

Safety and Enforcement Division



Monthly Performance Report

March 2017

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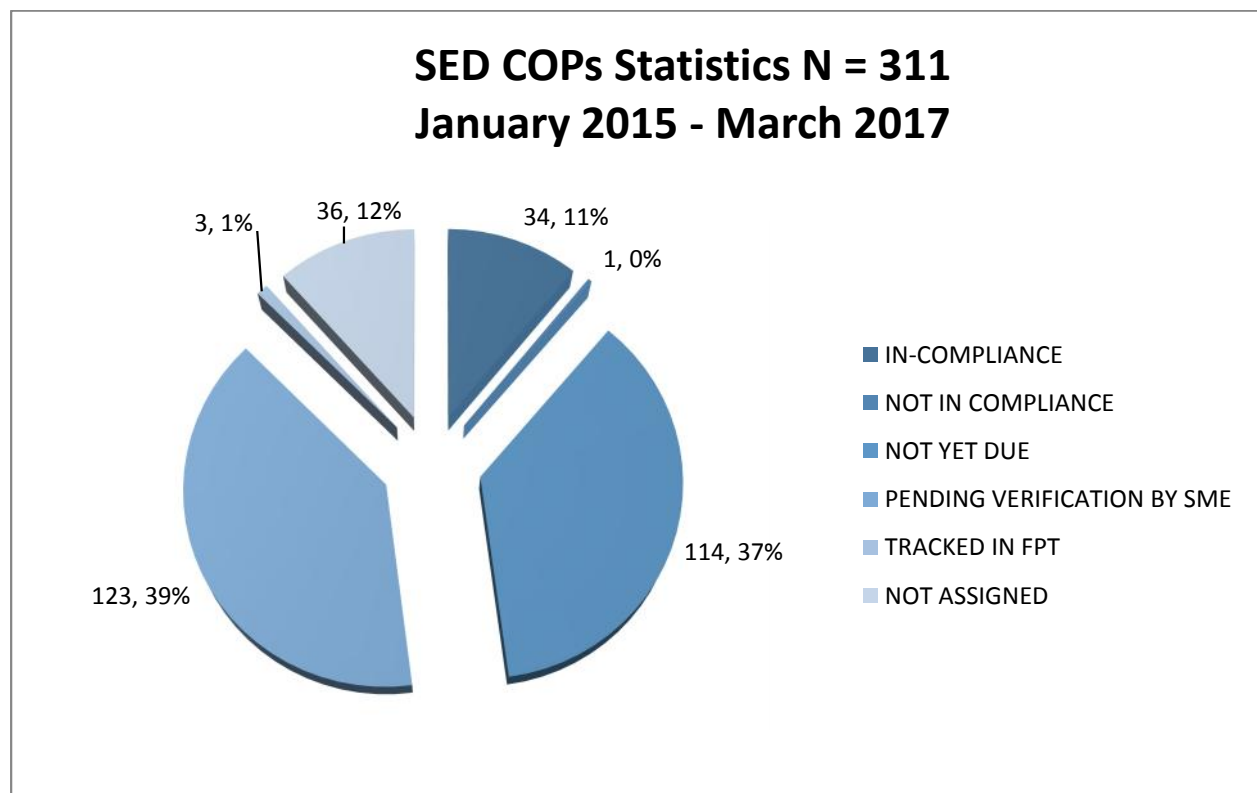
This Report has not been approved or disapproved by the CPUC.

COMPLIANCE WITH ORDERING PARAGRAPHS (COPS)

Through March 31, 2017, SED shows 311 total entries in the COPS system; with 34 reaching compliance (11%), 114 (38%) not yet due for compliance, and 1 (<1%) currently remaining out of compliance. The remaining 162 (52%) are either pending verification or have not yet been assigned for verification.

During March, there were just 7 new entries into the COPS system for the Safety & Enforcement Division.

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



NATURAL GAS SAFETY PROGRAM

STAFF CITATION PROGRAM

No citations in 2017 YTD.

INSPECTIONS

2017 Inspections: GSRB has conducted 17 scheduled inspections in 2017 and has completed the final inspection report for 4 of these 17 inspections during 2017.

INCIDENT INVESTIGATIONS

As of March 31, 2017, GSRB Staff received 69 incidents year to date. All pre-2016 incident investigations have been completed. Metrics on 2016 Incident Investigations:

TOTAL reported in 2016	166	Percent
Open	41	25 %
Closed	125	75 %

The CY 2016 incidents¹ are categorized as follows:

- 135 – Level 1 incidents
- 15 – Level 2 Incidents
- 8 – Level 3 Incidents
- 8 – Level 4 Incidents

UTILITY SELF-IDENTIFIED VIOLATION (SIV) INVESTIGATIONS

At the end of each year, the SIV process owner will conduct an annual review, which includes a trend analysis of systemic issues, determination of investigation effectiveness, and possible revision of investigation criteria.

There were no self-identified violations reported in March 2017.

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

NATURAL GAS RELATED PROCEEDINGS

- **Distribution Record Keeping (I.14-11-008) (Commissioner Peterman/Lirag) (Advocacy):** Decision 16-08-020 was issued on August 18, 2016, which ordered Pacific Gas and Electric to pay a fine of \$25,626,000 for several violations of General Order 112 and the Public Utilities Code. The decision also ordered PG&E to convene, support and report no later than 120 days after the effective date of the order a meet-and-confer process to develop additional remedial measures necessary to address the issues identified in the decision. Staff from GSRB attended two meet-and-confer sessions and submitted comments on PG&E's draft compliance plan, which was filed in the docket on December 16, 2016. Additionally, SED has a pending application for rehearing that was submitted on September 26, 2016, and is still pending. On November 22, 2016, the Commission issued a Notice of Reassignment to ALJ Rafael Lirag. On December 16, 2016, Pacific Gas and Electric Company filed its Initial Compliance Plan.
- **Gas Safety OIR (R.11-02-019) (Advisory)(Commissioner Guzman Aceves/ALJ Re-assignment pending):** GO 112-F in Attachment A of D.15-06-044 is effective June 25, 2015; except that as to Sections 105, 122, 123, 125, 142, 143, 144, 145, and 162, the gas operators shall comply with these sections as soon as feasible but no later than January 1, 2017, unless compliance is extended for a particular provision pursuant to Rule 16.6 of the Commission's Rules of Practice and Procedure or its successor. R.11-02-019 was closed in June 2015, however, it was re-opened on an application for rehearing of the June 2015 decision by Office of Ratepayer Advocates and Utility Workers Union of America in July 2015.
In addition, Pacific Gas and Electric Company filed a petition to modify Decision 15-06-044 on January 31, 2017, causing the proceeding to be re-opened and reassigned. Decisions on the rehearing requests and PG&E's petition are still pending.
- **Mobile Home Parks Pilot Program (Implementing D.14-03-021):** This decision established a three-year pilot program authorizing each California investor-owned utility to convert 10% of master-metered gas and/or electric Mobile Home Park spaces within its operating territory to direct utility service. The Pilot Program began on January 1, 2015, and will continue through 2017. No significant updates for March.
- **Citation Program OIR (R.14-05-013) (President Picker/ALJ Burcham) (Advisory):** Decision 16-09-055 was issued on September 29, 2016. Some key points are listed below:
 - An administrative limit of no more than \$8 million for each citation issued under the gas and electric safety citation programs should be adopted.
 - Both the gas and electric safety citation programs should be modified to make utility reporting of self-identified potential violations voluntary.
 - Under the modified rule, we will not require the utility to notify city and county officials of a self-identified potential violation unless staff requires it.However, the status of R.14-05-013 became "reopened" when on February 21, 2017, Senator Jerry Hill issued a petition for modification, requesting that the Commission modify the Decision so as to keep in place, rather than weaken, the mandatory reporting requirements that were imposed under ALJ-274. In March, several parties filed comments to Senator Hill's request.

ELECTRIC SAFETY AND RELIABILITY PROGRAMS

ELECTRIC AND COMMUNICATIONS FACILITY PROGRAM: AUDITS AND INCIDENT INVESTIGATIONS

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

- Received nine electric incident reports and closed eight previously reported electric incident investigations;
- Investigated 22 customer safety and reliability complaints;
- Conducted three electric distribution audits;
- Conducted one Communication Infrastructure Provider audit;
- Issued two Notice of Violation (NOV) letters.

Metrics for Facility Incident Investigations as of March 31, 2017

Electric and Communication Facilities	Level 1	Level 2	Level 3	Level 4	Total ²
Total open incidents	7	18	41	39	105
Total incidents reported in 2017	2	4	13	9	28
Total incidents closed in 2017	4	5	4	10	23
Total open 2017 incidents	2	4	13	9	28
Incidents reported in March 2017	0	1	7	1	9
Incidents closed in March 2017	1	3	1	3	8

ELECTRIC AND COMMUNICATIONS FACILITY SAFETY: PROCEEDINGS

- **Investigation into Long Beach Incident (I.16-07-007) (President Picker/ALJ Cooke)(Advocacy):** On July 15 and July 30, 2015, fires and explosions in underground electric vaults caused power outages that affected thousands of Long Beach customers for several days. On August 15, 2015, another fire occurred in an underground vault with additional outages. After ESRB’s investigation and upon SED’s recommendation, the Commission adopted an Order Instituting Investigation on July 14, 2016. In January 2017, the Commission approved the suspension of the current schedule to allow for potential settlement negotiations/agreement among the parties.

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

- **Investigation into Huntington Beach Incident (I.15-11-006) (Commissioner Randolph/ALJ Kim) (Advocacy):** A subcontractor was fatally injured in a Southern California Edison underground vault in Huntington Beach. On December 15, 2016, SED and Southern California Edison filed a settlement agreement for Commission consideration; pending.
- **Fire Safety Rulemaking (R.15-05-006) (President Picker/ALJ Kenney/ALJ Kao) (Advocacy):** D.16-05-036 adopted Fire Map 1, which depicts areas of California with an elevated hazard for the ignition and rapid spread of fires. In January 2017, D.17-01-009 adopted a work plan for completing Fire Map 2 and developing potential new fire safety rules. The schedule anticipates that a final map and the new rules will be in place by the end of 2017. Over the next several months, parties will be holding numerous workshops and filing comments to address proposed rules and mapping products.
- **Applicability of Right-of-Way Rules to CMRS Carriers (R.14-05-001) (Commissioner Randolph/ALJ Kenney) (Advocacy):** D.16-01-046 adopted GO 95 amendments to provide Commercial Mobile Radio Service (CMRS) carriers with nondiscriminatory access to public utility infrastructure, including poles. The decision closed the proceeding. ESRB is undertaking follow-up work directed by the decision, and on March 1 filed a petition to adopt, amend, or repeal rules in GO 95 (P.17-03-004). ESRB is currently reviewing responses that are filed by the parties.
- **Repealing/amendments to Rule 18 OF GO 95 (R.16-12-001) (President Picker/ALJ Kenney) (Advocacy):** In response to an SED petition for rulemaking to consider repeal of GO 95, Rule 18, the Commission opened this proceeding to consider specified amendments to, and possible repeal of, Rule 18 of GO 95. On January 25, 2017, SED and other parties requested a suspension in the schedule to allow settlement discussions; in response, the ALJ has suspended due dates for comments and reply comments in the rulemaking. A prehearing conference is scheduled for April 11, 2017.
- **Physical Security of the Electric System (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly) (Advocacy):** Phase I will address physical security for electric supply systems, and additional phases will address disaster and emergency preparedness plans for electrical corporations and regulated water companies. On March 10, 2017, Commissioner Rechtschaffen issued a Scoping Memorandum setting the schedule. The first workshop is scheduled for May 2, 2017, and will be held at the Governor's Office of Emergency Services (Cal OES).
- **Electric Storage Procurement (R.15-03-011) (Commissioner Peterman/ALJ Cooke) (Advisory):** ESRB continues to provide advisory support to help determine best practices related to energy storage, and the proper way to inspect such facilities. A set of inspection protocols was issued for review by the ALJ on September 29, 2016, who sought comment on whether Commission general orders need to be revised to include the protocols. On January 10, 2017, the assigned ALJ issued a ruling seeking comments on the joint staff Proposed Rules for Station Power for Electric Storage Devices and reply comments were filed by January 31, 2017. On February 24, 2017, the assigned Commissioner issued a Proposed Decision (PD), and on March 16 and 21, 2017, parties filed comments and reply comments on the PD. ESRB will continue to follow, review and evaluate all documents related to safety.

- **Distributed Energy Resources (R.14-08-013) (President Picker/ALJ Mason/ALJ Allen) (Advisory):** On February 10, 2017, the Commission held a workshop on DER Growth Scenarios and Load Forecasting. A February 27 Assigned Commissioner’s Ruling set a new schedule for developing a utility framework based on the workshop discussions, with working group meetings scheduled during April and May. ESRB continues to review the issues and provide advisory support.
- **SB 1028 (Hill) “Electrical corporations: wildfire mitigation plans”:** In September 2016, the Governor signed SB 1028, which requires each electrical corporation and each publicly owned electrical utility or electrical cooperative to annually file a wildfire mitigation plan. Additionally, this bill requires the Commission (for electrical corporations) or the governing board (for publicly owned electrical utilities or electrical cooperatives) to review and to comment on the submitted plans. ESRB is planning next steps for the Commission’s consideration.

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 March 2017:

- Conducted an audit of Mandalay Generating Station.
- Conducted two field investigations of a fatality incident that occurred at Sentinel Energy Project in North Palm Springs.
- Worked closely with the California Energy Commission for the investigation of the Sentinel incident by conducting witness interviews.
- Monitored two forced and 42 planned outages that were reported by natural gas and renewable power plants.
- Reviewed the Corrective Action Plan (CAP) submitted by the Generating Asset Owner (GAO) as a result of the Walnut Creek audit and sent a response to the GAO.
- Continued to verify the corrective actions that were taken by the GAOs as a result of the Colusa, Redondo Beach, and Inland Empire power plants audits for compliance with GO 167 requirements.
- Completed the review of a total of 210 Re-certification of Maintenance, Maintenance Plan Summaries, and Thermal Logbook verified statements that were received from the power plants that are 50 MW or larger.

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- Continued to work on the investigation of the Ocotillo incident that resulted when one of the towers on a wind turbine buckled and fell.
- One Level 4 safety incident was reported this month. Please see the 2017 year-to-date incident statistics in the table below.

Metrics for Generation Incident Investigations as of March 31, 2017

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

UTILITY RISK ASSESSMENT AND SAFETY ADVISORY

REVIEWING SAFETY & RISK IN GENERAL RATE CASES

On November 30, 2016, San Diego Gas & Electric and Southern California Gas Company (aka the Sempra Utilities) submitted their filings for the Risk Assessment and Mitigation Phase (RAMP) -- (I.16-10-015/016).

The Commission directed the Safety & Enforcement Division staff to provide an evaluation of the utilities' RAMP filings, to assess how utilities were identifying operational safety risks and applying risk management and mitigations to those risks, and to provide recommendations that can be incorporated in the subsequent GRCs.

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

SED's evaluation was issued on March 7, 2017, and staff held a workshop on March 15 to review the report and allow Sempra the opportunity to further explain its processes for deriving Risk Spend Efficiency (RSE) scores for several risk areas.

In all, the utilities presented 28 risks that were considered significant, using the agreed upon cut-off for risks that scored high in terms of potential safety consequences. Staff agreed that this approach presented a manageable level of risk analysis for a first-time RAMP, although the Commission may decide upon a different threshold for inclusion in the future. Also, the methodology for evaluating the severity and probability of risks may change as a result of more experience and determinations made in the S-MAP.

Staff's analysis emphasized *Strengths* of the risk chapters, *Areas for Improvement*, and some *Recommendations* for the utilities to improve their justification for proposed mitigations.

In its report, SED staff provided an overview analysis of all the risk chapters and a deeper look at selected risks:

- SCG-1 and SDG&E-2 (Combined) Catastrophic Damage Involving Third-Party Dig-Ins
- SCG-2 Employee, Contractor, Customer, and Public Safety
- SCG-3 and SDG&E-7 (Combined) Cyber Security
- SCG-4 and SDG&E-10 (Combined) Failure of a High Pressure Pipeline
- SDG&E-1 Wildfire Risk Mitigation

During the workshop, staff chose four chapters for presentation: Wildfire; Employee/Contractor/Public Safety; Failure of High Pressure Pipelines; and Climate Change Adaptation.

The Staff report looked for the completeness of the utilities' report including consistency and compliance with criteria established in D.16-08-018 and the Scoping Memo issued for this proceeding:

- Whether or not key safety risks have been assessed;
- Whether or not alternatives have been fully considered and adequately discussed;
- Whether or not there are gaps in identifying risks and mitigation options; and,

- The efficiency of risk mitigation funding, proposed spending, and the amount or level of mitigation planned for SDG&E's and SoCalGas' next GRC cycle.

Summary: For the majority of the risks drivers identified, the utilities offered a complete – if sometimes cursory and occasionally redundant – narrative describing their various risks, and included the required elements of the RAMP. In general, they provided clear descriptions of the risk scenarios and the proposed mitigation measures, and they provided a reasonable basis for understanding the intent of the mitigations and how they might be able to reduce the impact or frequency of the incidents.

Yet for several mitigations, there needs to be more effort in showing the correlation between the risk and the mitigations proposed.

Possibly the greatest shortcomings of the RAMP filing are in the lack of clearly defined mitigation alternatives, and the lack of risk-reduction analysis and RSE calculations for these alternatives when included.

The utilities in the future need to do a better job clarifying and ranking the risk mitigations that are measured by the RSE and at the same time do a better job identifying metrics which correlate with the performance of the respective risk mitigation. This will help ensure that the utilities meet a specified goal that RAMP filings include “calculations of risk reductions and a ranking of mitigations based on risk reduction per dollar spent,” as articulated in D.16-08-018.

The following recommendations were made for improvement in the upcoming GRC presentation and workpapers:

- In the RSE, use plausible comparisons that connect causal relationships to information provided for making a sound decision on whether the increase in spending would be reasonable and the incident rate reductions possible.
- More thoroughly outline plans for enhancing existing mitigations, and provide more information to sufficiently describe how enhancements differ and improve baseline (Control) activities with an estimate of risk reduction.

- Improve the correlation of the RSE to the baseline risks and the proposed risk mitigations in order for the RSE to be used as intended.
- Address the requirement to provide an RSE for the alternative mitigation programs, and work on presenting reasonable and viable alternatives and provide sufficient explanation of alternatives and their potential for risk reduction.
- In addition, based on the RAMP filing, staff is currently unable to completely assess one aspect of the RAMP that was specifically called for in the Scoping Memo: Whether or not the hardening inspection and repair programs which constitute a large percentage of SDG&E's proposed Wildfire mitigation spending have been adequately analyzed and discussed. This area might benefit from further exploration in a second workshop.

Staff recognized that this RAMP filing is the first of its kind and that it has been difficult for Sempra to quantify risk reductions in a manner that will fully support RSE calculations.

Parties to the RAMP will file comments by April 17, 2017, and further workshops might be scheduled.

PROCEEDINGS

- **Investigation into Safety Culture of Pacific Gas and Electric Company and PG&E Corp. (I.15-08-019) (President Picker/ALJ DeAngelis) (Advisory):** NorthStar Consulting has been conducting an intensive schedule of meetings with utility executives and managers, as well as field visits to monitor how safety is being discussed and safety practices instilled in the company. The Risk section is project manager for this contract, and SED staff has attended many of these interviews and field visits. NorthStar is currently drafting a report due for public release in April 2017.
- **Safety Model Assessment Proceeding (A.15-05-002, et al) (Commissioner Rechtschaffen/ALJ Kersten) (Advisory):** The Phase 1 Interim Decision to advance this proceeding (D. 16-08-018) determined that the risk scoring models initially proposed by utilities were not adequate and should be supplemented by use of a multi-attribute scoring model that was proposed by stakeholder groups TURN/Indicated Shippers/Electric Producers & Users Coalition. 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 joint utility methodologies was 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 Proposed Decision approving the settlement with some modifications was issued on February 27; an alternate PD was subsequently issued by Commissioner Picker, deferring consideration of a final decision to the May 11, 2017, business meeting.

- **Gas Leak Abatement OIR (R.15-01-008) (Commissioner Rechtschaffen/ALJ Kersten) (Advisory):** Gas companies filed their annual reports on leaks and emissions during 2015 on June 17, 2016, and CPUC staff joined with Air Resources Board staff to produce a report analyzing the data. An ALJ ruling January 19, 2017, issued for comment the Joint CARB/CPUC report, as well as a RASA staff recommended list of Best Practices for leak detection, quantification and mitigation, which may form the basis of utility Compliance Plans. Comments on these staff recommended Best Practices and on the Joint Report were received February 10, with replies on February 17, 2017. A Proposed Decision is expected in May 2017. In addition, SED staff is preparing to issue revised templates for the 2016 emissions data requests, and ARB is determining updates to emission factors to be used in future reporting.
- **SCE 2017 General Rate Case (A.16-09-001) (President Picker/ALJs Roscow & Wildgrube) (Advisory):** While not subject to the full S-MAP/RAMP requirements for this GRC cycle, SCE has included some level of analysis of its risk mitigations in the new GRC application testimony filed September 1, 2016. SED Risk Assessment staff issued an evaluation report on January 31, 2017. No parties requested a workshop on the SED evaluation, so the next step will be filing of intervenor testimony during April and May.
- **Long Beach Outage Incidents (I.16-07-007) (President Picker/ALJ Cooke) (Advisory):** In July and August 2015, a series of fires and explosions in underground electrical vaults caused repeated power outages in Long Beach. Following an investigative report by SED's Electric Safety & Reliability Branch (ESRB) the Commission on July 14, 2016, adopted an Order Instituting Investigation SED's and SCE asked the ALJ to suspend the proceeding schedule. On January 10, 2017, ALJ Cooke approved the suspension and directed parties to provide status reports on a monthly basis; the next report is due April 10, 2017.
- **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 Proposed Decision was rendered on February 24, determining SED may begin using the new inspection protocols without changes to GO 167 or GO 174. The order was set for consideration in April.
- **Fire Safety Rulemaking (R.15-05-006) (President Picker/ALJ Kenney/ALJ Kao) (Advisory):** D.16-05-036 adopted Fire Map 1, which depicts areas of California with an elevated hazard for the ignition and rapid spread of fires. 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

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a work plan on October 7, 2016, proposing a process for developing Fire Map 2. D. 17-01-009 adopted a revised work plan and schedule on January 19, 2017. Workshops and working groups are underway.

- **Physical Security of Electric Infrastructure (R.15-06-009) (Commissioner Rechtschaffen/ALJ Kelly) (Advisory)** After a year-long hiatus, this proceeding resumed with a Pre-Hearing Conference on February 2. Risk section staff issued data requests to IOUs to update information from 2014. A Scoping Memo was issued March 10, establishing a series of staff-led workshops to address the current state of federal policies and establish information sharing protocols. A first workshop is set for May 2, 2017, at California Office of Emergency Services (Cal-OES) facilities in Mather, CA.
- **PG&E Gas Transmission & Storage Rate Case (A.13-12-012/I.14-06-016) (Picker) (Advisory):** The GT&S case was decided on June 25, 2016, with D.16-06-056. Among other provisions for disallowances for safety lapses, the decision also disallowed from immediate recovery \$696.4 million for 2011-2014 capital expenses above that previously approved in Gas Accord V. \$120 million is permanently disallowed, but \$576 million would be subject to an audit by Commission staff. Staff has been doing preliminary analysis of PG&E’s documentation of GT&S projects and programs to scope out the audit.

MONITORING THE WHISTLEBLOWER WEBSITE

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

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

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

Confirmed or Possible Whistleblower Complaints						
	CAB	Transportation	Electric Safety	Gas Safety	Telco Fraud	Rail
January	0	0	1	0	0	0
February	0	0	0	0	0	0
March	0	1	0	0	0	0
Total 2017	0	1	1	0	0	0

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	1	0	0	1	1	0
February	0	0	0	0	0	0	0
March	0	0	0	0	0	0	0
YTD	0	1	0	0	1	1	0

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

OFFICE OF RAIL SAFETY

RAILROAD SAFETY – ROSB

In the month of March 2017, SED Staff’s Railroad Operations group completed the following:

New Incidents Investigated	9
Informal Complaints Investigated	2
Safety Assessments/Reviews	14
Compliance Actions	1011
Major Inspections Completed - Such as Focused Inspections	2
Operation LifeSaver Presentations	7

ROSB INSPECTION, INVESTIGATION & FIELD ACTIVITIES

March 1, 2017: Two CPUC railroad safety inspectors who specialize in hazardous materials participated in a hands-on seminar presented by the BNSF and UP railroads along with Shell Oil Company in conjunction with TransCAER® (Transportation Community Awareness and Emergency Response). This seminar was located at the BNSF's rail yard in Richmond and was offered as a free "Flammable Liquids by Rail" familiarization course for community emergency responders. The course was taught by leading rail and oil industry emergency response personnel. The class familiarized community first responders with flammable liquids that are commonly transported by rail (including petroleum, crude oil and ethanol), the transport containers, and emergency response techniques needed to safely respond to rail incidents involving these materials. This six-hour course consisted of classroom instruction and hands-on training/demonstration with rail tank cars, valves, and information on tank car construction.

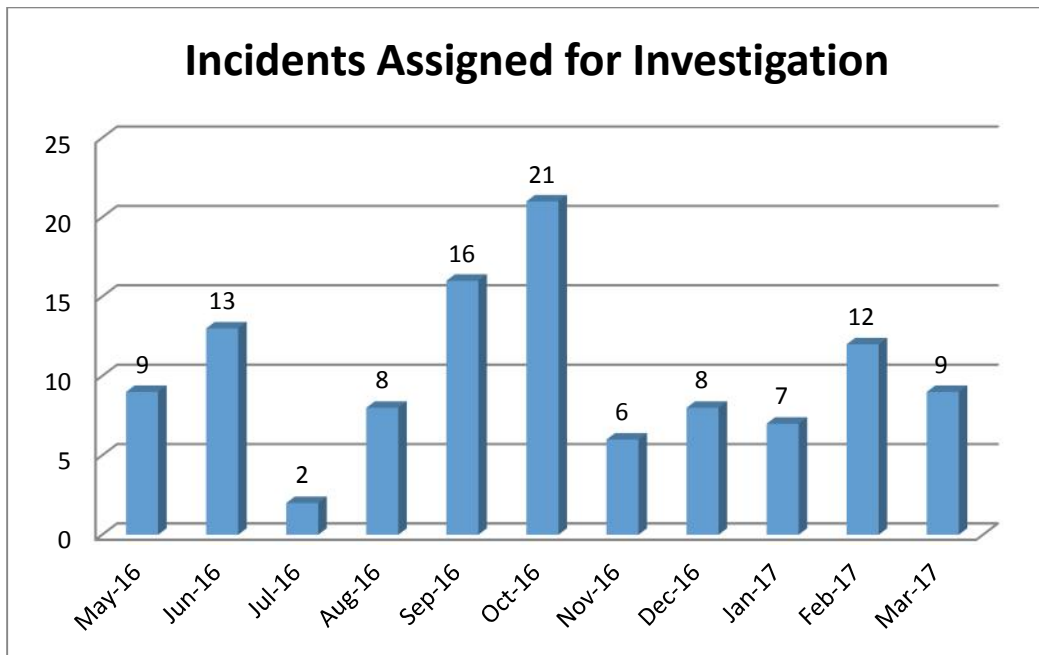
March 1, 2017: One CPUC and one FRA railroad safety inspector performed a routine inspection on the California Northern Railroad in Tracy. Due to the recent heavy rains, the railroad safety inspectors focused on railroad bridges, which can experience increased pressure and become unstable when the rivers swell.

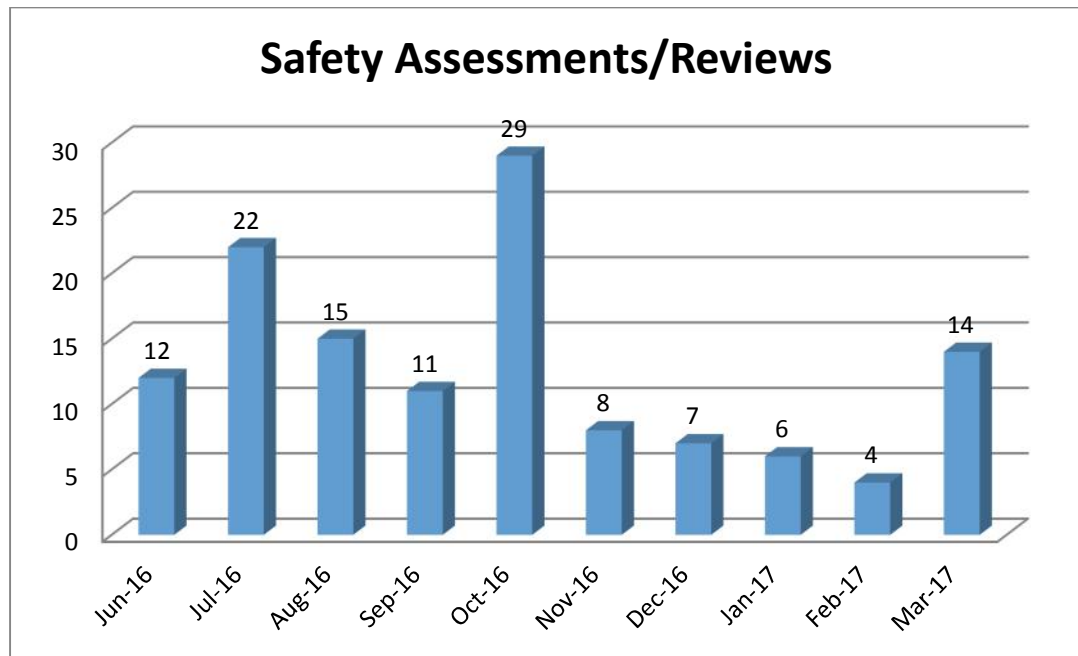
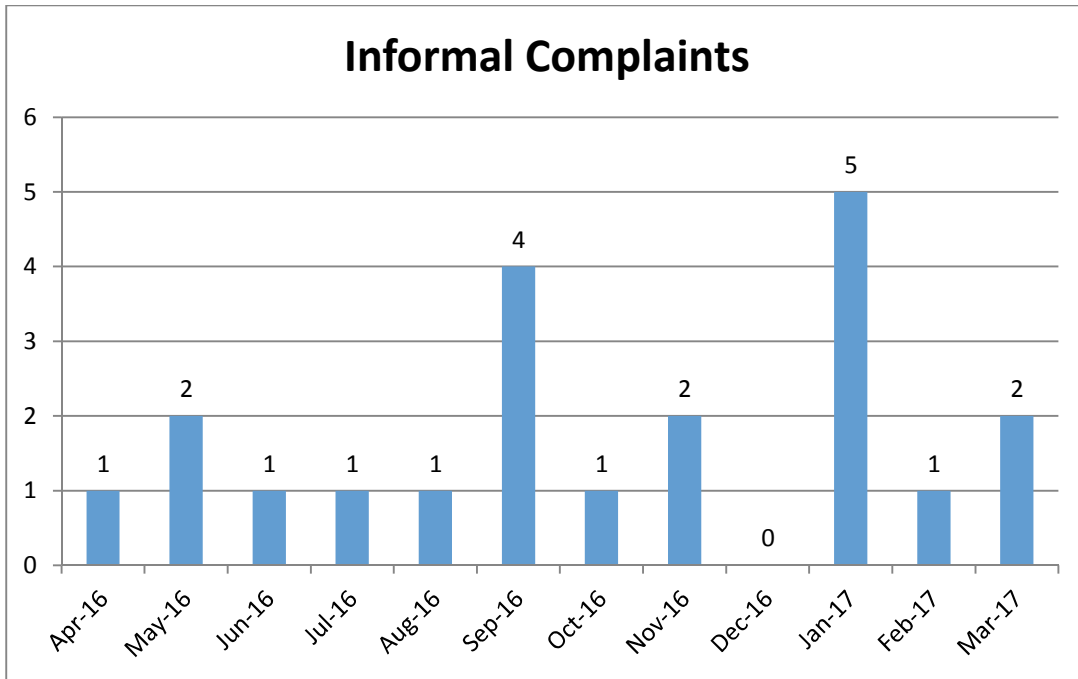
The inspectors identified an excessive amount of debris that had piled up underneath the bridge due to the increased water flows, which could cause flooding to the surrounding area. Federal law, 49 CFR Part 213.33, requires drainage that is under or adjacent to the roadbed to be maintained and kept free of obstruction to accommodate expected water flow for the area. The railroad safety inspectors notified the California Northern Railroad managers of the excessive debris.

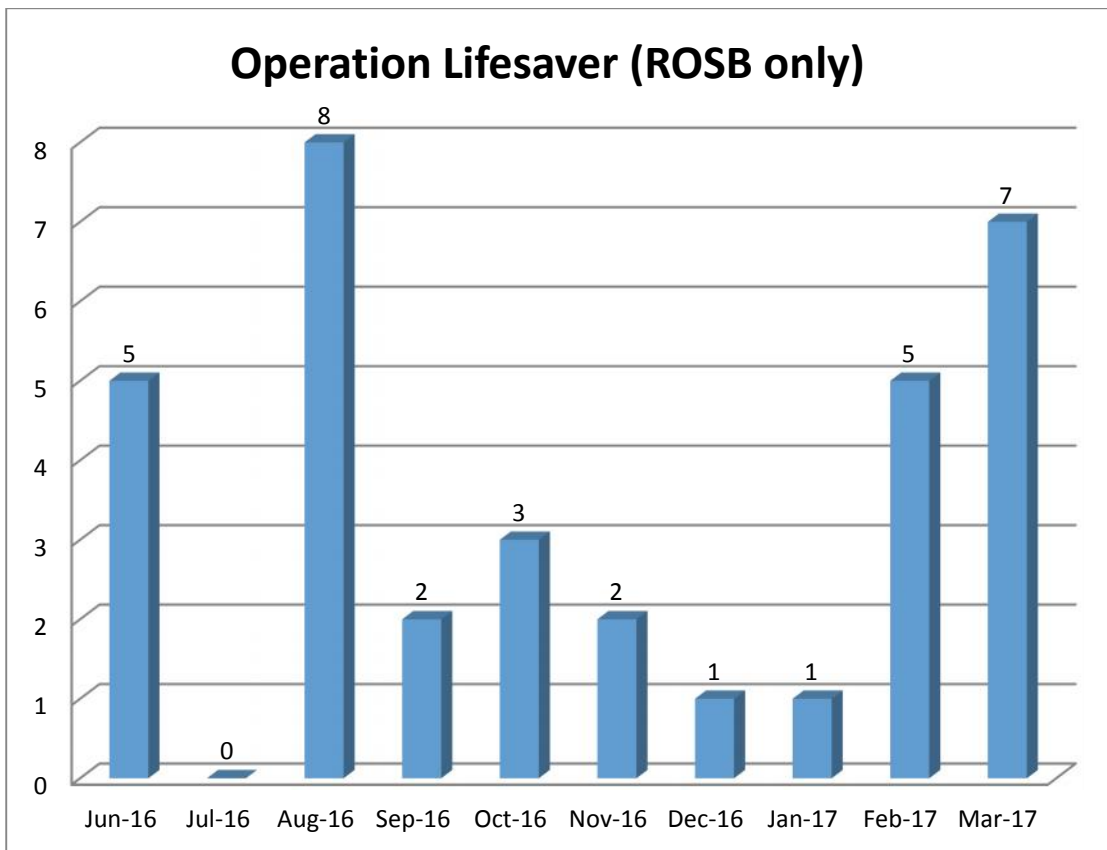
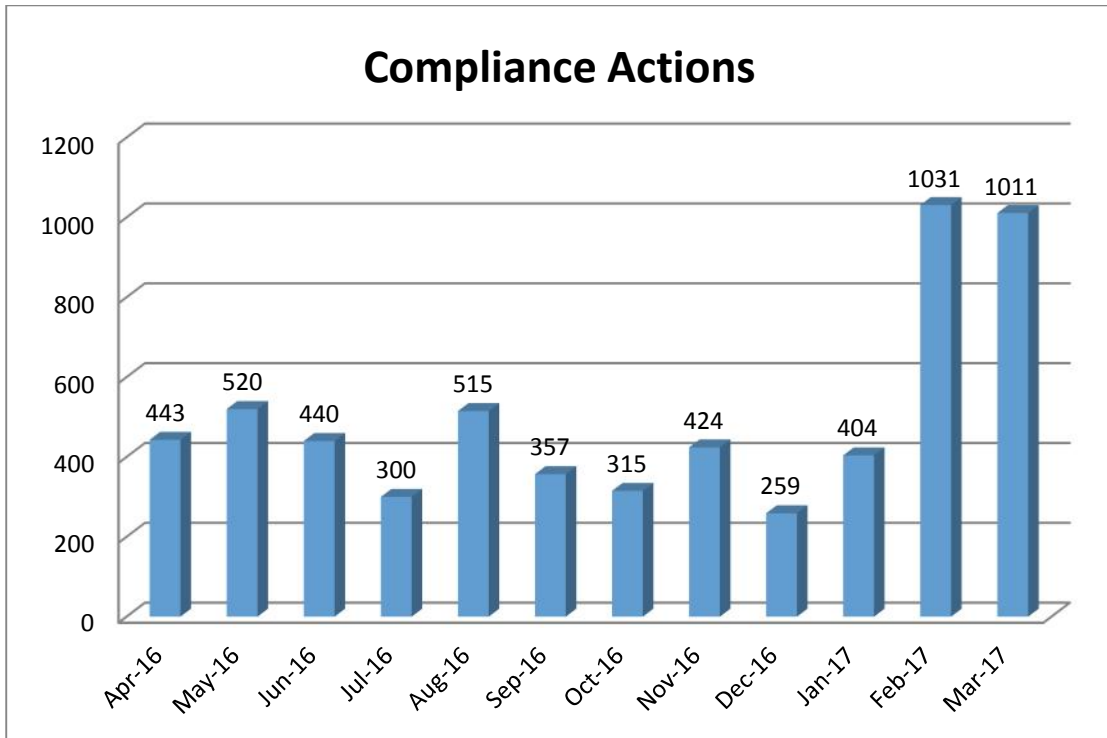
The Manager of Track Maintenance made plans to have the debris removed in the next few weeks. On April 11, 2017, two CPUC railroad safety inspectors performed a follow-up inspection of the bridge and determined that the California Northern Railroad made the corrections and removed the debris from under the bridge.

March 21, 2017: One CPUC railroad safety inspector performed a general observation at the Sonoma-Marín Area Rail Transit (SMART) facility in Novato. The CPUC railroad safety inspector tested trains to determine the application of positive train control (PTC), which is a computerized system designed to automatically stop a train before certain accidents occur, such as train-to-train collisions, derailments caused by excessive train speed, and derailments caused by train movements through misaligned track switches.

The CPUC railroad safety inspector validated that SMART had placed a temporary speed restriction on a segment of mainline track, consistent with PTC implementation. The Rail Safety Improvement Act of 2008 (P.L.110-432) requires all railroads to install PTC devices in specified areas by December 31, 2015, which has been extended until December 31, 2018, and as late as 2020 under certain circumstances. Testing validation was conducted to support SMART's application to the FRA for Revenue Service Demonstration, targeted for late spring 2017.







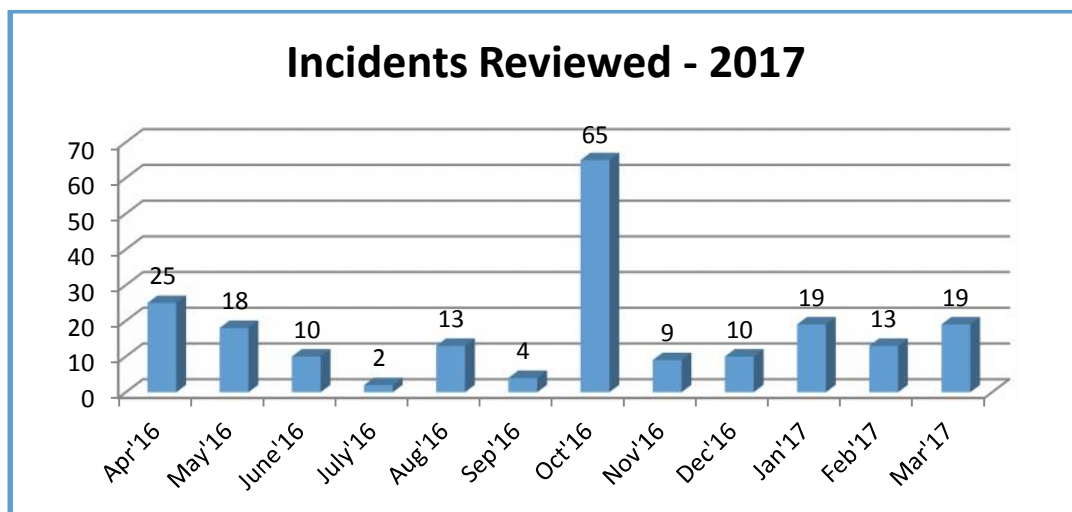
RAIL CROSSINGS AND ENGINEERING BRANCH – RCEB

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

	New During Period	Closed During Period
Crossing Incident Reviews	22	19
Informal Complaints Investigations	0	2
Safety Assessments/Quiet Zones/Reviews	30	30
Environmental Reviews	33	33
Proceedings, Resolutions and G.O. 88-B Reviews	18	12
Operation LifeSaver Presentations	3	3

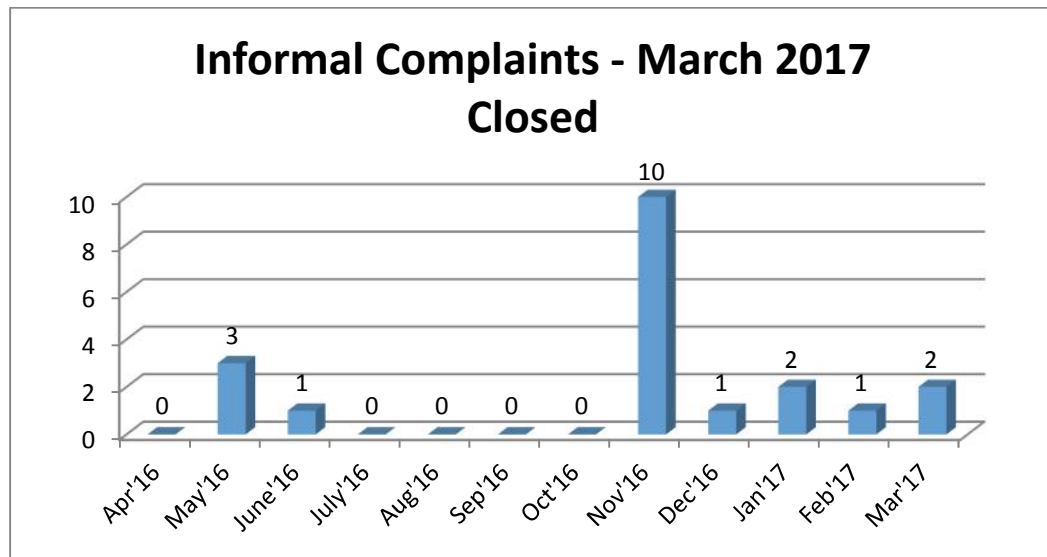
RAIL CROSSING INCIDENT INVESTIGATIONS

- In March 2017, the Rail Crossings and Engineering Branch (RCEB) engineers assigned 22 new incidents reviews at highway-rail and highway-light rail transit (LRT) crossings (crossings) for review, and completed 19 crossing incident reviews and evaluations.



INFORMAL COMPLAINTS

In March 2017, RCEB did not receive any new complaints and RCEB staff responded and closed two informal complaints. The first is about rough crossings over multiple crossings in Santa Paula. Staff contacted the railroad and local agency to address the maintenance of the crossings. The other complaint was in relation to the Estrellita Drive crossing in the County of San Diego. Staff recommended the local agency file a G.O. 88B for the crossing modifications. On March 27, 2017, the agency filed the application for authorization.



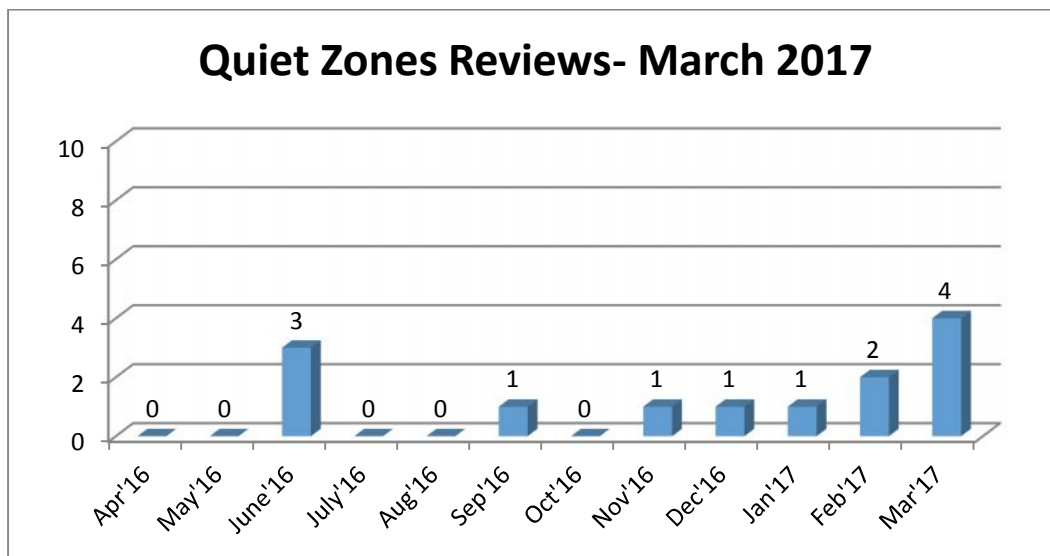
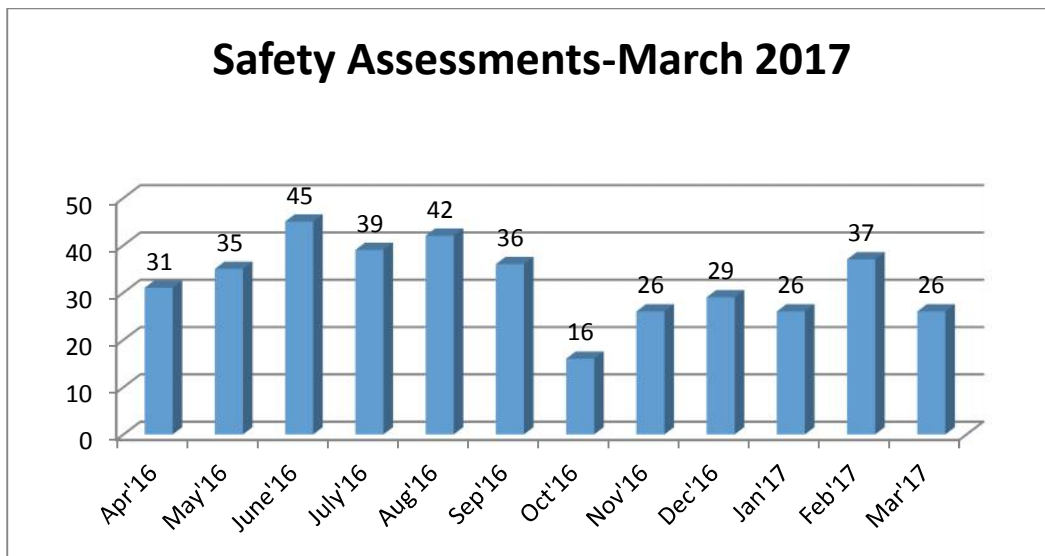
SAFETY ASSESSMENTS, QUIET ZONES AND REVIEWS

In March 2017, RCEB completed 26 rail crossing safety assessments involving communications, field inspections, and diagnostic reviews with railroads and local agencies. RCEB also received four filings related to Quiet Zones.

- QTZN 2011020002 –This filing is for a 24 hr. Notice of Establishment (NOE) for 2 Union Pacific Railroad crossings at Dwight and Sims streets in Sacramento-Elk Grove. The NOE issue date is 03-24-2017.
- QTZN 2016120002-On November 21, 2016, the City of Petaluma (Petaluma) issued a notice of intent (NOI) for creating a new 24-hour quiet zone of 8 at-grade crossings on the Sonoma Marin Area Rail Transit (SMART) and North Coast Rail Authority (NCRA) route, including Caulfield Lane (DOT 498692U), D Street (DOT 498689L), East Washington Street (DOT 498688E), Lakeville Street (DOT 498687X), Payran Street (DOT 498685J), Southpoint Boulevard (DOT 498683V), North Mc Dowell Boulevard (DOT 498682N), and Corona Road (DOT 498681G) under 49 CFR 222.39(a)(3). SMART issued its comments on the NOI on December 14, 2016, and CPUC issued its comments on the

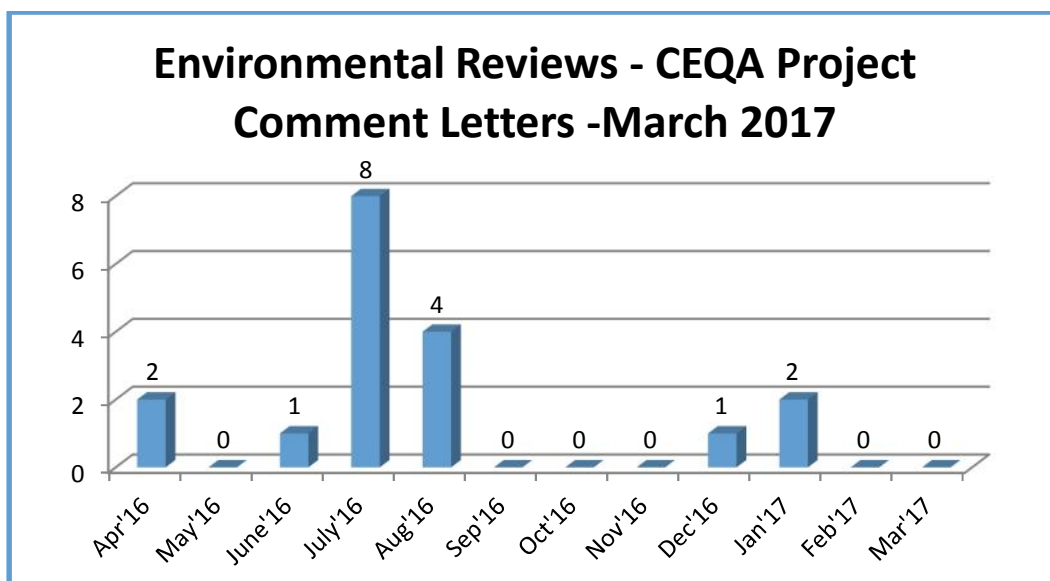
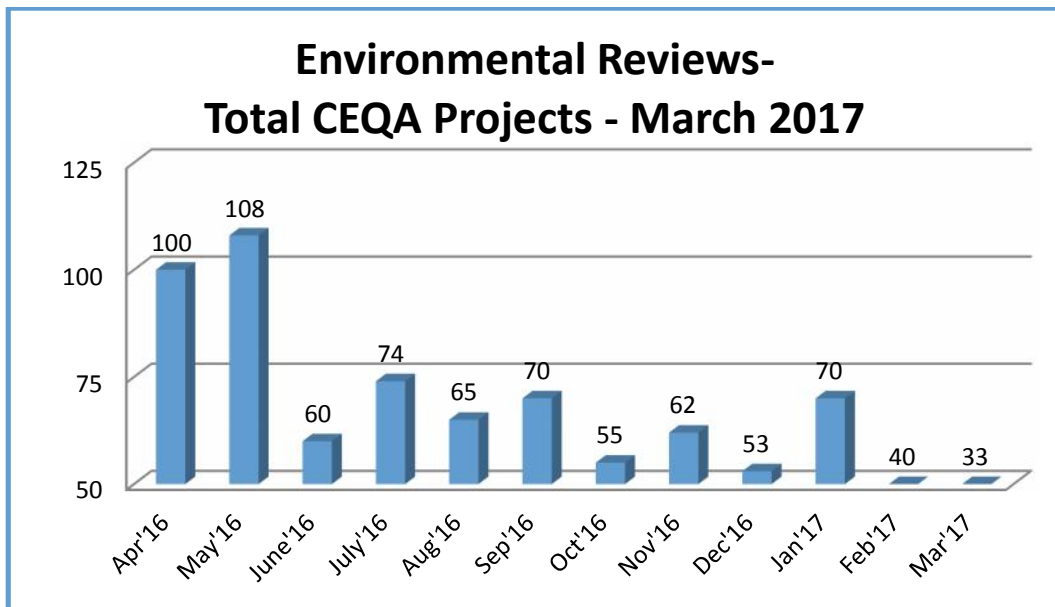
NOI on January 6, 2017. On March 7, 2017, Petaluma issued a NOE for the quiet zone effective April 19, 2017. SMART issued its comments on the NOE on March 15, 2017.

- QTZN 2017030001 - On March 15, 2017, the County of Sonoma issued a Notice of Intent (NOI) to establish a quiet zone within the unincorporated area along the SMART Initial Operating Segment. On March 24, 2017, SMART issued its comments on the NOI.
- QTZN 2017030002 - On March 28, 2017, the City of Riverside issued a Notice of Intent for creating Quiet Zone III through the Cridge Street Crossing (DOT 026493P, MP 10.674). Burlington Northern Santa Fe, Union Pacific Railroad, Southern California Regional Railroad Authority and Amtrak currently operate within the proposed quiet zone.



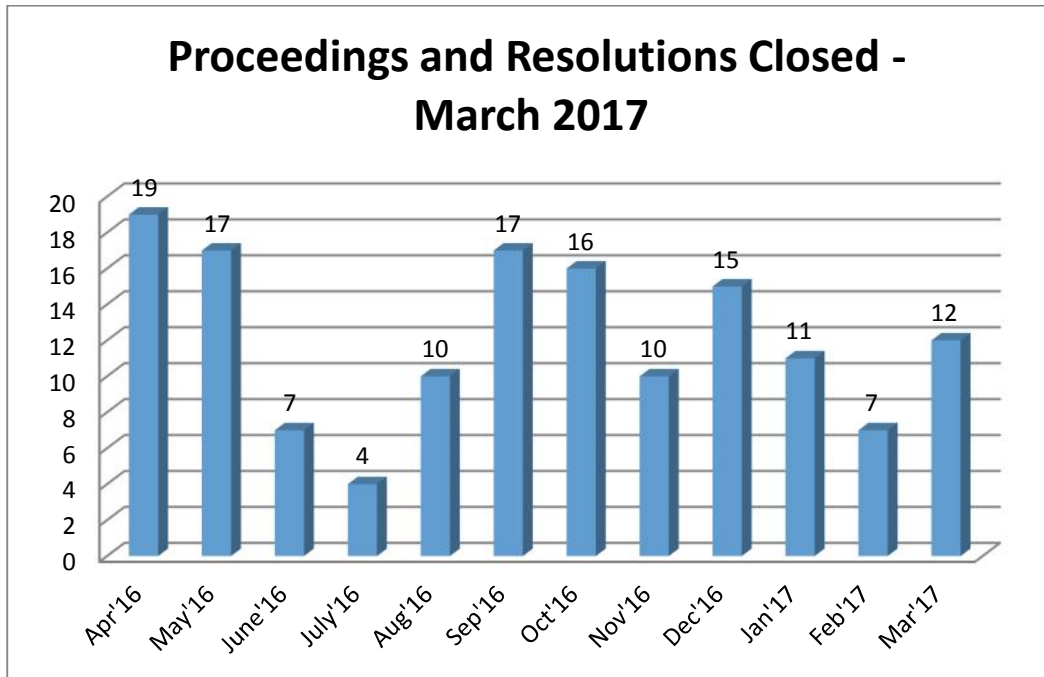
ENVIRONMENTAL REVIEWS

In March 2017, RCEB reviewed 33 CEQA reports and did not issue any 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.



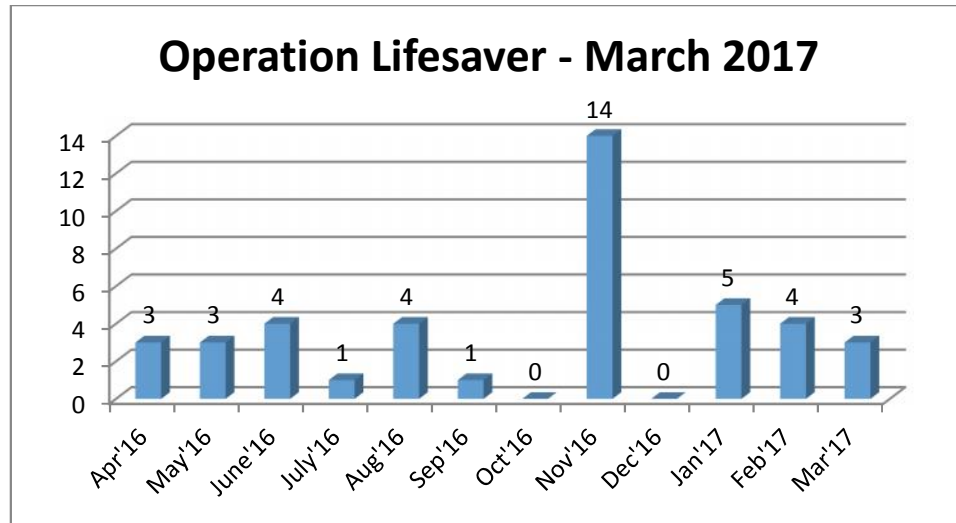
PROCEEDINGS, RESOLUTIONS AND G.O. 88B REVIEWS

In March 2017, RCEB staff received 13 new General Order 88-B applications and three formal proceedings. In this month, RCEB approved 12 General Order 88-B applications to modify existing crossings.



OPERATION LIFESAVER INC.

In March 2017, RCEB completed three Operation LifeSaver Inc. (OLI) activities that resulted in one presentation at the Roseville High School in Roseville, CA; participating on a Safety on the Train with the Capitol Corridor in Oakland, CA; and, manning a booth at the Zenith Safety event in Turlock, CA. Staff shared the rail safety message with a group of special education students in Roseville, CA; and, at the Zenith Agriculture Training event in Turlock. The Safety Train ride shared the See Tracks Think Train message with riders on the train. As time permits RCEB staff continues to volunteer and participate in OLI events and activities.



In addition to the above, staff also completed the online defensive driver training course.

RAIL TRANSIT - RTSB

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

CORRECTIVE ACTIONS PLANS

- Thirteen CAPs were opened for March 2017.
- 32 CAPs were closed this month.

INCIDENT INVESTIGATIONS

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

⁴ Per General Order 164-D, the Commission must be notified within 2 hours by rail transit agencies of incidents if they include one of the following: a fatality at the scene, or where an individual is confirmed dead within 30 calendar days of a rail transit-related incident; an injury to two or more individuals requiring immediate medical attention away from the scene; property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities, and non-transit property that equals or exceeds \$25,000; a collision at an at-grade crossing; a mainline derailment; a collision with an individual on a rail right-of-way; a collision between a rail transit vehicle and a second rail transit vehicle, or a rail transit non-revenue vehicle; an evacuation due to life safety reasons.

Ongoing:

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

A prehearing conference was held on October 11, 2016. On October 18, 2016, both parties filed a Joint Case Management Statement. On December 28, 2016, the Commission issued a scoping memo for the case, identifying the topics to be investigated and affirming the need for a hearing. Additionally, both parties were ordered to file another joint Case Management Statement. BART and SED 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. On February 1, 2017, ALJ Kim issued a ruling reminding BART to adhere to *ex parte* communication rules. BART submitted documents related to non-disclosure agreement between National Transportation Safety Board (NTSB) and parties to investigation. On February 8, 2017, ALJ Kim opened hearing for BART's two *in limine* motions, a motion filed by a party to a lawsuit which asks the court for an order or ruling limiting or preventing certain evidence from being presented. On February 9, 2017, ALJ Kim issued a ruling on BART's two *In Limine* motions, Motion to Dismiss, and two Motions to Accept Late-filed

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

- **ST-203** – On March 28, 2017, SED filed a proposed resolution with the Commission to approve SED's report for the "2016 Triennial Security Review of the San Francisco Bay Area Rapid Transit District Oakland Airport Connector." The security review results show that the BART OAC is in compliance with its System Security Plan. Staff found no areas of non-compliance during the review.
- **ST-202** – On March 28, 2017, SED filed a proposed resolution with the Commission to approve SED's report for the "2016 Triennial Safety Review of the San Francisco Bay Area Rapid Transit District Oakland Airport Connector."
- **ST-201** – On March 28, 2017, SED filed a proposed resolution with the Commission to approve SED's final report for the "2016 Triennial Security Review of Los Angeles County Metropolitan Transportation Authority (LACMTA)." The security review results show that LACMTA is in compliance with its System Security Plan. Staff found no areas of non-compliance during the review.
- **ST-200** – On March 28, 2017, SED filed a proposed resolution with the Commission to approve SED's final report for the "2016 Triennial Safety Review of the Los Angeles County Metropolitan Transportation Authority."
- **ST-191** – On March 28, 2017, SED filed a proposed resolution with the Commission to approve SED's Safety Certification Plan for the OC Streetcar project, as named and requested by the Orange County Transportation Authority. The trackway includes both operations along

exclusive right-of-way, in the old Pacific Electric (PE) Railway Right-of Way, and street-running operations, along Santa Ana Boulevard and 4th Street. Bi-directional operations occur over a new bridge north of the existing Pacific Electric Santa Ana River Bridge. The Project includes 10 stations in the eastbound direction and 10 stations in the westbound direction. A new operations and maintenance facility will be bordered by 5th Street to the north, the PE Right-of-Way to the south, approximately 500 feet west of Raitt Street to the east, and approximately 1,000 feet west of Raitt Street to the west.

SAFETY CERTIFICATION AND OVERSIGHT OF RAIL TRANSIT AGENCY PROJECTS

- **AirTrain Extension:** The San Francisco International Airport (SFO) AirTrain Extension Project will expand the existing AirTrain System to include a new Long Term Parking (LTP) Garage and add an additional in-line station (Hotel Station) serving a future hotel. Additional planned changes include an upgrade to line-of-sight (LOS) train to wayside signaling and communications, field retrofits of 39 vehicles to LOS technology, an upgrade to the Central Control, a 2000 ft. guideway extension, four additional guideway crossover switches, additional traction power system, and three new Innovia APM 100 vehicles. The project is currently in the final design phase. The project may have multiple Safety Certification Verification Reports, as it has multiple phases and will start revenue services accordingly, from October 2018 to June 2019. Safety Certification Plan review is underway. Staff attends weekly progress meeting.
- **BART New Vehicle Procurement:** BART is in the process of procuring 775 new rail vehicles. BART has already received ten of these vehicles (five D cars and five E cars) for testing, and is storing them at its Hayward Yard facility. RTSB staff is witnessing testing and participating in Safety and Security Certification meetings to oversee the procurement process. BART will submit its interim State Safety Certification Verification Report (SSCVR) for these first 10 vehicles in approximately June 2017. The 10-car pilot train should be ready for revenue service in mid-July 2017. Engineering tests, qualification tests and safety-related testing is on-going. Mainline tests are being conducted during blanket hours (1-3am). Safety-related tests currently in progress are Stability and Curve Negotiation (8010) and Communications, Signs & PIS (8052C.)

- **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 approximately May 2018. The draft System Safety Program Plan is 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. Staff reviewed past test records pertaining to the Safety Certification Verification Report (SCVR). Warm Springs Station opened for revenue service on March 25, 2017.
- **Silicon Valley Berryessa Extension:** Bay Area Rapid Transit (BART) and Santa Clara Valley Transportation Authority (SCVTA) are currently in the process of jointly constructing a 10-mile track extension and two new stations – the Milpitas and Berryessa stations. The project is expected to be completed in the Fall 2017 (December), and is currently in the construction and testing phase for Traction Power Substation (TPSS), Train Control, Communication, etc., and in the pre-testing phase for other elements of the system. RTSB Staff regularly attends and participates in the Safety and Security Review Committee (SSRC) and Fire Life Safety and Security Committee (FLSSC) meetings and monitors the project progress. Additionally, RTSB Staff receives weekly or monthly schedule updates via email on the testing progress. On March 10, Staff attended the updated revised Lock Out Tag Out (LOTO) training at the SVBX project office.
- **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

California Public Utilities Commission | Safety and Enforcement Division

SoMa, downtown, and Chinatown. This project, due to be completed in 2019, is in the construction phase and is being monitored by RTSB through regular meetings, review of documentation related to safety certifiable elements to ensure conformance with specified safety requirements and design criteria, and site visits.

- 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.

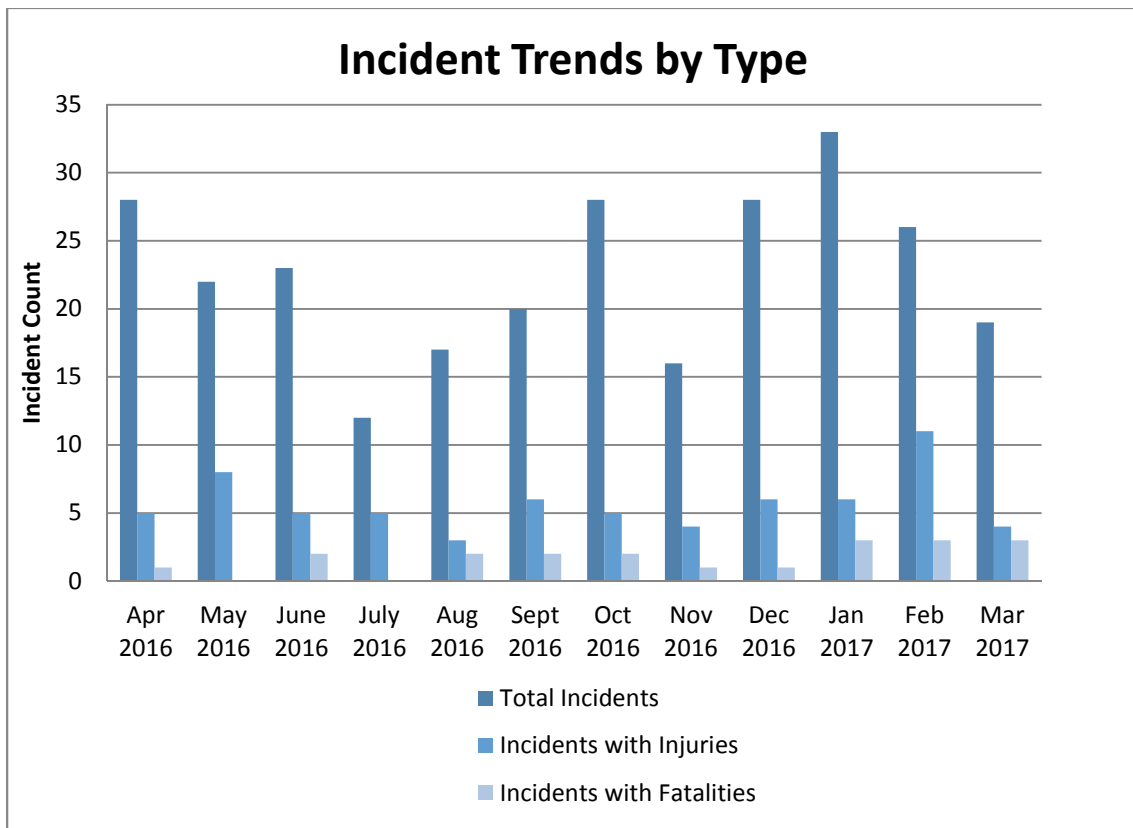
STATISTICS SUMMARY

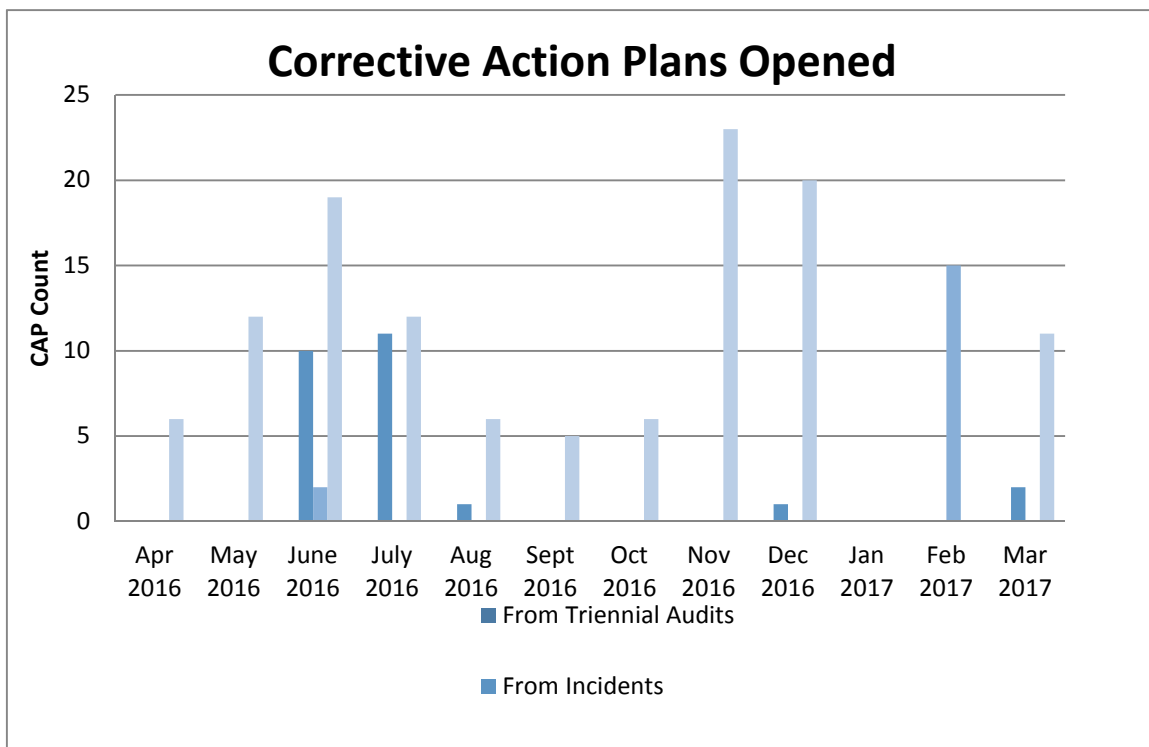
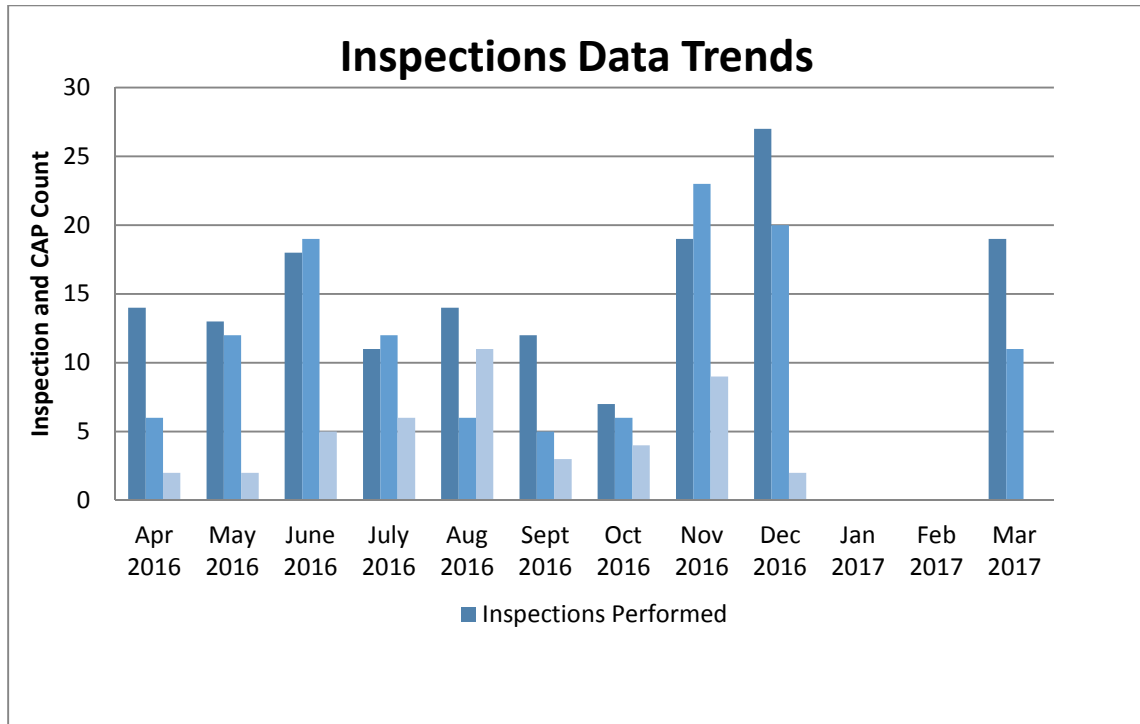
Investigations	
Incidents Reported	19
Incident Investigations Closed	35
Complaints Investigated	0
Rail Transit Inspections	19
Triennial Audits	0

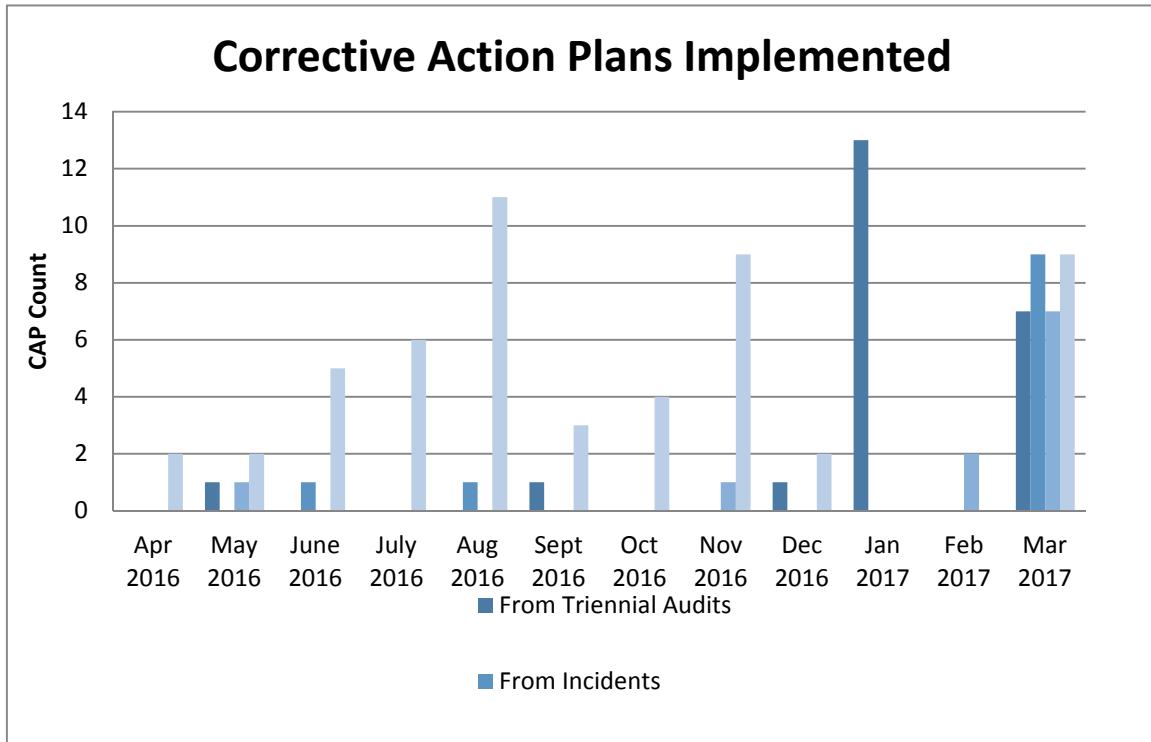
Corrective Action Plans	
New Corrective Action Plans	13
From Triennial Audits	0
From Incidents	2
From Internal Safety/Security Audits	0

From Rail Transit Inspections	11
Closed Corrective Action Plans	32
From Triennial Audits	7
From Incidents	9
From Internal Safety/Security Audits	7
From Rail Transit Inspections	9

ONGOING DATA / TRENDS







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