

# Safety and Enforcement Division



## Monthly Performance Report, January 2017

## CONTENTS

---

<b>COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)</b> .....	<b>3</b>
<b>NATURAL GAS SAFETY PROGRAM</b> .....	<b>4</b>
STAFF CITATION PROGRAM.....	4
INSPECTIONS.....	4
INCIDENT INVESTIGATIONS.....	4
UTILITY SELF-IDENTIFIED VIOLATION (SIV) INVESTIGATIONS.....	5
NATURAL GAS RELATED PROCEEDINGS .....	5
<b>ELECTRIC SAFETY AND RELIABILITY PROGRAMS</b> .....	<b>6</b>
ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM: AUDITS AND INCIDENT INVESTIGATIONS .....	6
ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS .....	7
ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: REPORTS AND OTHER ACTIVITIES .....	8
ELECTRIC GENERATION SAFETY AND RELIABILITY: INVESTIGATIONS, INSPECTIONS, AND AUDITS .....	8
<b>UTILITY RISK ASSESSMENT AND SAFETY ADVISORY</b> .....	<b>9</b>
REVIEWING SAFETY & RISK IN GENERAL RATE CASES .....	9
<i>Major Findings on SCE’s Risk Methodology and Application</i> .....	10
PROCEEDINGS .....	12
MONITORING THE WHISTLEBLOWER WEBSITE.....	14
<b>OFFICE OF RAIL SAFETY</b> .....	<b>15</b>
RAILROAD SAFETY - ROSB.....	15
<i>ROSB Inspection, Investigation &amp; Field Activities</i> .....	15
RAIL CROSSINGS AND ENGINEERING BRANCH – RCEB .....	18
<i>Rail Crossing Incident Investigations</i> .....	18
<i>Informal Complaints</i> .....	19
<i>Safety Assessments, Quiet Zones and Reviews</i> .....	20
<i>Environmental Reviews</i> .....	21
<i>Proceedings, Resolutions and G.O. 88B Reviews</i> .....	22
<i>Operation LifeSaver Inc.</i> .....	22
RAIL TRANSIT - RTSB .....	23
<i>Corrective Actions Plans</i> .....	23

*Incident Investigations* .....23  
*Proceedings / Resolutions* .....23  
*Safety Certification and Oversight of Rail Transit Agency Projects* .....26  
*Statistics Summary* .....30  
*Ongoing Data / Trends* .....31

## **Disclaimer**

This Report was prepared by California Public Utilities Commission (CPUC) staff. It does not necessarily represent the views of the CPUC, its Commissioners, or the State of California.

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

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

## COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

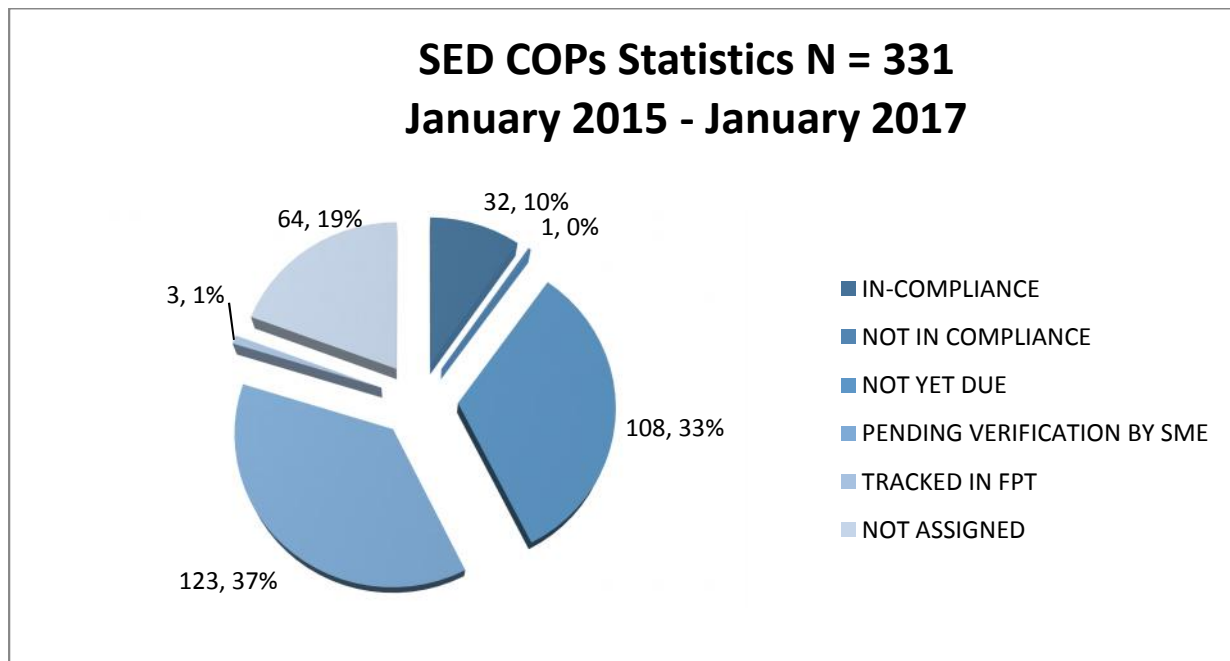
Beginning with this report, the Compliance with Ordering Paragraphs tracker has segregated COPS statistics for Safety separately from the previous method, which included Transportation and Consumer Protection items. The numbers going back to the start of COPS tracking in January 2015 are reflected in the chart below.

Through January 31, 2017, SED shows 331 total entries in the COPS system; with 32 reaching compliance (10%), 108 (33%) not yet due for compliance, and 1 (<1%) currently remaining out of compliance. The remaining 187 (56%) are either pending verification or have not yet been assigned for verification.

During January 2017, there were 58 new entries into the COPS system for the Safety & Enforcement Division.

Looking just at the 2016 period, there were 148 total COPS entries reported, with 7 in compliance (5%); zero reported not in compliance (0%); and 11 not yet due (7%); the remainder (88%) are pending verification or assignment.

Note, the category of “tracked in financial payment tracker” (FPT) has been verified and has been deemed “in compliance” but is listed separately in the COPS tracker.



## NATURAL GAS SAFETY PROGRAM

### STAFF CITATION PROGRAM

Citation Number	Work Type	Utility	Amount	Violations	Date Cited	Status
ALJ 274 16-03-001	Investigation	PG&E	\$200,000	192.805	3/29/2016	Paid
ALJ 274 16-05-001	Inspection	SoCal Gas	\$2,250,000	192.465(d)	5/13/2016	Paid
ALJ 274 16-12-001	Investigation	PG&E	\$5,450,000	192.805, 192.481, ALJ-274	12/23/2016	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

**2017 Inspections:** GSRB has conducted 5 scheduled inspections in 2017 and has completed the final inspection report for 0 of these 5 inspections during 2017.

### INCIDENT INVESTIGATIONS

As of January 31, 2017, GSRB Staff received 26 incidents year to date. All pre-2016 incident investigations have been completed. Metrics on 2016 Incident Investigations:

TOTAL reported in 2016	166	Percent
Open	53	32 %
Closed	113	68 %

The CY 2016 incidents<sup>2</sup> are categorized as follows:

- 135 – Level 1 incidents
- 15 – Level 2 Incidents
- 8 – Level 3 Incidents

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

<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.

- 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 were two self-identified violations in January 2017.

### NATURAL GAS RELATED PROCEEDINGS

---

- Note: In January 2017, Governor Jerry Brown appointed two new commissioners, Cliff Rechtschaffen and Martha Guzman Aceves. Proceedings listed below may be noticed for reassignment of the Assigned Commissioner's Office. Any changes will be reflected in next month's report.
- **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.
- **Gas Safety OIR (R.11-02-019) (Advisory):** Decision 15-06-044 Adopting Revised General Order (GO) 112-F signed by the Commission at its June 25, 2015, Commission Meeting. GO 112-F in Attachment A of D.15-06-044 is effective June 25, 2015; except that as to Sections 105, 122, 123, 125, 142, 143, 144, 145, and 162, the gas operators shall comply with these sections as soon as feasible but no later than January 1, 2017, unless compliance is extended for a particular provision pursuant to Rule 16.6 of the Commission's Rules of Practice and Procedure or its successor. R.11-02-019 was closed in June 2015, however, it was re-opened on an application for rehearing of the June 2015 decision, still pending. Additionally, on January 31, 2017, PG&E filed a Petition to Modify D.15-06-044.
- **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 January.

- OIR (R.16-07-006) (Commissioner Randolph/ALJ Wildgrube):** The Order Instituting Rulemaking on the Commission’s Own Motion to revise General Order 58A to comply with Decision 14-01-034 was issued on July 20, 2016. The Joint Utilities addressed the proposed changes to GO 58A and provided some suggested edits to improve clarity or consistency with earlier legislation and prior Commission’s decisions. D.16-11-008, on November 17, 2016, Ordering Paragraph 2: *“The Commission’s Safety and Enforcement Division shall publish the revised General Order 58A Standards for Gas Service in the State Of California on the Commission’s website within 60 days from the effective date of this decision.”* The decision closed the proceeding.

## ELECTRIC SAFETY AND RELIABILITY PROGRAMS

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

In January 2017, Electric and Communication Facility Safety Section Staff:

- Received 13 electric incidents and closed 10 previously reported electric incidents;
- Investigated 25 customer safety and reliability complaints;
- Issued 5 Notice of Violation (NOV) letters.

**Metrics for Facility Incident Investigations as of January 31, 2017**

Electric and Communication Facilities	Level 1	Level 2	Level 3	Level 4	Total <sup>3</sup>
<b>Total open incidents</b>	9	21	36	37	103
<b>Total incidents reported in 2017</b>	2	2	5	4	13
<b>Total incidents closed in 2017</b>	1	2	0	7	10
<b>Total open 2017 incidents</b>	2	2	5	4	13

<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.

<b>Incidents reported in January 2017</b>	2	2	5	4	13
<b>Incidents closed in January 2017</b>	1	2	0	7	10

## ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS

- **Note:** In January 2017, Governor Jerry Brown appointed two new commissioners, Cliff Rechtschaffen and Martha Guzman Aceves. Proceedings listed below may be noticed for reassignment of the Assigned Commissioner’s Office. These changes will be reflected in next month’s report.
- **Investigation into Long Beach Incident (I.16-07-007) (Commissioner Picker/ALJ Cooke)(Advocacy):** On July 15 and July 30, 2015, fires and explosions in underground electric vaults caused power outages that affected thousands of Long Beach customers for several days. On 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 filed a settlement agreement in the matter, for Commission consideration.
- **Fire Safety Rulemaking (R.15-05-006) (Commissioner Picker/ALJ Kenney) (Advocacy):** D.16-05-036 adopted Fire Map 1, which depicts areas of California with an elevated hazard for the ignition and rapid spread of fires. In 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 has received an extension of time to file a directed petition for rulemaking to March 1, 2017.
- **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.



- **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. A prehearing conference was scheduled for February 2, and SED and other parties filed prehearing conference statements on January 19, 2017.
- **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. 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):** 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 accept, accept provisionally, or reject the submitted plans. ESRB is planning next steps for the Commission’s consideration.

### 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 staff has performed the following in January 2017:

- Conducted two forced and 12 planned outage investigations by following newly established outage reporting procedures.
- Confirmed the completion of all corrective actions taken by the Los Esteros Power Plant and closed the audit.
- Completed the draft report of the Walnut Creek power plant audit.

## California Public Utilities Commission | Safety and Enforcement Division

- Verified the completion of a majority of the corrective actions that were identified as a result of the Colusa, Redondo Beach, and Inland Empire power plants audits for compliance with GO 167 requirements.
- Provided requested records and documents to the CPUC's Legal Division in response to two Public Records Act (PRA) PRA 17-13 and PRA- 17-22 requests regarding the Redondo Beach, Pittsburg, Encina, and Moss Landing Electric Generating Assets.
- One 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 January 31, 2017

Electric Generation Incidents	Level 1	Level 2	Level 3	Level 4	Total <sup>4</sup>
<b>Total open incidents</b>	1	0	1	0	2
<b>Total incidents reported in 2017</b>	1	0	0	0	1
<b>Total incidents closed in 2017</b>	0	0	0	0	0
<b>Total open 2017 incidents</b>	1	0	0	0	1
<b>Incidents reported in January 2017</b>	1	0	0	0	1
<b>Incidents closed in January 2017</b>	0	0	0	0	0

---

## UTILITY RISK ASSESSMENT AND SAFETY ADVISORY

---

### REVIEWING SAFETY & RISK IN GENERAL RATE CASES

---

On January 31, 2017, the Risk Assessment & Safety Advisory (RASA) issued its evaluation report on Safety and Risk aspects of the Southern California Edison Test Year 2018 General Rate Case (A.16-09-001). SCE seeks authority for a total base revenue requirement of \$5.555 billion, with an increase in TY 2018 of \$313 million (5.5%) over currently authorized base rates. Within this request, SCE is seeking authorization for substantial amounts attributed to projects and programs that it claims are meant to improve safety and reliability of electric operations.

---

<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.

Because this GRC was not fully incorporated into the new Safety Model Assessment Procedure (S-MAP), SCE was not obligated to file a Risk Assessment Mitigation Phase (RAMP) in advance, but the utility claims to have addressed RAMP elements and risk management in its testimony.

SED Risk staff has issued numerous data requests and met directly with SCE managers to gather information for its report, which is publicly available and has been circulated to GRC intervenors, who may comment or reference it in their forthcoming testimony.

In this report, staff was directed to analyze the filing and SCE testimony:

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

### MAJOR FINDINGS ON SCE'S RISK METHODOLOGY AND APPLICATION

---

- SCE's approach to risk-based decision-making is still evolving and most of the steps in the framework have yet to be implemented. In the current GRC, most of focus was on the first two steps of risk identification and risk evaluation.
- Currently, the majority of the risk analyses are conducted after a project or a program is identified, to measure the risk reduction associated with that project or program.
- SCE's GRC testimony does not contain what can be properly referred to as a risk register. A risk register based on risk event statements should contain, at a minimum, asset or activities, failure event statements, frequencies, impact dimensions, impact dimension scores, and other relevant information.
- SCE's approach to identify threats or risk drivers suffers from an almost non-existent level of granularity.
- Based on the presentation in the testimony, it is unclear whether risks were used to drive mitigation activities, or, rather, mitigation activities were looking for risks to mitigate.
- SCE's risk-spend efficiency metric is not mature enough to drive the 2018 GRC request at a program or project level.
- SCE's current risk-informed decision-making process is still too immature in this GRC cycle to allow meaningful analysis using the full Cycla 10-step process.

- Staff struggled to evaluate SCE's risks and risk assessment process in the initial stages of review. As a result, staff asked SCE to compile all of its risk testimony into a single volume. Even after receiving this compiled testimony, SED staff was still unable to see the bigger picture of SCE's risk assessment story. There were many individual parts, but we still could not determine how they contributed to the larger GRC. For example, SCE could not provide even a qualitative prioritization of its risks, and there were only two risk register items for which SCE used risk assessment to inform its current GRC request.
- SCE's definition of an outcome is what other utilities would typically define as a risk, and the outcome numbers in SCE's risk register show a very irregular distribution. The cause of this irregular distribution of outcomes appears to be due to the wide range of specificity levels in the risk definitions.
- SCE needs to align its risk scoring and risk register. SCE must have a clear idea of what it is scoring and why it is scoring it. It is unclear why SCE is scoring assets that are unrelated to risks that it has identified in its risk register, or why the risk register is missing scored asset risks.
- Some discussion about how risks changed between the 2015 GRC and current GRC would have been helpful, especially since it seems like SCE's risk register is incomplete. In the next GRC, SCE should include some explanation comparing its previous risk register to its then-current risk register.
- SCE did not use Current Residual Risk (CRR) scores to inform this GRC, but SCE has provided them for several assets.
- Assets that are less of a safety concern are still ranking very high in terms of total CRR score due to high scores in the other components. We can only conclude that the total CRR score, and ultimately the ranking of assets based on total CRR score may have little to do with prioritizing safety based on SCE's current methodology.
- Risk spend efficiency has not been used by the utilities in the past, and much work remains to develop it fully. SCE is the first utility to provide the calculation in a filing, but it only used RSE results to elevate its priority for Underground Cable life extension funding.

RASA staff has concluded that, at this time, it would be unwise for the Commission to accept SCE's risk-assessment methods as a basis for determining reasonableness of safety-related program requests. Indeed, we have found that SCE is classifying major categories of spending as safety related, even though they more appropriately relate to issues of customer satisfaction or electric service reliability than safety. Additionally, much more could be done in the future to assist decision makers and intervenors in following the trail from risk assessment to budget request.

### PROCEEDINGS

---

- **Note:** In January 2017, Governor Jerry Brown appointed two new commissioners, Cliff Rechtschaffen and Martha Guzman Aceves. Proceedings listed below may be noticed for reassignment of the Assigned Commissioner's Office. These changes will be reflected in next month's report.
- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ DeAngelis) (Advisory):** NorthStar Consulting has been conducting an intensive schedule of meetings with utility executives and managers, as well as field visits to monitor how safety is being discussed and safety practices instilled in the company. The Risk section is project manager for this contract, and SED staff has attended many of these interviews and field visits. NorthStar is currently drafting a report due for public release in April 2017.
- **Safety Model Assessment Proceeding (A.15-05-002, et al) (President Picker/ALJ Kersten) (Advisory):** The Phase 1 Interim Decision to advance this proceeding (D. 16-08-018) determined that the risk scoring models initially proposed by utilities were not adequate and should be supplemented by use of a multi-attribute scoring model that was proposed by stakeholder groups TURN/Indicated Shippers/Electric Producers & Users Coalition. Following a November 16, 2016, pre-hearing conference, 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. A workshop for utility presentations will be held on February 15, 2017.
- **PG&E 2017 General Rate Case (A.15-09-001) (President Picker/ALJ Roscow) (Advisory):** On August 3, 2016, Pacific Gas & Electric and 14 parties filed a Joint Motion for Commission approval of a settlement of issues in the TY 2017 General Rate Case (A.15-09-001). A joint exhibit of testimony on executive compensation and safety was filed on October 3. An Energy Division report on past safety spending was issued in late October. A PD is pending.
- **Gas Leak Abatement OIR (R.15-01-008) (President Picker/ALJ Kersten) (Advisory):** Gas companies filed their annual reports on leaks and emissions during 2015 on June 17, 2016. An ALJ ruling January 19, 2017, issued for comment a Joint CARB/CPUC report on the June 2016 leak survey data, and 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 are due February 10, replies due February 17, 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 staff issued an evaluation report on January 31, 2017 (see above).
- **Long Beach Outage Incidents (I.16-07-007) (Commissioner Picker/ALJ Cooke) (Advisory):** In July and August 2015, a series of fires and explosions in underground electrical vaults

caused repeated power outages in Long Beach. Following an investigative report by SED's Electric Safety & Reliability Branch (ESRB) the Commission on July 14, 2016, adopted an Order Instituting Investigation. In December, SED's advocacy group and SCE met to discuss a possible settlement and subsequently 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.

- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ Cooke) (Advisory):** In compliance with D. 16-01-032 (Track 1 decision in this rulemaking), staff has convened a technical group to consider appropriate Safety-related issues for facility inspections of grid-connected storage operated by utilities. The resulting set of inspection protocols was issued for review by the ALJ on September 29, 2016, who sought comment on whether Commission general orders need to be revised to include the protocols. A ruling is pending.
- **Fire Safety Rulemaking (R.15-05-006) (Commissioner Picker/ALJ Kenney) (Advisory):** D.16-05-036 adopted Fire Map 1, which depicts areas of California with an elevated hazard for the ignition and rapid spread of fires. In July 2016, then-assigned Commissioner Florio issued an amended scoping memo and ruling directing the Fire Safety Technical Panel (FSTP) to develop a work plan for creation and adoption of Fire Map 2. Parties filed a work plan on October 7, 2016, proposing a process for developing Fire Map 2. D. 17-01-009 adopted a revised workplan and schedule on January 19, 2017. Workshops and working groups are underway.
- **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 or a third party. SED staff is currently conferring with Energy Division to determine whether to conduct the audit internally or using an outside expert.

**MONITORING THE WHISTLEBLOWER WEBSITE**

The Risk Section has been overseeing intake for complaints that arrive via a “whistleblower” application on the Commission’s web site. Whistleblower protections are afforded to utility employees and contractors who report potentially unsafe or illegal practices.

**STATISTICS - 1/01/17 - 01/31/2017**

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>Total 2017</b>	<b>1</b>	<b>9</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>2</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>
<b>January</b>	0	1	0	0	1	1	0
<b>YTD</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>

Test, Incomplete or Duplicate Whistleblower Complaints	
<b>January</b>	<b>1</b>
<b>YTD</b>	<b>1</b>



## OFFICE OF RAIL SAFETY

---

### RAILROAD SAFETY - ROSB

---

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

<b>New Incidents Investigated</b>	7
<b>Informal Complaints Investigated</b>	5
<b>Safety Assessments/Reviews</b>	6
<b>Compliance Actions</b>	404
<b>Major Inspections Completed</b> <b>- Such as Focused Inspections</b>	3
<b>Operation LifeSaver Presentations</b>	1

### ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

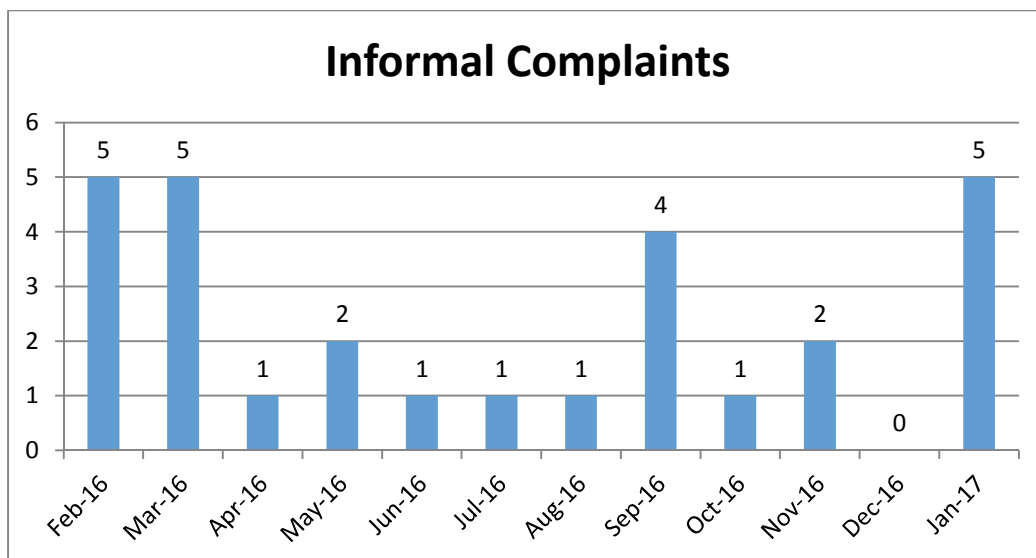
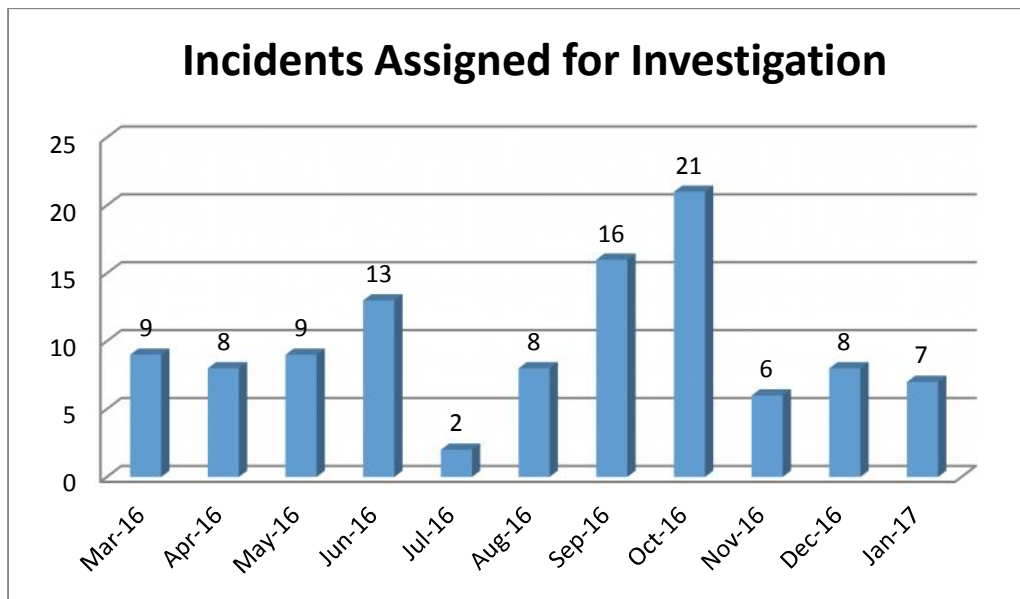
---

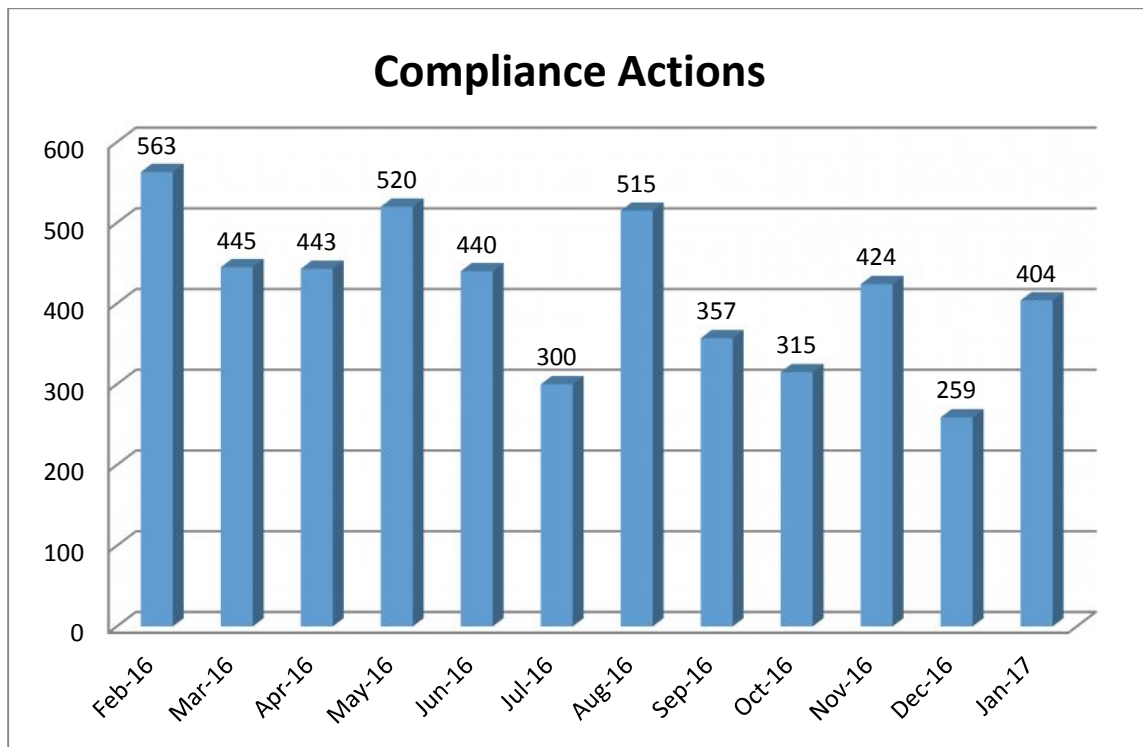
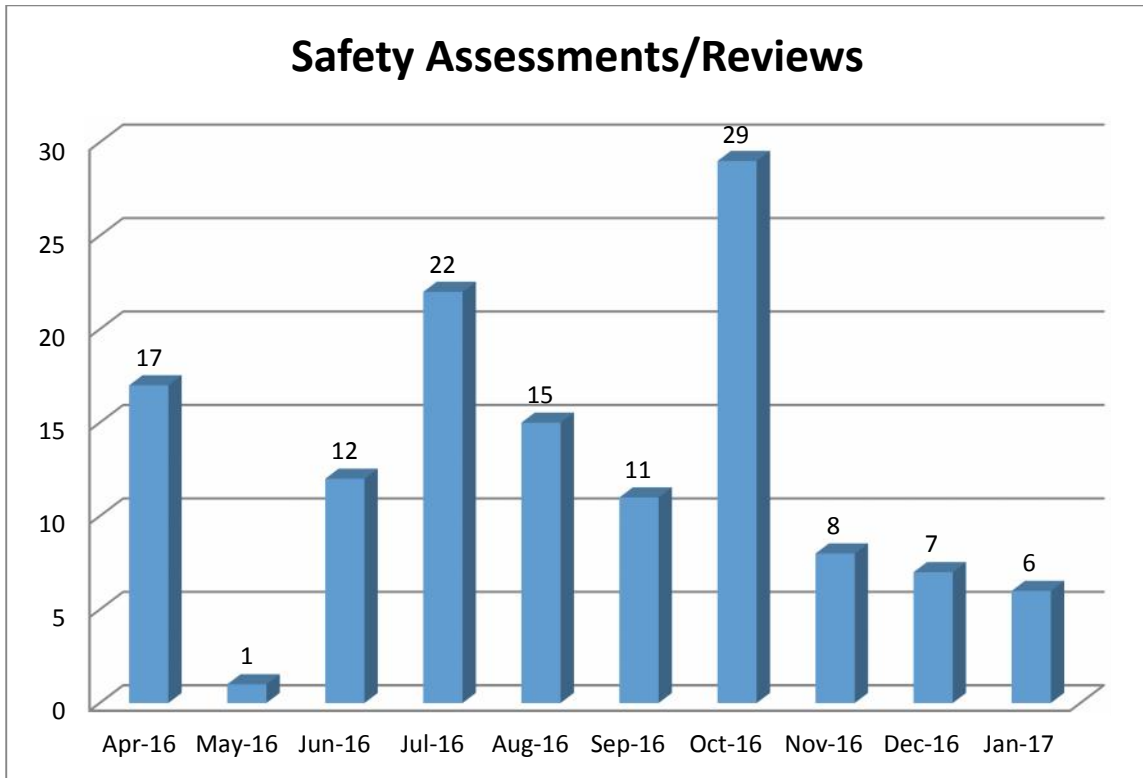
**January 10-20, 2017:** A CPUC and FRA team of railroad safety inspectors performed a two-week focused inspection on the BNSF main line between Modesto and Fresno. Freight trains frequently traverse this section at 70 mph, and Amtrak passenger may travel at up to 79 mph. The inspectors identified non-compliant track conditions. One finding included fouled ballast. Ballast is typically made of crushed rock and forms the roadbed and supports the track structure. Mud had mixed with the ballast which can preclude adequate drainage from rain and snow and decreases the ability of the ballast to support rail cars and locomotives. Fouled ballast conditions can also misalign the power switches that operate switch points (locations where trains traverse from one track to another), which can cause a train to derail. 49 CFR Part 213.103 requires railroads to maintain ballast to structurally support all track; transmit and distribute the load (trains) on the track; restrain the track laterally, longitudinally, and vertically; and provide adequate drainage for the track.

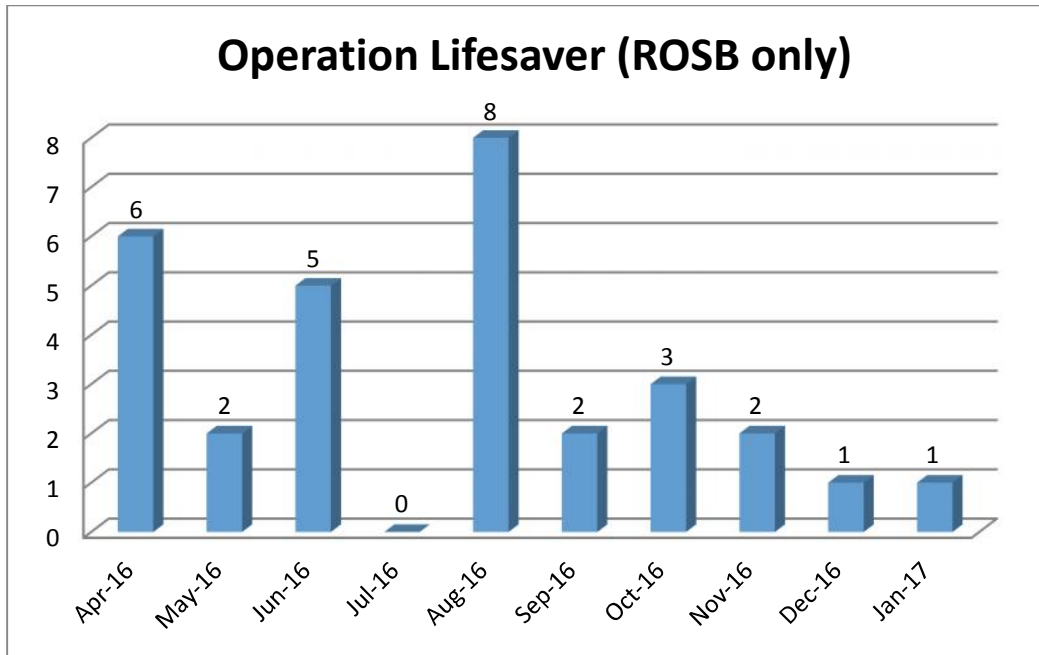


The team of safety inspectors informed the responsible BNSF track supervisor of the noncompliant track conditions. The BNSF track supervisor immediately placed “slow orders” to restrict the speed of trains over the defective conditions until those conditions were corrected.

During the two-week focused inspection, the team of railroad safety inspectors identified a total of 103 defects and 7 violations of federal safety conditions and reported the defects to the FRA. BNSF immediately performed remedial action on all of the defective conditions and completed the repairs within the week.







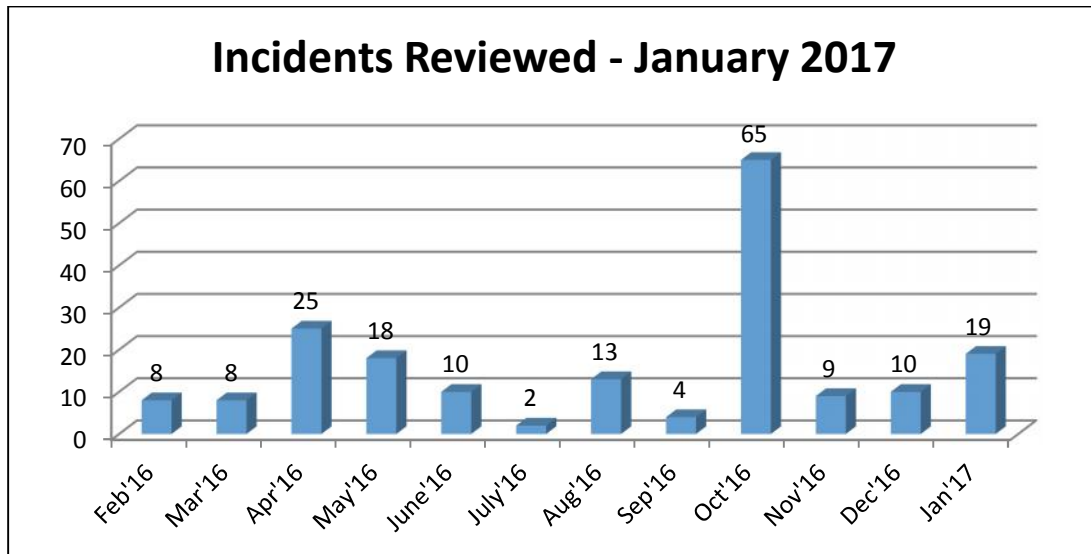
### RAIL CROSSINGS AND ENGINEERING BRANCH – RCEB

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

	New During Period	Closed During Period
Crossing Incident Reviews	25	19
Informal Complaints Investigations	2	2
Safety Assessments/Quiet Zones/Reviews	27	27
Environmental Reviews	70	70
Proceedings, Resolutions and G.O. 88-B Reviews	12	11
Operation LifeSaver Presentations	2	2

### RAIL CROSSING INCIDENT INVESTIGATIONS

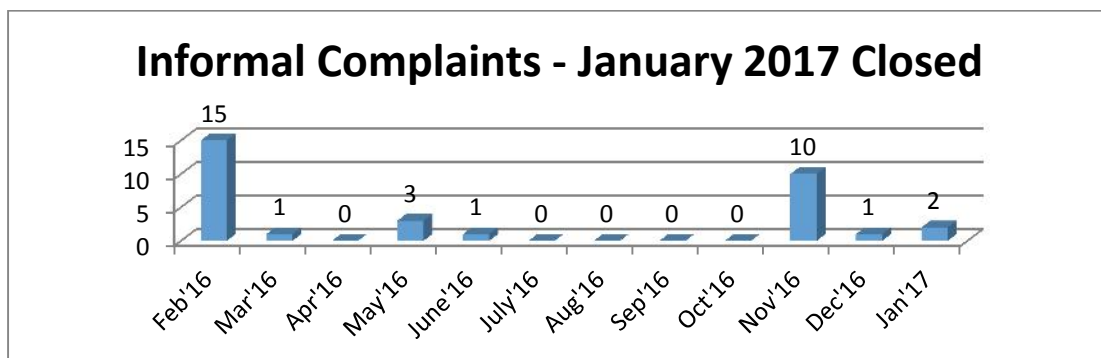
- In January 2017, the Rail Crossings and Engineering Branch engineers received 25 new incidents at highway-rail and highway LRT crossings, and completed 19 crossing reviews.



- On January 25, 2017, RCEB staff testified in a proceeding in Fresno in regards to a 2013 crossing incident on the E. Jefferson Avenue private crossing that resulted in four fatalities and one injury. The private crossing has passive warning devices that comply with the minimum requirements. Staff recommended that active warning devices be considered for the crossing by the railroad and private property owner.

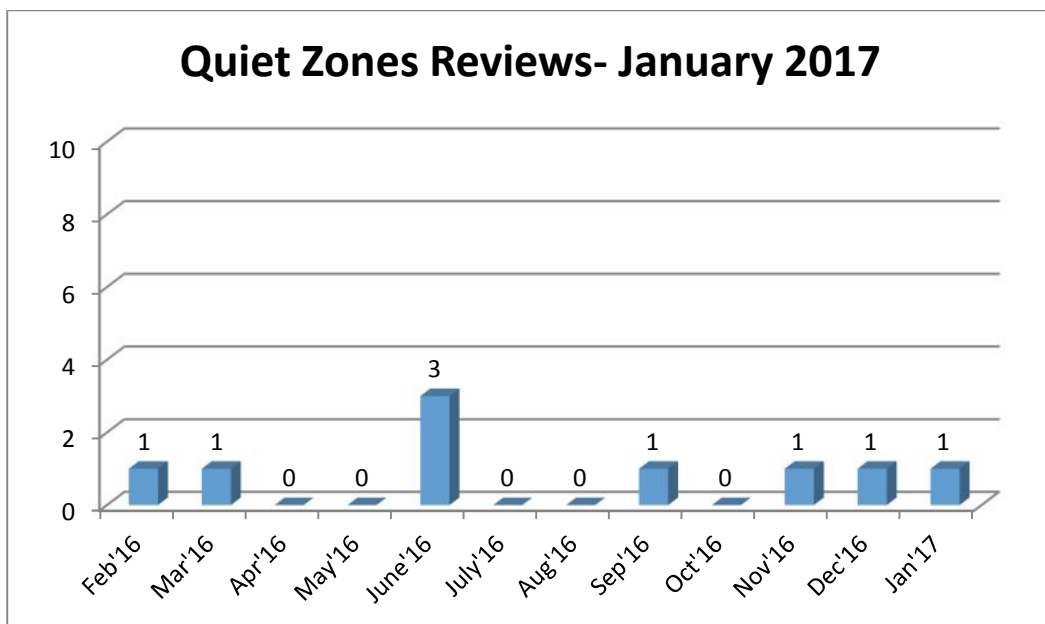
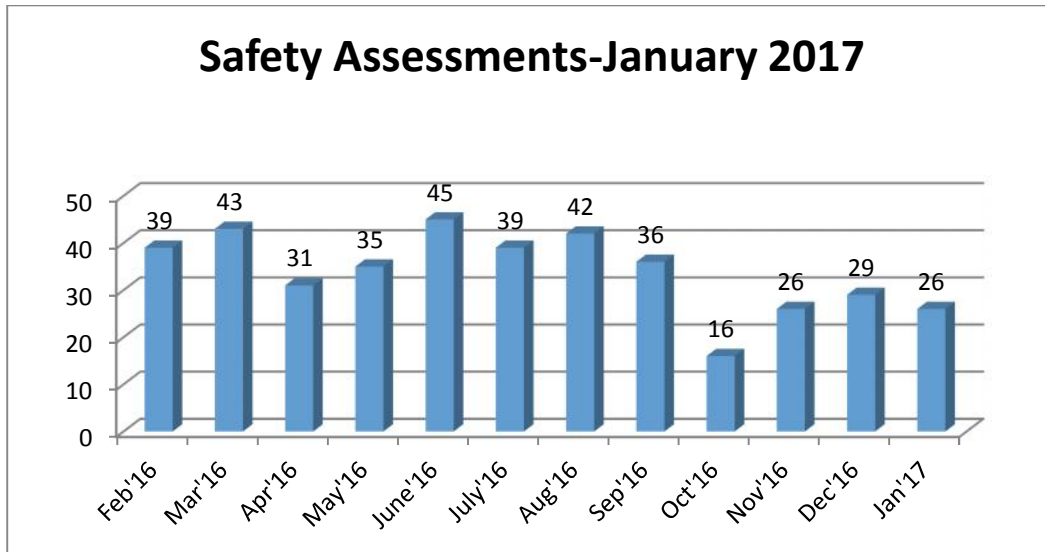
### INFORMAL COMPLAINTS

In January 2017, staff received two new complaints involving highway-rail crossings in regards to information on preemption and private crossings. RCEB staff replied and closed the two informal complaints.



SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

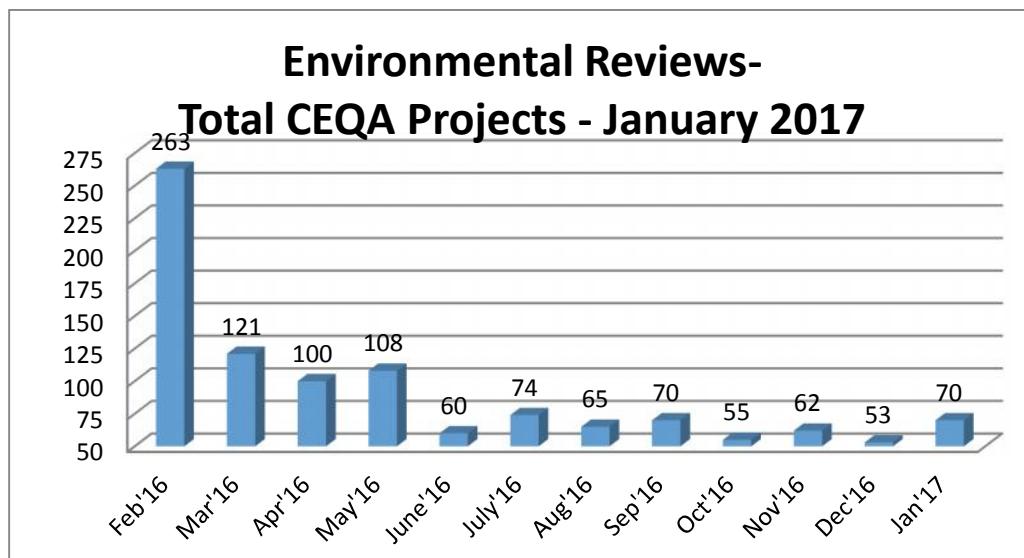
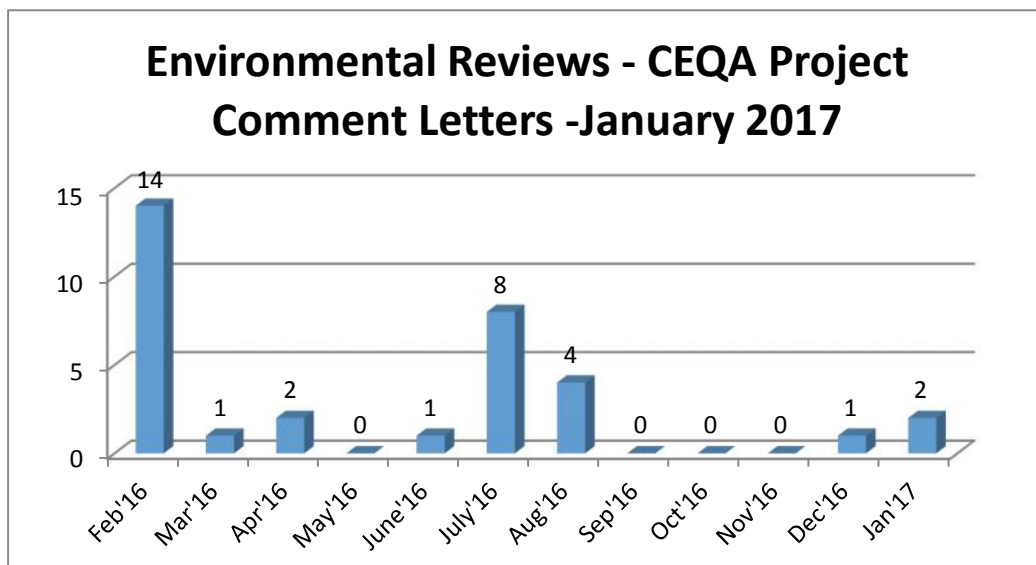
In January 2017, staff completed 27 rail crossing safety assessments involving communications, field inspections, Quiet Zones, and diagnostic reviews with railroads and local agencies.



ENVIRONMENTAL REVIEWS

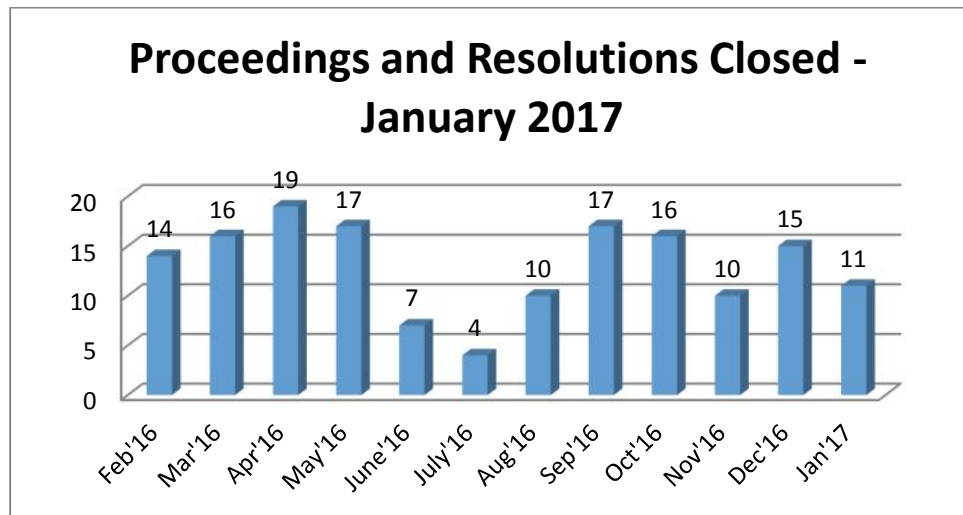
In January 2017, staff reviewed 70 CEQA reports and issued two comment letters. When railroads and local agencies plan new projects or developments, staff reviews the documents submitted by the agencies for safety impacts to crossings. The review addresses safety issues in highway-rail crossing design and nearby intersections during the design phase of the projects.

Staff replied to two Notices of Preparation from the Stanford University and University of California Davis indicating that future development requires review of rail safety.



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

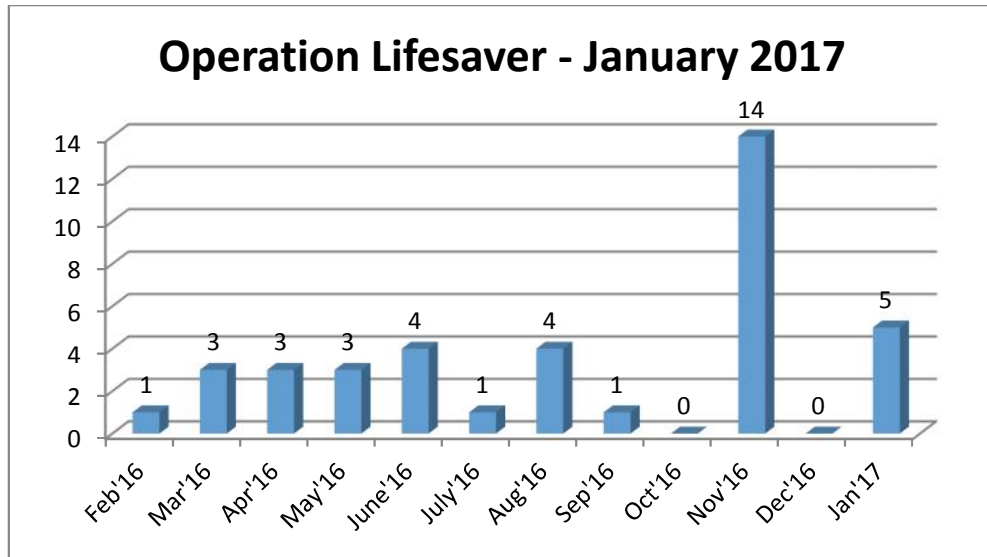
In January 2017, engineering staff received five new General Order 88-B applications, six formal proceedings, and one Resolution. Staff also closed 9 General Order 88-B reviews, one formal proceeding, and one RCEB proceeding.



- **PROC A1605016** - Application of the California High-Speed Rail Authority to construct two high-speed rail tracks and an underpass grade separation at State Route 145 in the County of Madera. D. 17-01-008 authorized the construction on January 19, 2017.
- **PROC A1609012** – Application of the City of Sacramento to construct a grade separated highway-rail crossing under the Sacramento Regional Transit District track at Ramona Avenue in the City of Sacramento, Sacramento County. With D. 17-01-016, the CPUC authorized the construction on January 19, 2017.

### OPERATION LIFESAVER INC.

In January 2017, RCEB staff completed two Operation LifeSaver Inc. (OLI) events that resulted in five presentations. Staff shared the rail safety message with three elementary groups at the Galt Greer Elementary in Galt; and, two presentations at the Consumes Oaks High School Driver Education classes in Elk Grove. As time permits RCEB staff continues to volunteer and participate in OLI events and activities.



## RAIL TRANSIT - RTSB

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

### CORRECTIVE ACTIONS PLANS

- 13 CAPs were closed this month.

### INCIDENT INVESTIGATIONS

- In January 2017, 33 incidents were reported by RTAs.<sup>5</sup>
- 2 incident investigations were closed by RTSB.

### PROCEEDINGS / RESOLUTIONS

- 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

<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.



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 are currently 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. Staff and assigned attorneys from Legal Division are currently preparing for the hearing.

### Recently Approved:

- **ST-197** - On December 16, 2016, SED filed a proposed resolution with the Commission to grant the Angels Flight Railway Foundation's request for approval of the Safety Certification Plan for the 2016/17 Restoration and Refurbishment Project. This Resolution was approved by the Commission on January 19, 2017.
- **ST-194** - On December 16, 2016, SED filed a proposed resolution with the Commission to grant the request of the Los Angeles County Metropolitan Transportation Authority and the Metro Gold Line Foothill Extension Construction Authority for approval of the Safety Certification Plan for the Foothill Extension Phase 2B Light Rail Transit Project. This Resolution was approved by the Commission on January 19, 2017.

## California Public Utilities Commission | Safety and Enforcement Division

- **ST-193** - On December 14, 2016, SED filed a proposed resolution with the Commission to approve SED's final report for the triennial security review of Sacramento County Department of Airports Automated People Mover System. This Resolution was approved by the Commission on January 19, 2017.
- **ST-192** - On December 14, 2016, SED filed a proposed resolution with the Commission to approve SED's final report for the triennial safety review of Sacramento County Department of Airports Automated People Mover System. This Resolution was approved by the Commission on January 19, 2017.
- **ST-186** - On December 16, 2016, SED filed a proposed resolution with the Commission to grant the San Diego Association of Governments' request for approval of its Safety and Security Certification Plan for the Mid-Coast Corridor Transit Project. This Resolution was approved by the Commission on the January 19, 2017.
- **ST-183** - On December 14, 2016, SED filed a proposed resolution with the Commission to approve SED's final report for the triennial safety review North County Transit District. This Resolution was approved by the Commission on the January 19, 2017.
- **ST-182** - On December 14, 2016, SED filed a proposed resolution with the Commission to approve SED's final report for the triennial security review North County Transit District. This Resolution was approved by the Commission on the January 19, 2017.

### **Pending:**

- **ST-199** - On January 9, 2017, SED filed a proposed resolution with the Commission to approve SED's final report for the triennial security review of San Francisco Airport Automated People Mover System. This Resolution has been placed on the February 9, 2017, Commission meeting agenda.
- **ST-198** - On January 9, 2017, SED filed a proposed resolution with the Commission to approve SED's final report for the triennial safety review of San Francisco Airport Automated People Mover System. This Resolution has been placed on the February 9, 2017, Commission meeting agenda.

### 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. Staff is attending monthly progress meetings and is awaiting the final draft of the Safety and Security Certification Plan.
- **BART New Vehicle Procurement:** BART is in the process of procuring 775 new rail vehicles. BART has already received four of these vehicles (two D cars and two E cars) for testing, and is storing them at its Hayward Yard facility. RTSB staff is witnessing testing and participating in Safety and Security Certification meetings to oversee the procurement process. BART will submit its interim State Safety Certification Verification Report (SSCVR) for these first 10 vehicles in late February 2017. The 10-car pilot train should be ready for revenue service in mid-March 2017. Engineering tests, qualification tests and safety-related testing is on-going. Mainline tests are being conducted during blanket hours (1-3am). Safety-related tests currently in progress are Stability and Curve Negotiation (8010) and Communications, Signs & PIS (8052C.) Safety-related testing has been completed.
- **The East Contra Costa BART Extension:** This project, also known as eBART, will add 10 miles of track extending rail service eastward from the Pittsburg Bay Point station utilizing eight Diesel Multiple Unit (DMU) vehicles. This project is currently in the construction phase, and is being safety certified by RTSB, whose staff regularly attends safety certification meetings. Signal testing is 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 mid-September 2017. The design criteria conformance checklist, state safety oversight plan, and employee certification plan are almost ready for RTSB's review.

- **BART Warm Springs Extension:** This project proposes an additional 5.4 Miles of BART track connecting the currently existing Fremont BART station with a new BART station located in the Warm Springs district in the city of Fremont. Construction has been monitored by RTSB and will be safety certified when complete. Staff has attended and witnessed testing. Additionally, RTSB staff inspected this project on September 13, 2016. The Warm Springs Extension Project Team is in the process of reviewing past test records pertaining to the Safety Certification Verification Report (SCVR). The Warm Springs Extension contractor is conducting simulated automatic train control testing during non-revenue hours. A staff Engineer and inspector attended this testing. A problem with Boolean reading was detected in the automatic train control system and is currently being addressed. Continued simulator testing is required prior to moving to dynamic testing. The contractor is expected to complete their tests around March 2017. BART train control engineering will then begin a series of verification tests. Additionally, the contractor is working on addressing punch list items and submittals.
- **Silicon Valley Berryessa Extension:** BART and Santa Clara Valley Transportation Authority (SCVTA) are currently 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 complete in early 2017, and is currently in the construction phase for certain areas (I.E. Traction Power Substation (TPSS), Train Control, Communication, etc.), and in the pre-testing phase for others. On Wednesday, November 16, 2016, staff participated and observed the Dynamic testing (Pre and Post Shunt testing) at S24 region. On Monday, December 5, 2016, staff attended and observed the Fire Alarm pretesting and SCADA pretesting related to S24 (Warren Avenue) and S26 (Kato Road) Train Control Rooms in Milpitas. The S24 portion of this testing was observed at the Project Test Center (PTC) and the S26 testing was observed on the field (Train Control Room). On Wednesday, December 7, 2016, staff attended to discuss the outcome of the recent FTA PMOC audit findings and RTSB's comments/suggestions. On January 26, 2017, Staff attended and participated in the SSRC and FLSSC meetings. The new contract C671 VTA Communication Backbone Network Design Verification Checklist was discussed.

- **SFMTA New Vehicle Procurement:** San Francisco Municipal Transportation Agency (SFMTA) is in the process of procuring 260 new rail vehicles, which will be received by SFMTA over the next 15 years. The first batch, consisting of 24 cars, will be received in 2017. All new vehicles will be put through a wide range of tests in order to complete the safety certification process. RTSB staff will attend monthly meetings with SFMTA to oversee the Safety Certification Process and to monitor the progress of testing. The project is in the construction specification conformance phase.
- **Central Subway Project:** SFMTA is excavating 1.7 miles of tunnel to extend the Muni Metro Third St Line to provide a direct transit link between the Bayshore and Mission Bay areas to SoMa, downtown, and Chinatown. This project, due to be completed in 2019, is currently in the construction phase and is being monitored by RTSB through regular meetings, review of documentation related to safety certifiable elements to ensure conformance with specified safety requirements and design criteria, and site visits pursuant to CPUC's safety certification requirements.
- **LA Metro (LACMTA) P3010 New Vehicle Procurement Project:** Los Angeles County Metropolitan Transportation Authority (LACMTA or LA Metro) is in the process of procuring up to 235 new rail vehicles to provide the needed capacity expansion for the recently completed projects (Expo Phase 2 and Foothill Extension Phase 2), and for the future LAX/Crenshaw line which is currently in construction. On March 4, 2016, RTSB staff approved the LACMTA request to introduce the first batch of P3010 cars into revenue service after review of the Safety Certification Verification Report, various test records, and the individual vehicle history books. As of February 1, 2017, fifty-two (52) 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 Diego Trolley, Inc. (SDTI) Mid-Coast Corridor Project:** The San Diego Metropolitan Transit System Mid-Coast Corridor Project is a 10.9-mile double-track light-rail transit line, which begins at the Old Town Transit Center in San Diego. The project provides future SDTI revenue service to the Linda Vista, Clairemont, University 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

## California Public Utilities Commission | Safety and Enforcement Division

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 the 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: OC Streetcar Project (in Orange County), 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.

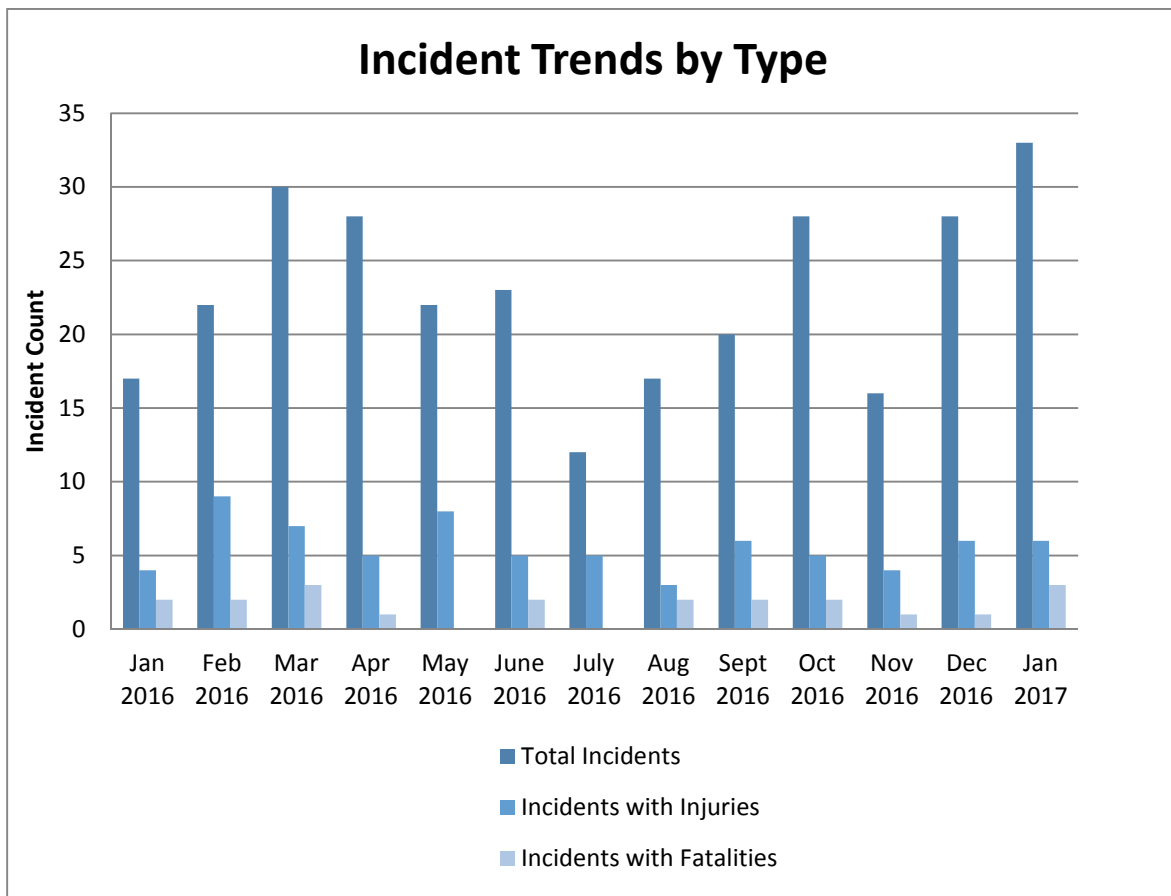
### STATISTICS SUMMARY

Investigations	
Incidents Reported	33
Incident Investigations Closed	2
Complaints Investigated	0
Rail Transit Inspections	0
Triennial Audits	0

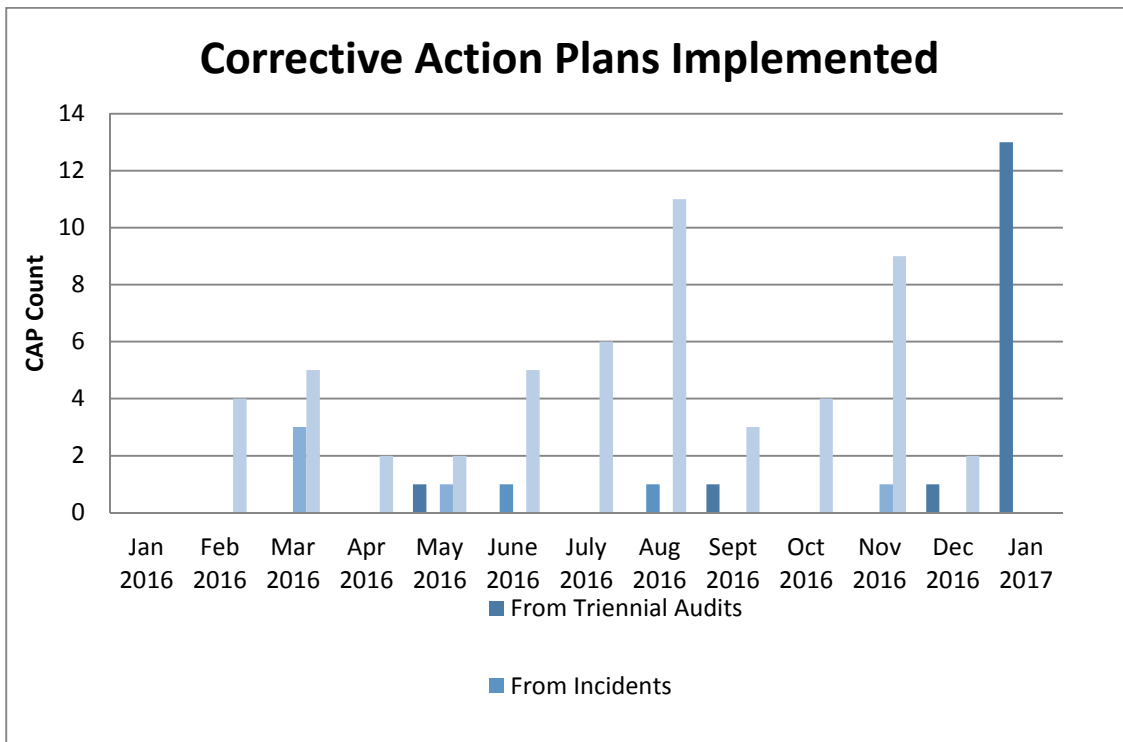
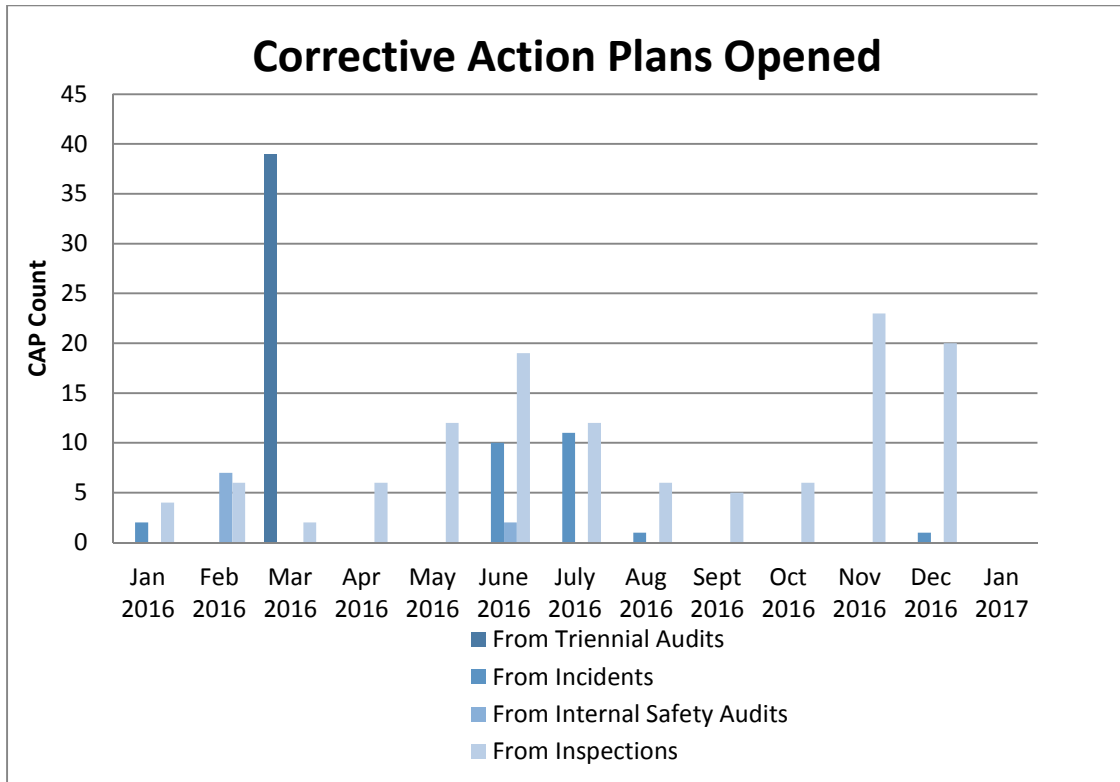
Corrective Action Plans	
New Corrective Action Plans	0
From Triennial Audits	0
From Incidents	0

From Internal Safety/Security Audits	0
From Rail Transit Inspections	0
<b>Closed Corrective Action Plans</b>	<b>13</b>
From Triennial Audits	13
From Incidents	0
From Internal Safety/Security Audits	0
From Rail Transit Inspections	0

ONGOING DATA / TRENDS







###