23, 2015, at 23:30 hours SJVR train collided with a semi-truck at a private grade crossing, with the driver of the semi receiving unknown injuries near milepost 310 in an Unincorporated area of Kern County. The private crossing provides entry/exit to a private facility and has passive private crossing warning and stop

signs. Staff cannot confirm if the driver involved in the collision did or did not stop prior to proceeding across the private crossing. The ROSB report states that staff observed vehicles proceed over the crossing without stopping. RCEB recommends that the private owner schedule Operation Lifesaver Inc. safety training to all truck drivers that use the facility.

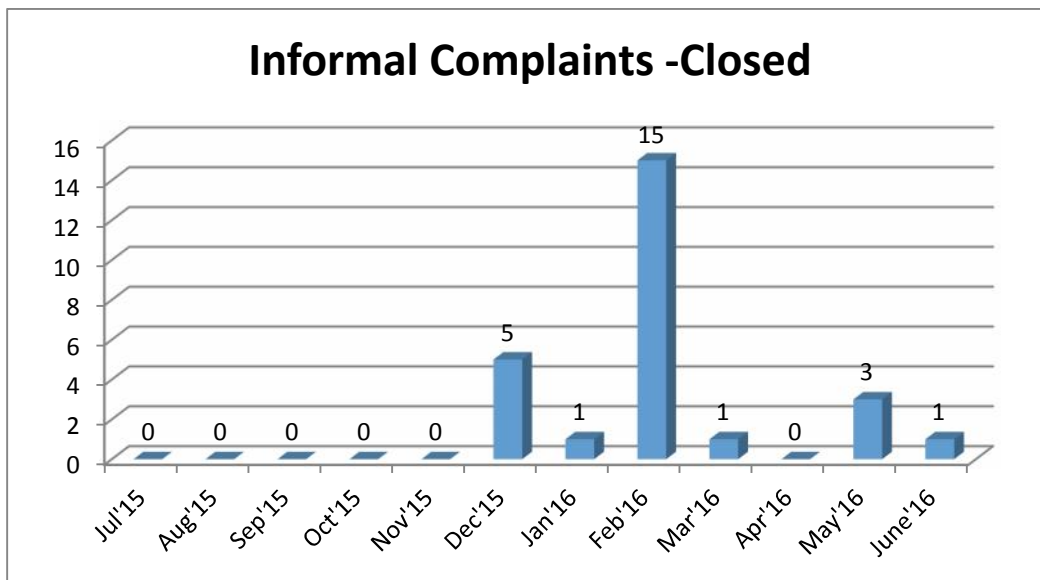
- **INCX 2015090002-Sand Point Drive, CPUC 001E-376.34-X, Dot No. 745629J, Carpinteria, Santa Barbara County** - On September 13, 2015, at 11:42 am, Amtrak train struck a pedestrian resulting in injuries at the Sand Point Drive crossing. Per the initial report, the pedestrian was walking when a train hit his bicycle and the pedestrian jumped out the way, scraped his knee, and went to the hospital. Staff is unable to confirm the chain of events and the ROSB report indicates that the incident did not occur at the highway-rail crossing. RCEB did not issue any recommendations.
- **INCX 2016030007-Avenue 336, CPUC 103BC-248.10, Dot No. 756762U, Ivanhoe, Tulare County** - On March 12, 2015, a westbound pick-up truck travelling at 20 mph struck the rear car of a southbound SJVR train, travelling at 10 mph at the Avenue 336 crossing in Ivanhoe, Tulare County. The investigation found that the motorist caused the collision in violation of CVC 22350, unsafe speed for conditions present. RCEB did not make any recommendations.
- **INCX 2015100006-Chicago Avenue, CPUC 002B-8.10, Dot No. 026476Y, Riverside, Riverside County** - On October 7, 2015, at 06:14, a train struck a pedestrian resulting in injuries at the Chicago Ave crossing near milepost 8.10 in Riverside, Riverside County. The investigation found that the pedestrian, ran under the crossing arms in the lowered position with the warning lights activated, and continue running north to beat the train. As the pedestrian reached the third track, the train struck and injured the pedestrian. RCEB did not make any recommendations.
- **INCX 2015100009-Alder Avenue, CPUC 101SG-50.19, Dot No. 026142R, Fontana, San Bernardino County** - On October 9, 2015 at 11:39 hrs., a train struck a pedestrian resulting in a fatality at the Alder Ave crossing. The investigation based on the police report, found that two witnesses stopped at the crossing waiting for the train to pass, witnessed the pedestrian "jump" in front of the oncoming train. The Coroner determination is suicide. RCEB did not make any recommendations.

- **INCX 2015100012-Right of Way near Chicago Avenue, Riverside, Riverside County** - On September 25, 2015, at 16:30, an eastbound train struck a pedestrian, that within the Chicago Avenue crossing while the gates were down, resulting in a fatality. The investigation found that the police and ROSB determined the incident location along the right of way and not at the Chicago Avenue crossing as initially reported to the CPUC. RCEB did not make any recommendations.
- **INCX 2015120006 –Right of Way near Tyler Street, La Sierra, Riverside County** - On December 11, 2015, at 18:34, BNSF struck a pedestrian resulting in a fatality near the Tyler Street crossing near milepost 17.40 on the San Bernardino subdivision in La Sierra, Riverside County. Train crew struck a pedestrian that was standing in the middle of the tracks west of the crossing along the mainline. The investigation found that the pedestrian was standing on the tracks with his back facing the train when the train struck. The incident location and point of impact was along the rail right of way and not at the Tyler Avenue crossing. RCEB did not make any recommendations.
- **INCX2015080011 – High Street, CPUC 001D-10.40 , Dot No. 749712Y , Oakland, Alameda County** - On August 11, 2015, at 17:44, Amtrak Train fatally struck a pedestrian at the High Street crossing in Oakland, Alameda County. The investigation found that the pedestrian was crossing the tracks from west to east and collided with a north bound train. The pedestrian did not pass the lights and gates as it was passing from the opposite end of the crossing (from north west quadrant to north east quadrant). Amtrak officials stated that the pedestrian did not seem to hear or see the train. The FRA report indicates that the pedestrian stopped on the tracks but provide no further detail. The crossing warning devices are visible from the off quadrant approach. RCEB could not confirm the chain of events leading to the collision or if the pedestrian noted the gates, flashing lights, or train horn. RCEB could not determine a probable cause based on information available. RCEB did not make any recommendations.



#### INFORMAL COMPLAINTS

- In June 2016, staff received one new complaint in regards to the 8<sup>th</sup> Street Crossing in National City, San Diego County. Staff also closed one complaint involving highway-rail crossings.



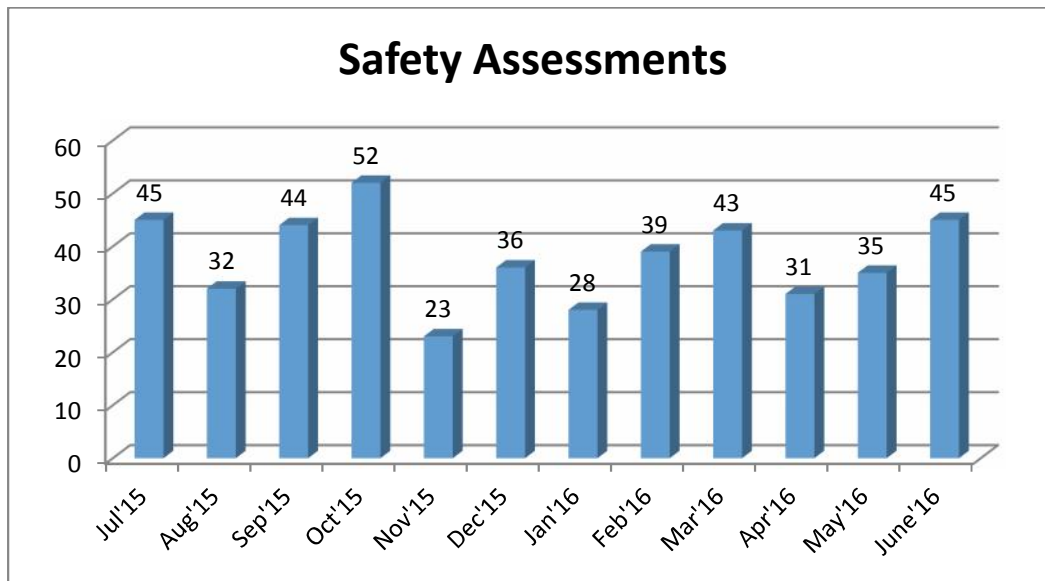
- CMPT 2016050003 – Coast Highway, CPUC 106E-100.28, DOT 027550E, Oceanside, San Diego County** –Staff reviewed the complaint and made initial discussions with the railroad and local road agency in April 2016. However, the changes made by the railroad/local agency have been in place for approximately 2 months. RCEB staff requested that the City

## California Public Utilities Commission | Safety and Enforcement Division

of Oceanside file a G.O.88-B application to review the changes. Staff received the City of Oceanside GO 88-B request on June 1, 2016 and is reviewing the application to determine the next step in the process.

### SAFETY ASSESSMENTS AND REVIEWS

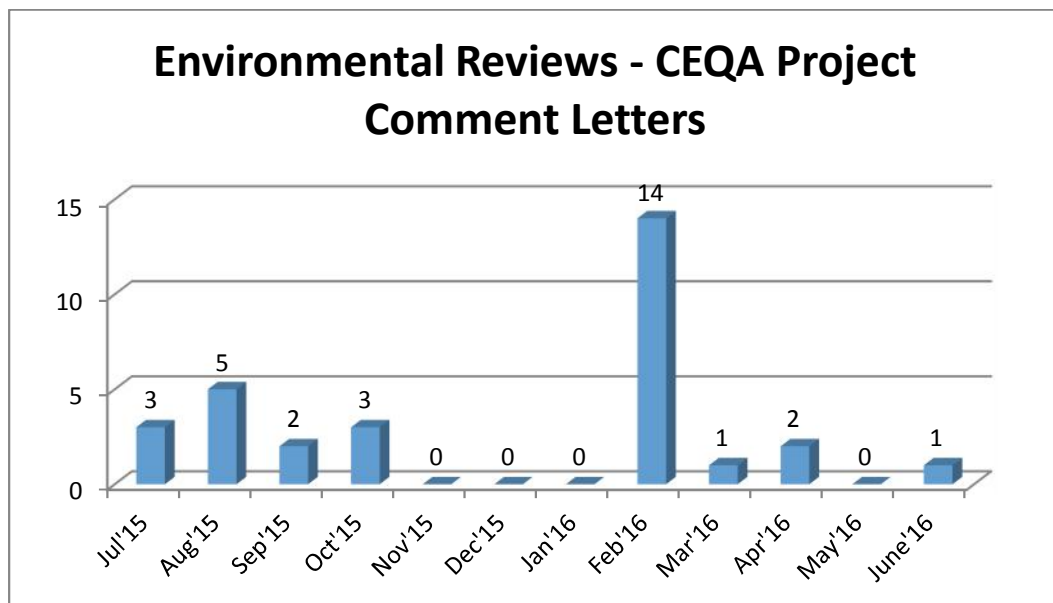
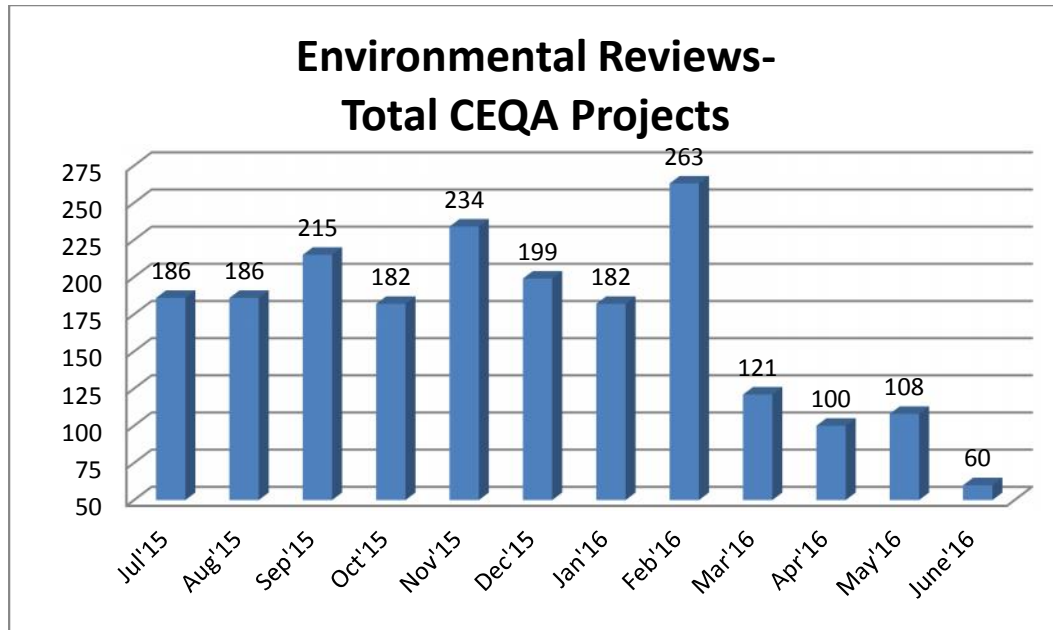
In June 2016, staff completed 45 safety assessments involving communications, field inspections, and diagnostic reviews with railroads and local agencies.



### ENVIRONMENTAL REVIEWS

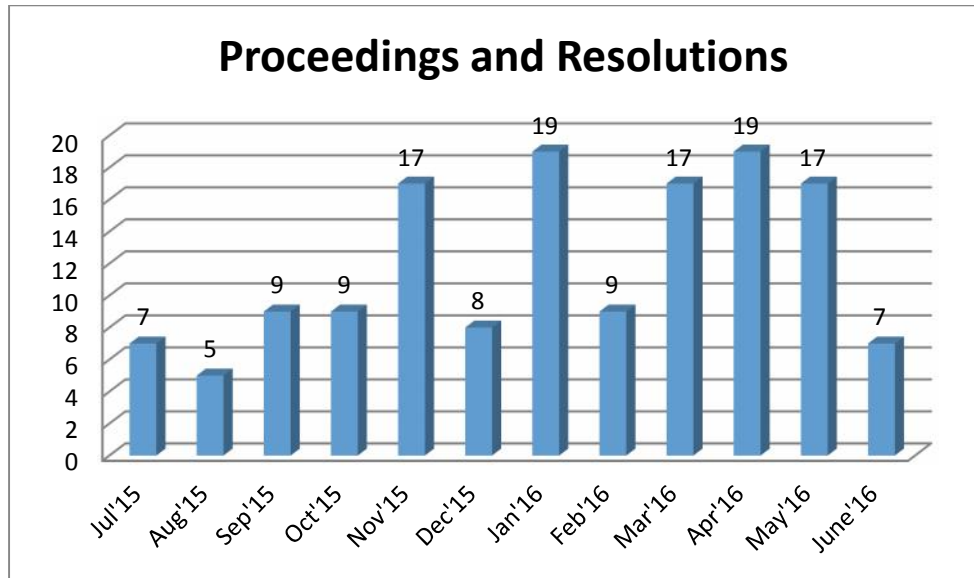
In June 2016, staff reviewed 60 CEQA reports and issued one comment letter. When railroads and local agencies plan new projects or developments, staff reviews the documents submitted by the agencies for safety impacts to crossings. The review addresses safety issues in highway-rail crossing design and nearby intersections during the design phase of the projects.

- **SCH 2016012020 City of Santa Rosa, Sonoma County, Roseland Area Specific Plan** - RCEB staff received the Draft Environmental Impact Report from the City of Santa Rosa in regards to the Roseland Area/Sebastopol Road Specific Plan and Annexation project. The project area includes active railroad tracks. RCEB staff recommends that the City add language to the Roseland Area Specific Plan with the safety of the rail corridor in mind.



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

- In June 2016, engineering staff received five new General Order 88-B applications, and closed five application reviews. RCEB also closed one Safety and Enforcement Division proceeding. In addition, staff continued the review of the Grade Separation Program under I.15-06-008, and the CPUC issued a decision for a new priority list.



- **G.O. 88-B – State Route 99 Underpass, CPUC Crossing 001B-135.90-B, and DOT No. 766153V, in the City of Livingston, County of Merced** - The California Department of Transportation requests authority to alter the State Route 99 Grade Separated (Underpass) Highway-Rail Crossing, in the City of Livingston, County of Merced. The alterations include widening the roadway median beneath the Livingston Underpass structure, adding a lane in both directions, and new pavement markings. RCEB granted the authorization and it expires on June 13, 2019.
- **G.O. 88-B – Petaluma Hill Road (Main Street), CPUC 005-43.30, and DOT No. 498679F in the County of Sonoma** - The County of Sonoma requests authority to alter the Petaluma Hill Road (Main Street) highway-Rail at-grade crossing, in the County of Sonoma. The alterations include installation of a queue cutter and No Left Turn blank out sign. RCEB granted the authorization and it expires on June 2, 2019.
- **G.O. 88-B – Fulton Road, CPUC No. 005-58.50, and DOT No. 498570P, in the County of Sonoma** - The County of Sonoma requests authority to alter the Fulton Road at grade crossing in the County of Sonoma. The alterations include installation of a queue cutter and No Left Turn blank out sign. RCEB granted the authorization and it expires on June 2, 2019.
- **G.O. 88-B – Salida Boulevard/Dakota Avenue/Murphy Road, CPUC 001B-107.50, and DOT No. 752845U, in the City of Modesto, County of Stanislaus** - The City of Modesto requests



authority to alter the Salida Boulevard/Dakota Avenue/Murphy Road at-grade crossing in the City of Modesto, County of Stanislaus. The alterations include removal of existing traffic control signs and markings, installation of new signs, and installation of new traffic controls as part of the SR 99 /Pelandale Avenue Interchange Reconstruction Project. RCEB granted the authorization and it expires on June 29, 2019.

- **G.O. 88-B – Coast Highway, CPUC 106E-100.28 and DOT No. 027550E, in the City of Oceanside, and County of San Diego** - The City of Oceanside requests authority to alter the Coast Highway at-grade crossing in the City of Oceanside, and, County of San Diego. The alterations include converting roadway lane striping from two vehicular lanes in each direction to one vehicular lane and 1 bicycle lane for both northbound and southbound approaches to the crossing. RCEB granted the authorization and it expires on June 9, 2019.
- **PROC A1512022 – At-Grade Pedestrian Crossing, CPUC 104-381.80-D, and DOT 969554H in City of Eureka, Humboldt County** - The City of Eureka requests authorization to construct a pedestrian at-grade crossing over North Coast Railroad Authority tracks, in the City of Eureka, Humboldt County. The proposed at-grade pedestrian-rail crossing will provide improved public access from the Hiksari Trail to the Old Town region of Eureka. RCEB reviewed the authorization and the CPUC granted authority on June 9, 2016, with Decision 1606016.
- **OII 15-06-008 Order Instituting Investigation for Establishing a List, for the Fiscal Years 2016-2017 and 2017-2018 of Existing Crossing At Grade of City Streets, County Roads or State Highways in Need of Separation, or Existing Separations in Need of Alterations or Reconstruction, in Accordance with Section 2452 of the Streets and Highways Code** – The CPUC issued Decision 16-06-012, on June 9, 2016, establishing the California Grade Separation Priority List for fiscal year 2016-2017.

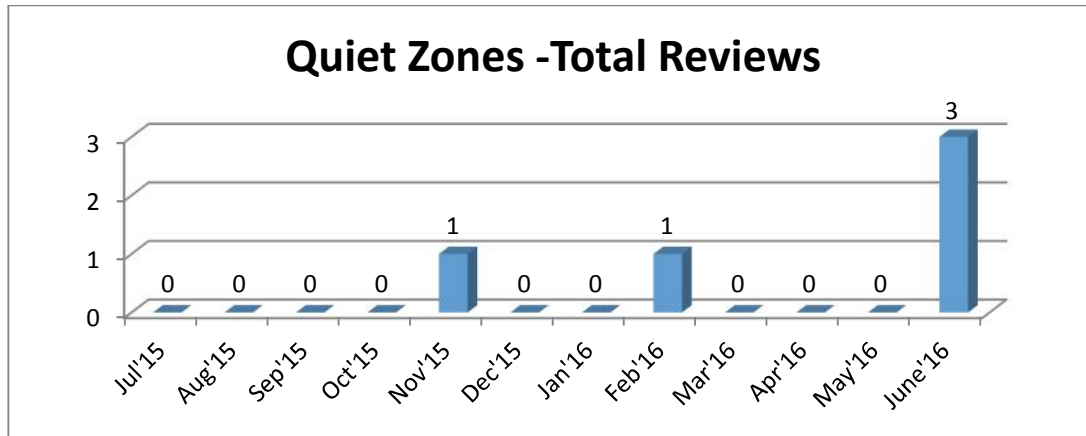
### QUIET ZONE ESTABLISHMENT

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The Federal Railroad Administration requires locomotives to sound a horn while trains approach and enter public highway-rail grade crossings. A Quiet Zone (QZ) is a specified distance along railroad areas where local roadway and railroads apply supplementary safety

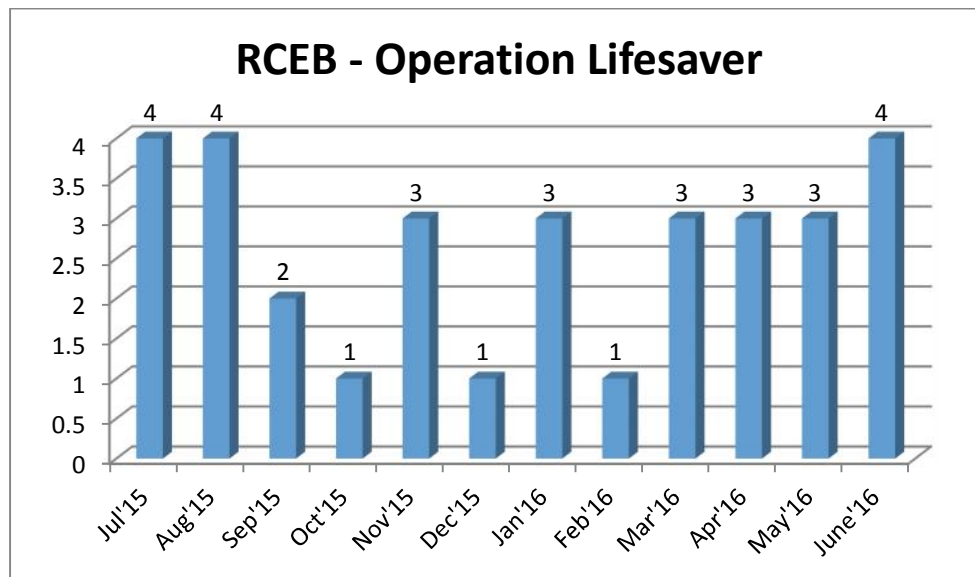
measures to all highway-rail grade crossings as an effective substitute for the sounding of the locomotive horn. The FRA authorizes the QZ under Title 49 CFR 222.39(a) (3) requirements. Railroads are exempt from sounding horns in a QZ, thus providing the quiet of communities affected by train operations. In June 2016, staff reviewed three QZ requests.

- **QTZN2016060001** - On May 2, 2016, the City of San Rafael issued a Notice of Intent for creating a 24-hour quiet zone of all 10 (8 public and 2 private) crossings along the Initial Operating Segment of the Sonoma Marin Area Rail Transit District (SMART) railroad. The crossings of this 4-mile quiet zone includes: Smith Ranch Road (859205U, 005-20.97), North Avenue (863510L, private aka Silviera), Civic Center Drive (863511T), Las Gallinas (863513G, private ped), North San Pedro Road (853514N), Paloma Avenue (863516C), Pacheco Street (853617J), Mission Avenue (863518R), 5th Avenue (863519X), and 4th Street (863520S) at the SMART San Rafael terminus station. RCEB staff issued a comment letter on June 20, 2016.
- **QTZN2016060002** - On June 6, 2016, the City of Novato issued a Notice of Intent for the creation of a new 24-hour quiet zone of 10 crossings (6 public, 2 pedestrian and 2 private), including Rush Creek Place (863496T, 005-28.5), Golden Gate Place (859201S, 005-28.35X, private), Olive Avenue (863497A), Grant Avenue (863498G), Franklin Underpass (863539J, 005-27.46D, Ped), Rowland 1,2 (859166F, private), Hanna Ranch Road (863491J), Bel Marin Keys/ (859323W, 005-25.50D, Ped), Roblar Drive (863501M) and Hamilton Parkway (863502U). The 5-mile quiet zone includes all crossings within the city limit of the contiguous Initial Operating Segment (IOS) of the Sonoma Marin Area Rail Transit District (SMART) railroad. RCEB issued comments on June 24, 2016.
- **QTZN2016030002 – QTZN 2016030002** - Federal Railroad Administration (FRA) approved the QZ for the City of Atherton. On May 23, 2016, the City of Atherton issued the Notice of Establishment for its Atherton Fair Oaks QZ, effective June 13, 2016. However, the City of Atherton did not address past comments, or follow proper protocol related to establishing the QZ, resulting in the railroads still sounding the train horn. Staff is working with FRA, Caltrain, and City of Atherton staff to determine the next step.



**OPERATION LIFESAVER INC.**

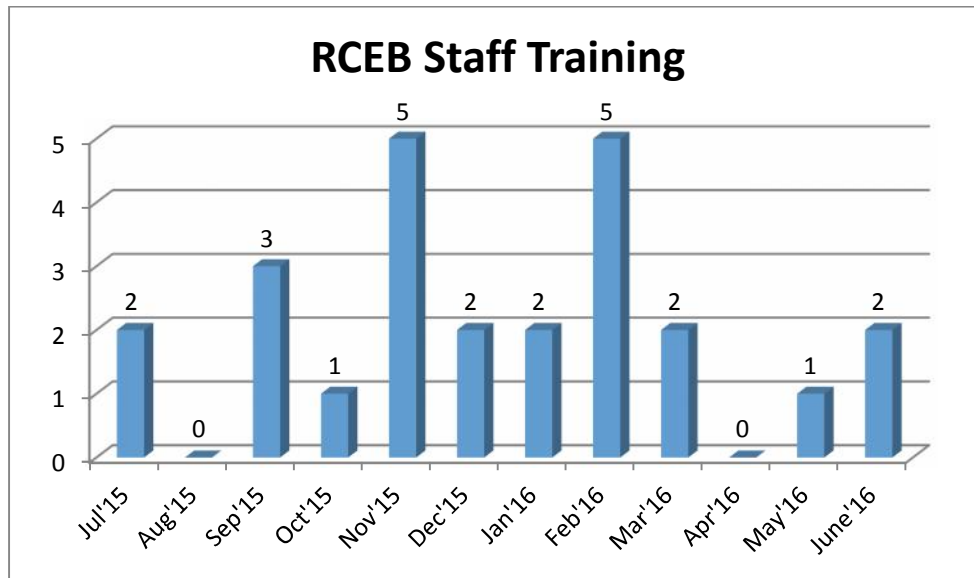
In June 2016, staff completed four Operation LifeSaver Inc. (OLI) events. RCEB staff completed three rail safety OLI presentations: a group of 26 Sheldon High School Drivers Education students in Sacramento City and County; a group of 25 Consumes High School Drivers Education students in Elk Grove, Sacramento County; and, a group of 30, k-8<sup>th</sup> grade students, at Wright Charter School in Santa Rosa, Sonoma County. Staff also participated at one event with the International Level Crossing Awareness Day Community Safety Blitz in Sacramento City and County, sharing OLI information to 15 people.



**RCEB STAFF TRAINING**

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In June 2016, staff completed two training assignments. On June 27, 2016, staff held 4 days, in San Francisco, of crossing inventory-training sessions with three consultants for the railroad crossing inventory project. Staff also participated with the Valley Transportation Authority Right of Way Permit training on June 17, 2016.



### STATISTICS SUMMARY

Month	January	February	March	April	May	June
<b>Incidents</b>	13	16	19	11	16	32
<b>Fatalities</b>	5	8	5	3	10	15
<b>Injuries</b>	6	5	6	1	3	4

- In June 2016, RCEB received 26 incident reports related to highway-rail crossings, 5 incident reports related to highway-LRT crossings, and one LRT right-of-way incident that was near a crossing. The incidents resulted in 15 fatalities and 4 injuries.

### RAIL TRANSIT - RTSB

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

#### RAIL TRANSIT INSPECTIONS

- RTSB inspectors performed 18 inspections.

### CORRECTIVE ACTIONS PLANS

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- RTSB opened 31 new Corrective Action Plans due to incidents, internal safety audits, and inspections.
- 6 Corrective Action Plans were closed.

### INCIDENT INVESTIGATIONS

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- In June 2016, 23 incidents were reported by Rail Transit Agencies (RTAs).<sup>5</sup> In June 2016, 64 incident investigations were closed by RTSB.

### PROCEEDINGS / RESOLUTIONS

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- **I.16-06-010 Order Instituting Investigation (OII)** - On June 28, 2016, the Commission issued a Formal Investigation in response to a two fatality Bay Area Rapid Transit (BART) accident which occurred 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.

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<sup>5</sup> 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.

- **Resolution ALJ-322** – Resolution adopted by the Commission on December 3, 2015, which affirmed Citation # 1503001, issued to Sacramento Regional Transit District (SRTD) pursuant to Resolution ST-163, authorizing a rail transit safety citation program. RTSB Staff had issued a citation for violations of 2 safety regulations in General Order 143-B, resulting in a \$10,000 fine to SRTD. The citation was issued in response to a February 17, 2015, incident, where a light rail vehicle traveled out of a maintenance shop without any personnel aboard and onto SRTD’s mainline tracks. The vehicle came to a stop after traveling 1.5 miles, with minor property damage but no injuries resulting from this uncontrolled movement. SRTD filed an appeal of the citation and an evidentiary hearing was held. ALJ-322 denied the appeal and affirmed the citation, closing the proceeding. SRTD paid the \$10,000 citation on November 24, 2015. On February 27, 2016, SRTD Submitted its revised System Safety Program Plan (SSPP) in accordance with ALJ-322, addressing the compliance items in the Resolution’s Ordering paragraph. The revised SSPP is currently under staff review.
- **R.09-01-020 Order Instituting Rulemaking (OIR) – To Consider Roadway Worker Protections by Rail Transit Agencies in California (Commissioner Peterman/ALJ Kim):**  
On October 31, 2013, the Commission issued an Interim Decision (D.13-10-073) adopting GO 175 for Roadway Worker Protections on California’s Rail Transit Systems. On April 7, 2015, ALJ Kim issued a ruling seeking comments from parties on the Commission’s staff report determining the need for General Order (GO) revisions. Revised rule, GO 175-A was approved by the Commission on March 17, 2016, by Decision D.16-03-006. On April 8, 2016, the Assigned Commissioner and ALJ issued a joint ruling and amendment to the scope for this proceeding, which required within 12 months of the issuance of D.16-03-006, SED must review GO-175, as well as GO-172, and submit a recommendation for modifications of one or both GOs to eliminate any inconsistencies or conflicts, if any. The joint ruling sets the scope for the remainder of this proceeding to be: 1) the issuance of SED’s recommendation(s), and 2) a subsequent Commission decision addressing these recommendation(s) and closing the proceeding. On April 13, 2016, the Commission issued D.16-04-014, an Order Correcting Errors, to fix several non-substantive formatting and typographical errors in D.16-03-006.

- **BART New Vehicle Procurement:** BART is in the process of procuring 750 new rail vehicles. BART has already received the first of these vehicles for testing, and expects to receive two more shortly. The three vehicles will be tested as a three-car consist. The areas of testing include the automatic train control system, braking, horns, exterior/interior lighting, and running capabilities. Additionally, BART will simulate revenue service utilizing sand bags placed on vehicles to obtain the proper weight. RTSB is working closely with BART through regular meetings to oversee the procurement and safety certification process.
- **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 Baypoint station. Rather than running standard BART vehicles, eBART will utilize Diesel Multiple Unit (DMU) vehicles, which will run on standard gauge tracks. This project is currently in the construction phase, and is being safety certified by RTSB, whose staff regularly attends safety certification meetings. The first new vehicle arrived in June, 2016.
- **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. The project is currently in final phases of construction, and is expected to be in service in October of 2016. Construction has been monitored by RTSB, and will be safety certified when complete.
- **Silicon Valley Berryessa Extension:** BART and 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. RTSB has monitored this project, and has safety certified it.
- **SFMTA Automatic Train Control System:** SFMTA has installed a new computerized system for controlling and parking its trains, capable of performing double-berthing (two trains stopping at one time) at stations, as well as on-the-fly decision-making regarding berthing

position at a station. This project has been safety certified by RTSB, and entered revenue service on May 21, 2016. RTSB staff participated in software testing with the manufacturer, reviewed post-testing results, and approved the system entering revenue service.

- **SFMTA New Vehicle Procurement:** SFMTA is in the process of procuring 260 new rail vehicles, which will be received by SFMTA over the next 15 years. 24 cars will be received in 2017 and will be put through a wide range of tests in order to complete the safety certification process. RTSB staff is currently working with SFMTA to draft the safety certification plan for this project.
- **Central Subway Project:** SFMTA is excavating 1.7 miles of tunnel to extend the Muni Metro T Third Line to provide a direct transit link between the Bayshore and Mission Bay areas to SoMa, downtown, and Chinatown. The project is currently in the construction phase and is being monitored by RTSB through regular meetings and site visits. The project is due to be completed in 2019. Upon its completion, RTSB will enact the safety certification process.
- **LA Metro (LACMTA) P3010 New Vehicle Procurement Project:** LACMTA 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. In addition, the existing LACMTA Blue Line fleet is nearing the end of its service life and will be replaced. 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. A total of twenty-five (25) P3010 vehicles have been approved for revenue service by staff so far.
- **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.



- **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 (9) miles of track and seven stations, is planned to be constructed in three (3) sections. 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 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. RTSB staff received LACMTA's SSCP for the HR4000 and is currently in the process of initiating the transit resolution process for Commission approval.
- **San Diego Trolley, Inc (SDTI):** 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 rail line runs parallel east of Interstate 5 in an existing railroad corridor currently used by Amtrak, North County Transit District Coaster Commuter trains, and Burlington Northern Santa Fe freight railroad. The SDTI trains will run on its own railroad tracks in a "common corridor". North of State Route 52 along the Rose Canyon area, the railroad tracks will crossover on an elevated bridge to the west side of Interstate 5 to continue service to the UCSD campus. The Mid Coast Corridor Transit Project future stations are: 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. Staff

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approved the Mid-Coast Safety and Security Certification Plan on May 23, 2016 as required by GO164-D. Construction is planned for late 2016 and revenue service begins late 2021.

Staff is attending the System Safety Review Committee Meetings and Fire Life Safety Committee meetings for this project.

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

### STATISTICS SUMMARY

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Investigations	
Incidents Reported	23
Incident Investigations Closed	67
Complaints Investigated	0
Rail Transit Inspections	18
Triennial Audits	0

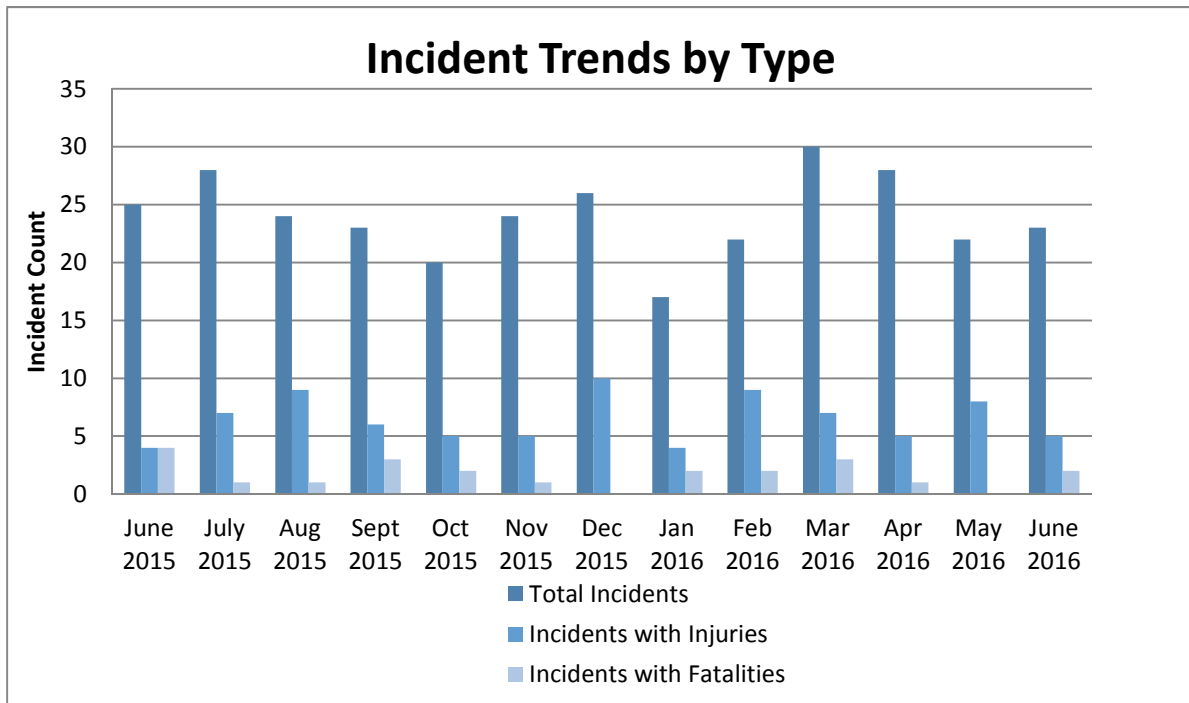
Corrective Action Plans	
New Corrective Action Plans	31
From Triennial Audits	0
From Incidents	10
From Internal Safety/Security Audits	2
From Rail Transit Inspections	19

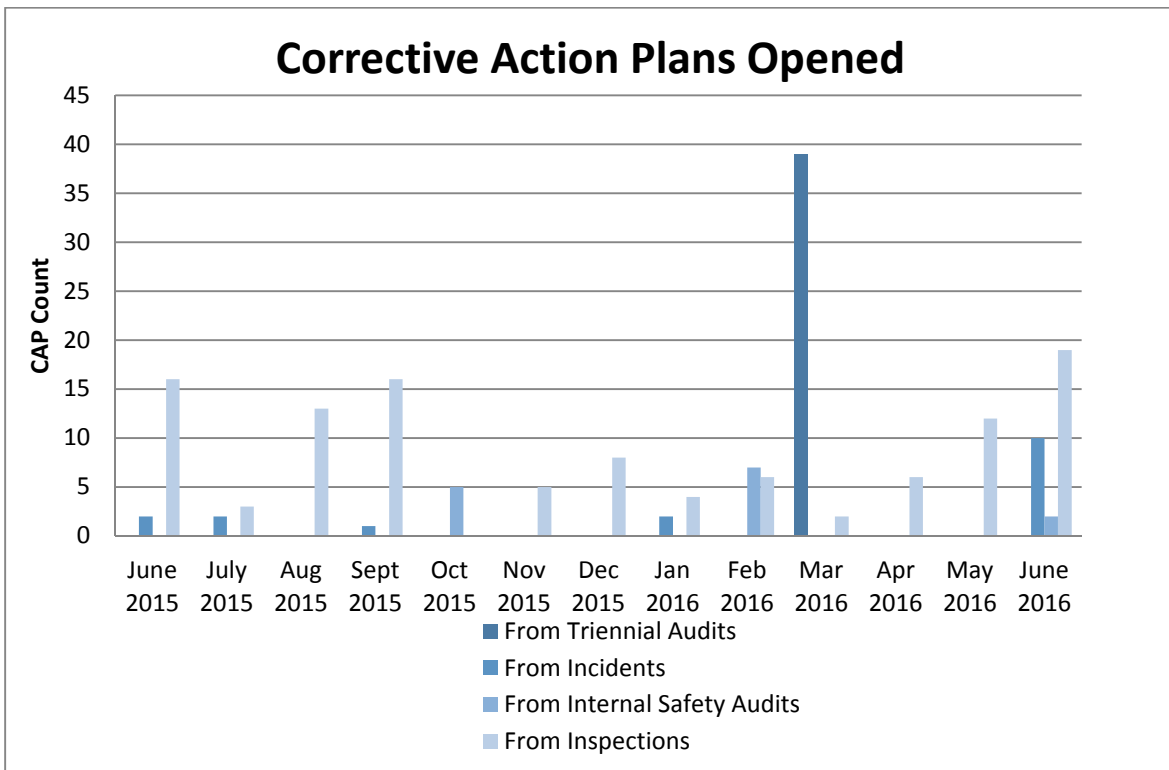
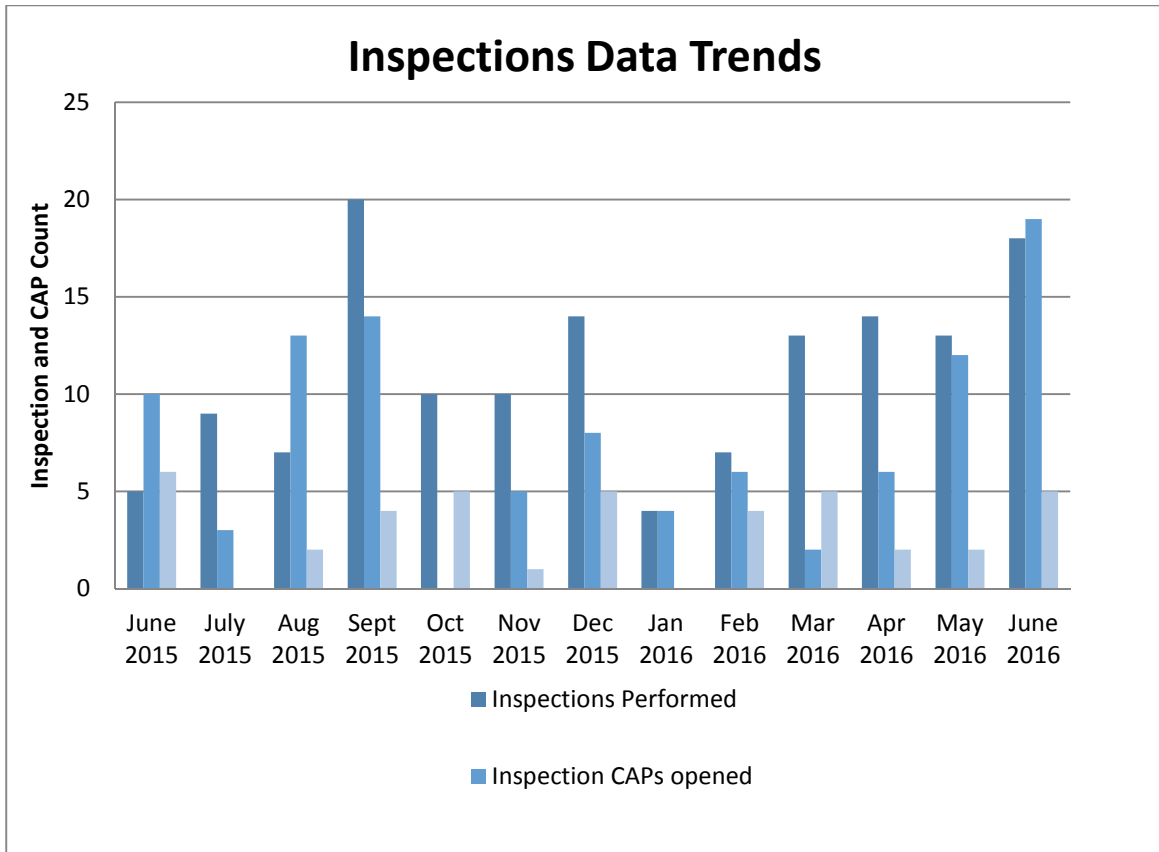
<b>Closed Corrective Action Plans</b>	<b>6</b>
From Triennial Audits	0
From Incidents	1
From Internal Safety/Security Audits	0
From Rail Transit Inspections	5

ONGOING DATA / TRENDS

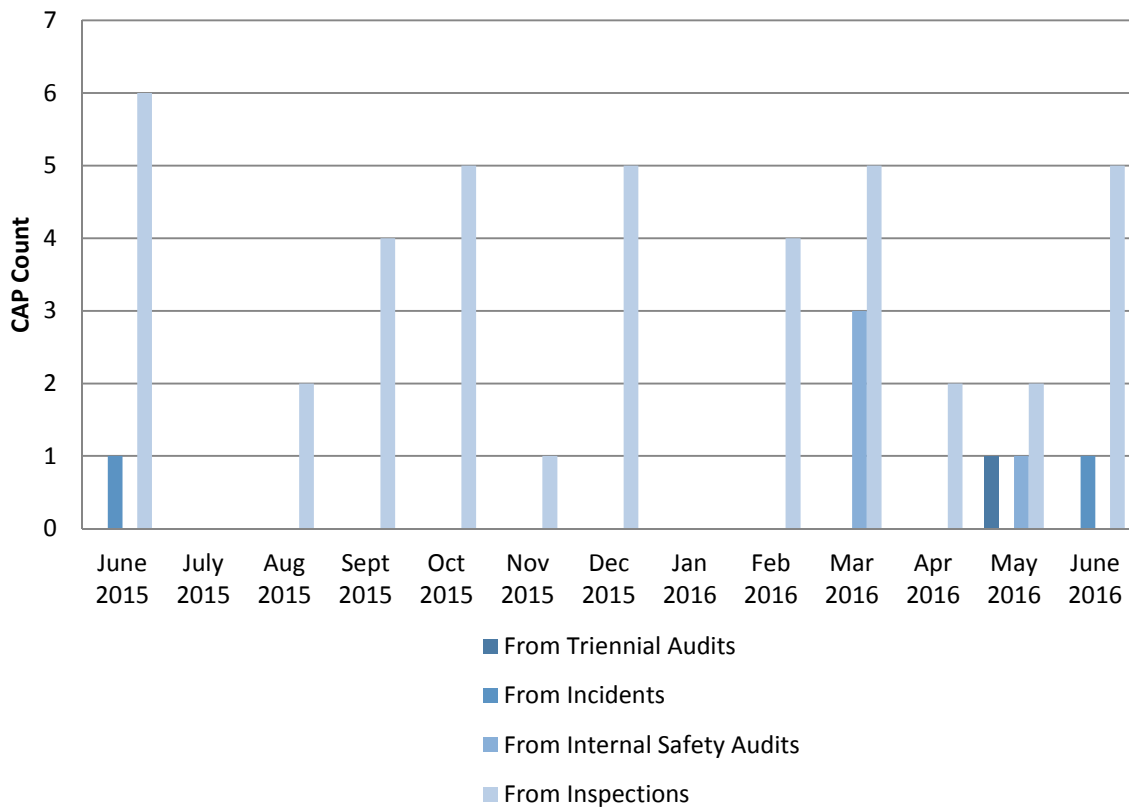
Corrective Action Plans – Days to Complete				
CAP ID #	Relevant Code	CAP Classification	Subject	Days to Complete
ME061616	Cal/OSHA Title B	Inspection	Fire Extinguisher	30
TR050416	BART Track Safety Standards, section S1.3 & S5.4	Inspection	Rail	30
	BART Track Safety Standards, section S5.5 C.	Inspection	Missing Bolt	
	BART Track Safety Standards S2.3 A (1) & (2); S2.3 C	Inspection	Tripping Hazard	
	BART Track Safety Standards, section S4.2 B.	Inspection	Switch clip fasteners	
ME062116	GO 172 Section 3.1 (a)	Inspection	PED	30
	LAMTA SOP #4068		Cad Security	
ME061416	SDTI Rules 3.30	Inspection	Use of Red flag	30
	SDTI Rules 3.31.1		Blue Flag	
TR061416	CFR 213.135(d)	Inspection	Heel Unsecured	30

	CFR 213.133(a)		Loose rigid brace plate	
	GO 72-B, section X		Asphalt	
TR062716	R.TR.PR.001 4.8.5	Inspection	Vegetation	30
	GO 118-A, Section 11		Right of way	
	R.TR.PR.001 10.2.4		Clips	
	R.TR.PR.001 4.8.4		Drain	
ME062716	GO 143-B, Section 14.01	Inspection	Records	30
TR063016	GO 143-B, section 14.05	Inspection	Track alignment	30
ME062116	GO 172, section 5.4	Inspection	PED Decals	30
	GO 143-b, section 14.04		PM Intervals	
	GO 172, section 6		Operational Evaluations	





### Corrective Action Plans Implemented



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