



California Public Utilities Commission

Safety Action Plan and Regulatory Strategy

Implementation of the Safety Policy Statement

Contents

Introduction	2
Background	2
2015 Work-Plan	3
Safety Compliance and Enforcement Activities.....	5
Action Item 1: Implement Enforcement Case Tracking and Program Performance Reporting.....	5
Action Item 2: Enforcement Policy and Delegation of Authority to Staff.....	6
Risk Management Activities	7
Action Item 3: Implement CPUC Incident Command System	7
Action item 4: Implement Staff “Safety Flag” System	8
Action item 5: Implement a Staff Cybersecurity Team	9
Safety Policy Activities.....	9
Action Item 6: Formalize Safety Advocacy and Advisory Roles	10
Action Item 7: Require Applicants to Include Relevant Safety Information	11
Safety Promotion Activities	12
Action Item 8: Safety Awareness	13
Next Steps	14
Appendix:	15

Introduction

The California Public Utilities Commission’s (CPUC) goal is to ensure that Californians receive safe, reliable utility service and infrastructure at reasonable rates, with a commitment to environmental enhancement and a healthy California economy.

In July 2014 we adopted a Safety Policy Statement.¹ This policy statement further clarified the CPUC’s overall safety strategy.

The recommendations given in this document and the work plan to fulfill them are made with the underlying intent to fully integrate safety in all aspects of our work, and are based on the following four functional areas or safety management “pillars”:

Ultimately, we are striving to achieve a goal of zero accidents and injuries across all the utilities and businesses we regulate, and within our own workplace.
- CPUC Safety Policy Statement

- I. **Safety Compliance and Enforcement:** Audit, investigation and penalty assessment activities
- II. **Risk Management:** Risk assessment and risk mitigation strategies
- III. **Safety Policy:** Commission decision-making and development of rules and regulations
- IV. **Safety Promotion:** Communication, collaboration and outreach

The Safety Policy Statement asked staff to prepare a work plan with priorities and clear and measurable goals and objectives in order to continue to improve safety enforcement and compliance. To that end, this document serves as the CPUC’s 2015 work-plan.

Background

Currently, the CPUC has over 25 different General Orders to enforce safety rules in rail, electricity, gas, passenger carriers and household goods carriers, telecommunication, and water. Additionally, the CPUC is responsible for implementing and ensuring compliance with over 160 Public Utilities Code sections focused on safety for rail, electricity, gas, passenger carriers and household goods carriers, telecommunication, and water. In some programs, such as natural gas and rail safety, the CPUC staff also enforces Federal laws and regulations. Existing safety rules for the gas industry, for example, include design, construction, maintenance, operation, and emergency response of natural gas transmission, distribution, and storage facilities; background checks for certain employees of core gas transport agents; and ensuring that mobile home park operators and propane operators comply with federal safety standards.²

Safety regulation has always been a core function of the CPUC’s mission, but in recent years, this function has been profoundly challenged. The Commission is dedicated to developing a leading safety

¹ <http://www.cpuc.ca.gov/puc/>. The safety policy statement can be found on the CPUC website under “special interest”.

² Appendix includes all of the existing codes and general orders for the industries regulation by the CPUC.

program. In furtherance of this goal, the Commission has made substantial improvements in this area in the last four years. Since 2010, the Commission has implemented a series of changes to renew and enhance its focus on safety³. Nevertheless, significant issues remain. This report documents the agency's commitment to further safety program improvements and outlines key activities that the organization will take in 2015 to achieve our safety goals.

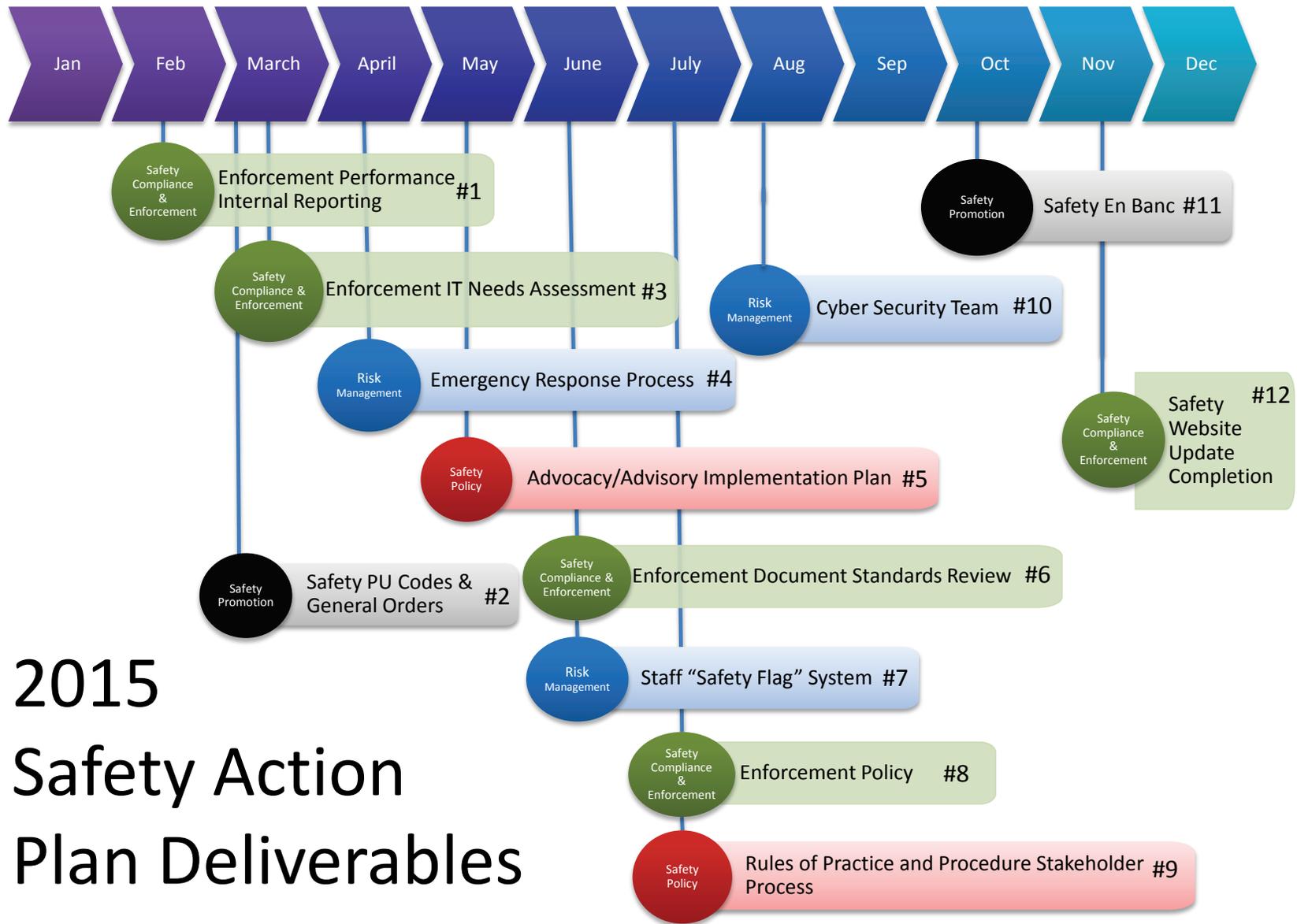
2015 Work-Plan

In this section, we recommend eight actions to further improve effectiveness of Commission's safety program by making improvements across four safety management pillars. Our goal is to utilize the existing laws, rules, general orders, and regulations and to continue the momentum of our ongoing safety activities. While these action items are not exhaustive, they will continue our trajectory to further promote safety and achieve excellence. The eight near-term actions are:

1. Implement Enforcement Case Tracking and Program Performance Reporting (*Safety Compliance & Enforcement*)
2. Target Enforcement Policy and Delegation of Authority to Staff (*Safety Compliance & Enforcement*)
3. Implement CPUC Incident Command System (*Risk Management*)
4. Implement Staff "Safety Flag" System (*Risk Management*)
5. Implement a Staff Cybersecurity Team (*Risk Management*)
6. Formalize Safety Advocacy and Advisory Roles (*Safety Policy*)
7. Require Applicants to Include Relevant Safety Information (*Safety Policy*)
8. Safety Awareness (*Safety Promotion*)

Each action has specific deliverables, an assigned lead accountable for its completion, and a specific completion date.

³ <http://www.cpuc.ca.gov/PUC/safety/> Details of changes are outlines in the reports on progress on the National Transportation Safety Board (NTSB) and Independent Review Panel (IRP) recommendation.



2015 Safety Action Plan Deliverables

Safety Compliance and Enforcement Activities

The Safety Compliance and Enforcement functional area of safety management includes actions and mechanisms to ensure adherence to safety rules and policies, as well as specifications for identifying and correcting violations of those rules. The Commission staff performs several hundred audits and investigations a year, which lead to enforcement actions ranging from staff citation to formal Commission adjudicatory proceedings. Compliance and enforcement programs have undergone significant changes in the last four years, including:

- Splitting of the Utility Safety and Reliability (USRB) organization into Electric Safety and Reliability Branch (ESRB) and Gas Safety and Reliability Branch (GSRB)
- Increasing staffing levels in utility safety programs from 25 people in 2010 to over 70 people in 2014
- Initiating new oversight programs relating to public awareness, risk assessment, transmission and distribution integrity management, damage prevention, control room management and electric substation safety
- Adopting a Pipeline Safety Enhancement Program for natural gas transmission pipeline integrity assurance
- Developing new natural gas audit and investigation processes, launched in January 2015
- Introducing a whistleblower program, which allowing for anonymous reporting of safety concerns
- Establishing citation programs in natural gas, electric and rail safety programs
- Splitting the Rail Transit and Crossing Branch into the Rail Transit Safety Branch and the Rail Crossings and Engineering Branch
- Hiring two railroad bridge inspectors, the first in the nation for any state
- Establishing a “Crude Oil Reconnaissance Team,” for railroad crude-oil shipments

In addition to continuing these efforts, the Commission will undertake a new initiative to formalize the overall enforcement policy and clarify the delegation of authority to staff.

Action Item 1: Implement Enforcement Case Tracking and Program Performance Reporting

Different organizations within the Commission perform various compliance and enforcement activities on topics including resource adequacy (RA), renewable portfolio standard (RPS), California Environmental Quality Act (CEQA), telecommunication cramming and slamming, household goods carriers, railroad operating rules, and mobile home park gas safety, just to name a few. Each program that performs enforcement has developed its own set of processes and tools, which vary dramatically from one program to the next. Utility safety programs alone have nearly ten different databases to track different types of audits and incidents, some of which depend on old or outdated software. While the utility safety program has a project underway to get better tools, this is illustrative of challenges experienced by enforcement programs.

In order to ensure consistency in the way that the CPUC monitors compliance and enforces rules and regulations, each enforcement program requires a foundational set of documented processes and supporting tools, such as:

- Training plans
- Standard operating procedures
- Templates for investigations, audits, and citations
- Databases and other searchable records of past and current activities
- Metrics, performance tracking, and reporting standards and guidelines
- A process for public release of information

Action Item 1

Lead Division Director: SED
Support Divisions: Legal, Admin
Deliverable #1: Performance Reporting
Due Date: February 2015
Deliverable #3: IT needs assessment
Due Date: March 2015
Deliverable #6: Review Enforcement Document Standards
Due Date: June 2015
Deliverable #12: Website Update
Due Date: November 2015

Currently, there are opportunities for improvement in all areas. For 2015, the safety program managers will focus on meeting the following goals and producing the corresponding deliverables:

- Improved performance reporting: The Safety and Enforcement Division (SED) Director will begin monthly reporting to the Executive Director on a set of basic metrics from currently available data (e.g. number of incident investigations open and closed). Expected completion: February 2015
- Increased IT support: SED will submit a needs assessment on the IT tools that enforcement programs need for more effective execution. Expected completion: March 2015
- More complete documentation of processes: SED will prepare and submit to the Executive Director an inventory of existing documented processes across all compliance and enforcement programs, identifying gaps and opportunities for improvement. Expected completion: June 2015
- Improve public access to compliance and enforcement information: SED (as lead), with assistance from Administrative Services and Legal Division will develop a process and guidelines for public release of information (e.g. what information needs to be redacted from incident reports prior to posting), including an updated Web site containing compliance and enforcement processes and results. Expected completion: November 2015

Action Item 2: Enforcement Policy and Delegation of Authority to Staff

This task consists of developing a high-level Enforcement Policy to provide the most value for enforcement and inspection dollars. The Enforcement Policy will improve the consistency and efficiency of CPUC enforcement and target appropriate enforcement tools to mitigate the most serious identified risks. This Enforcement Policy will also consider the administrative structure of safety-related enforcement within the Commission and make recommendations for

Action Item 2

Lead Division Director: SED
Support Divisions: Legal, ALJ
Deliverable #8: Enforcement Policy
Due Date: July 2015

structural reforms to improve the efficiency and consistency of enforcement. The Enforcement Policy will articulate:

- Policy goals of compliance and enforcement programs, and high-level strategy to achieve those goals
- Specific authority delegated to staff across for each enforcement program and criteria for determining enforcement actions
- Methods for using risk assessment of violations to target and scale enforcement
- Communication and information sharing standards for relationships between enforcement staff, regulated entities, official parties to a proceeding, and public stakeholders
- Relationships with federal, state, and local authorities with overlapping jurisdiction

The deliverable for this task is a draft Enforcement Policy for the Commissioners' consideration. The SED Director will be responsible for this deliverable, with participation and sign-off on the proposal from the Directors of ALJ and Legal Divisions. The proposal will be presented to the Commission in July of 2015.

Risk Management Activities

Risk management is a forward-looking activity with the purpose of identifying issues before they arise and implementing mitigating strategies. Risk management is a relatively new function for the Commission, but in the last four years key steps have been taken in this area, including:

- Establishment of Risk Assessment sections within utility and rail safety programs
- Assessment of risk management activities performed by regulated entities, such as for rate setting applications of Pacific Gas and Electric and Southern California Edison
- Re-structuring of General Rate Case procedures to include a new, specific Risk Assessment phase to analyze the safety implications of utilities' investment proposals
- Requiring utilities to develop and file Safety Model Assessment applications

In addition to continuing these efforts, the Commission will undertake two new initiatives.

Action Item 3: Implement CPUC Incident Command System

While the goal of the Commission is to prevent safety incidents from taking place, there is nevertheless a risk of major incidents and emergencies. In an emergency, the Commission has several roles, including:

- Initiating a staff investigation, which may include a presence in the field or monitoring of emergency response activities being undertaken by regulated entities
- Communication of information, including responding to press inquiries and addressing public concerns
- Working with state and local government representatives and addressing their concerns
- Partnering and sharing information with other State

Action Item 3

Lead Division Director: SED

Support Divisions: News and Public Information

[Deliverable #4: Emergency Response Action Protocols](#)

Due Date: April 2015

and Federal agencies

- Issuing emergency directives to regulated entities, such as requiring performance of a specific action
- Performing an after-action review, and reporting on emergency response performance

Any organization that has a role in emergency response will follow the National Incident Management System (NIMS) defined by the Federal Emergency Management Agency (FEMA) and have an emergency response plan that follows an Incident Command System (ICS) structure. Several individuals in SED management and staff in News and Public Information Office are certified NIMS and ICS. The Commission shall develop and adopt an emergency response plan that aligns with NIMS and ICS. The CPUC’s emergency response plan must be closely coordinated with the California Office of Emergency Services (CalOES) to ensure that the CPUC is appropriately aligned with the State’s other emergency response efforts.

SED will lead the development of the Commission’s emergency response plan, working closely with the News and Public Information Office and other Division Directors. In addition, the SED Director will propose appropriate emergency response training for those in Commission leadership positions, and will develop a continuous improvement plan for further enhancement of the Commission’s emergency response capabilities. The SED Director will submit the proposed Emergency Response plan to the Executive Director in April 2015.

Action item 4: Implement Staff “Safety Flag” System

The experience, expertise, and insights of CPUC staff throughout the organization – from engineers in the field to administrative assistants in the office – are key resources in the Commission’s risk assessment capacity. This expertise and insight must be nurtured and purposely sought out. Commission leadership will ensure that staff has both the channels of communication and the managerial permission and recognition to contribute their insight. CPUC shall develop and implement a safety system that empowers staff to voice concerns and suggestions based on their experience, as well as to create a culture of safety vigilance.

Action Item 4
Lead Division Director: Energy
Support Divisions: PPD, SED, ALJ
Deliverable #7: Staff “Safety Flag” System
Due Date: June 2015

The Commission has made significant efforts to harness the safety insight of staff, however opportunities for improvement remain. In particular, the Commission’s staff outside of SED report being unaware of channels to communicate and address safety concerns. There is a need to develop a process by which staff can effectively flag safety concerns and propose ideas for continuous improvement of the safety program.

Energy Division will take the lead in developing this “Safety Flag” system, with support to be provided by PPD, SED and ALJ divisions. Energy Division will develop and submit this system it to the Executive Director in June 2015.

Action item 5: Implement a Staff Cybersecurity Team

Cybersecurity remains an important topic for utilities and regulators to address, and is a key component to ensuring safe and reliable delivery of service. To help with addressing cybersecurity challenges, Commission Staff released a White Paper on this topic in September 2012 with recommendations and suggestions for future Commission action on this topic, yet developing a comprehensive plan for addressing cybersecurity remains lacking. That paper recommended the opening of a new Rulemaking to explore and identify cybersecurity best practices, to develop a cybersecurity strategy applicable to the regulated utilities, and to increase the use of risk management strategies, amongst other items. The first step in developing such a plan is to identify the appropriate Staff on this topic, including risk management.

Action Item 5

Lead Division Director: PPD

Support Divisions: ED, SED, ALJ

[Deliverable #10: Cybersecurity Team](#)

Due Date: August 2015

In February 2012, President Obama issued Executive Order 13636 directing the Federal government agencies to develop a Cybersecurity Framework for the identified critical infrastructures, which include Energy and Natural Gas, Water, and Communications. The result of that Executive Order was the “Framework for Improving Critical Infrastructure Cybersecurity” issued by the National Institute of Standards and Technology. The Framework relies on a risk-based approach to cybersecurity and provides input to companies to help with their risk management activities. More recently, both the Department of Energy and the Federal Communications Commission have either released or will short release documents to help guide companies on how to use the Framework. These efforts are important to help our utilities better manage cybersecurity risks, and is important for the Commission to better understand the use by our utilities to ensure the reliable and cost-effective delivery of service.

PPD will take the lead identifying staff across the Commission with interest and expertise in this topic, and begin to outline a strategy for Commission action on cybersecurity. Cybersecurity is not limited to energy, and this Staff working group may include representatives from Communications and Water, as well as SED.

Safety Policy Activities

The Safety Policy functional area of safety management includes Commission’s decision-making activities, such as creating and modifying General Orders, considering Applications by regulated entities and otherwise providing direction to industry and Commission staff. Over the last several years, the Commission has taken several actions in this area, including:

- Adopting a CPUC Safety Policy Statement
- Adopting several of the most stringent natural gas pipeline safety rules in the nation, including a commitment to eliminating the grandfathering of historical pressures levels
- Establishing first of their kind regulations for transportation network companies
- Re-structuring of General Rate Case procedures to include a new, specific Risk Assessment phase to analyze the safety implications of utilities’ investment proposals

- Commitments by each Commissioner to certify through his/her signature that safety is properly addressed in all Scoping Memos and will be fully considered in all Proposed Decisions

This year, the Commission will undertake two new initiatives to further improve how safety is incorporated in the decision-making process.

Action Item 6: Formalize Safety Advocacy and Advisory Roles

One of the more powerful ways that Commission staff can act to ensure safety information is adequately considered in a proceeding is to become an official party to the proceeding (i.e. an “advocate”). As advocates, selected CPUC staff can submit testimony and comments directly into the official record, and can spur deeper engagement by other parties. At the same time, decision-makers at the CPUC – Commissioners and assigned Judges – need timely, expert advice from Commission advisory staff on a diverse range of subjects. Complicating matters, there are various restrictions under California law and CPUC practice on staff acting in both an advisory and advocacy capacity in the same proceeding.

Action Item 6
 Lead Division Director: SED
 Support Divisions: Legal, ALJ, PPD
Deliverable #5: Implementation Proposal
 Due Date: May 2015

Currently, whether, when, and how Commission staff take an advocacy position in a proceeding is decided on a case-by-case basis. Advisory staff report feeling like they don’t have formalized or consistent lines of communication to bring safety issues to decision-makers, both inside and outside of proceedings, and may lack the resources they need to offer safety advice. Staff and decision-makers alike may be confused by the shifting roles, and staff face challenges in managing the necessary “firewalls” on communications between advisory staff, advocacy staff, and decision-makers within the CPUC, as well as with external parties. Lastly, Commission Divisions, and even programs within Divisions, often function in silos, dampening the sharing of information, expertise, and insight.

Instead of the current ad hoc assumption of an advocacy role by staff within Safety and Enforcement Division (SED), and ad hoc mechanisms for soliciting advisory functions, the Commission should create a structure to support more frequent, consistent, and powerful advocacy to ensure that safety positions are effectively litigated, and at the same time ensure that timely, expert staff advice is consistently provided to Judges and Commissioners.

The formalization of Safety Advocacy functions should examine:

- Criteria for when and how CPUC staff should intervene as an official party in different types of proceedings with significant safety-related issues
- Whether to permanently designate staff, and if so, how to permanently designate staff, or even an independent arm of the Commission, with the primary purpose of advocating for safety in commission proceedings
- Other methods to provide substantive comments, testimony, cross-examination and briefs directly into a proceeding record to promote and enhance safety

The formalization of Safety Advisory functions should examine:

- Availability of expert safety advisory staff to support decision-makers, Industry Divisions, and Legal Division across all proceeding categories
- A process for consistently ensuring safety staff input into Scoping Memos and Proposed Decisions
- A clear separation from Safety Advocacy activities

In 2015, the first deliverable for this Action Item should be a staff proposal on how to formalize separate safety advocacy and safety advisory functions. The proposal will outline next steps for implementation, with further actions to be taken in 2015 and thereafter. The SED Director is responsible for this deliverable, with participation and sign-off on the proposal from the Directors of ALJ and Legal Divisions. The proposal will be presented to the Commission within 90 days.

Action Item 7: Require Applicants to Include Relevant Safety Information

Since 2010, the Commission has undertaken a number of steps to strengthen our regulatory decision-making process to advance our ongoing safety role. In the July 2014 Safety Policy document, the Commissioners committed to certifying through his/her signature that safety will be properly scoped in Scoping Memos and will be fully considered in Proposed Decisions as appropriate. We seek to build upon this concept. As discussed above, the CPUC is updating the General Rate Case Plan to include a safety risk assessment. This procedure addresses a past safety gap in one critical cornerstone of our regulatory oversight by requiring consideration of safety in General Rate Case proceedings.

Action Item 7
Lead Division Director: ALJ
Support Divisions: Legal, SED
Deliverable #9: Stakeholder Process Launch
Due Date: July 2015

Consistent with this approach, we will demand the same level of attention to safety in utility applications and filings.

Parties to formal proceedings are essential to developing a complete record to ensure informed decisions on the safety and reliability impacts of proposals, particularly those involving changes to system infrastructure and services. The CPUC, as the regulator, must ensure that the consideration of all requests are fully balanced and recognize the inherent trade-offs between safety, reliability, and affordability. To accomplish this, we intend to explicitly include the following safety-related steps into the Commission's the formal decision-making process:

- Require all Applications (or other relevant formal proceeding vehicles) to include a detailed showing of relevant safety considerations.
- Through the Assigned Commissioner's scoping memo, determine how the proceeding will review safety issues pursuant to existing safety-related laws, rules, and regulations;

- Through the assigned Administrative Law Judge’s case management, ensure the development of a full and complete record regarding safety issues through the receipt of comments, testimony, and briefs; and
- Specifically address relevant safety issues in Proposed Decisions.

Requiring detailed safety information in Applications can be accomplished through a proposed change to the Commission’s Rules of Practice and Procedure. In order to become final, changes to our Rules of Practice and Procedure must be developed in a Rulemaking proceeding, adopted by a vote of the Commission, and approved by the state Office of Administrative Law. By proposing to modify our Rules of Practice and Procedure, we commit to ensuring that a full record is developed on the safety implications of our decisions. Because safety is a key consideration in every major aspect of our work, this potential added work will yield multiple benefits. If the applicant does not determine there to be any relevant safety issues, and if Protestants or commenters to the application do not flag any relevant safety matters, the Administrative Law Judge is empowered to inquire further about potential safety impacts. Unless this multi-level inquiry reveals that there are no safety-related considerations, the Proposed Decision will explicitly address the safety impacts of the proceeding and recommend appropriate actions in response.

Safety Promotion Activities

The Safety Promotion functional area of safety management includes communication on safety issues with the public, collaboration with other agencies and organizations and outreach to safety experts to exchange lessons learned and best practices. Some of the Commission’s recent activities in this area include:

- Engaging with University of California, Berkeley Center for Catastrophic Risk Management (CCRM) on the safety management project
- Hosting a National Aeronautics and Space Administration (NASA) executive in a discussion on safety reporting systems
- Conducting a workshop on the physical security of electric infrastructure
- Attending presentations from Gas Technology Institute (GTI) on research and development in the area of natural gas safety
- Joining the Gas Piping Technology Committee at the American Gas Association
- Participation in the Operation Lifesaver[®] program to educate the public about the dangers of being on rail tracks

In 2015, the Commission will continue to reach out to safety experts across the industries and will also begin hosting an annual Safety En Banc.

Action Item 8: Safety Awareness

The CPUC is endeavoring to advance its safety culture. Such culture change should permeate our internal efforts. As outlined in this document, the CPUC has already undertaken a number of steps to further integrate safety into its everyday practice. As part of understanding the safety story, the CPUC’s decision-makers need to monitor and ultimately hold accountable the senior leadership of each regulated entity. Providing safe and reliable infrastructure and service should be a point of pride for every single regulated entity, and it should be a cornerstone of oversight for the Commissioners and the staff. Safety is not contained to any one proceeding or any one decision; proper safety oversight should infuse all aspects of our operations. In order to provide a forum to discuss

Action Item 8

Lead Division Director: PPD
Support Divisions: SED, Legal
Deliverable #11: Host first en Banc
Due Date: October 2015
Deliverable #2: Safety Rules Awareness Campaign
Due Date: March 2015

emerging and cross-cutting safety and consumer protection trends across industries, the Commission will hold an annual En Banc on safety in the industries that we regulate. This should be an interactive forum that includes a discussion of each company’s emerging safety-related priorities, status of ongoing safety mitigation efforts, and detail the previous year’s safety performance.

The content and agenda of the Safety En Banc is likely to evolve over time. In addition to hearing from the regulated utilities at the forum, the Executive Director shall report on the status of each recommendation outlined in this work-plan and also make future recommendations for action items to fulfill the CPUC’s ongoing safety efforts. The Commission will host the first Safety En Banc in October 2015.

As illustrated in the Appendix to this Work Plan, the Commission has over 160 existing safety rules in the California Public Utilities Code and 25 Commission General Orders (GOs). These codes and GOs form the foundation of the Commission’s safety-related work. These rules provide the Commission and Commission staff with the direction and authority to assure the safe operation of public utilities in the rail, electricity, gas, passenger and household goods carriage, video franchising, and water industries. In addition, the Public Utilities Code contains provisions addressing Commission authority and administrative procedures, designed to strengthen the Commission’s safety-related work and assure an effective response to natural disasters. In an effort to make all staff aware of these existing safety codes and GOs the Commission will hold an awareness campaign. The intent is to educate all of us in how these rules should be applied. We will organize the first forum in March 2015.

Next Steps

After the adoption of the Safety Management Strategy and Action Plan, the Commissioners delegate to the Executive Director authority to revise the plan as appropriate. The Executive Director will work with the Divisions identified in the work plan to ensure timely completion of all action items. The Executive Director will also provide quarterly updates on the Action Plan and associated activities at Commission voting meetings.

The Work-Plan for 2015 and its twelve deliverables are guided by the four pillars that should define this Commission's regulation of safety. As stated in the introduction these four pillars are as follows:

- I. **Safety Compliance & Enforcement:** Audit, investigation and penalty assessment activities
- II. **Risk Management:** Risk assessment and risk mitigation strategies
- III. **Safety Policy:** Commission decision-making and development of rules and regulations
- IV. **Safety Promotion:** Communication, collaboration and outreach

Appendix:

Existing Safety Rules

The existing safety rules in the California Public Utilities Code and in Commission General Orders (GOs) form the foundation of the Commission's safety-related work. These rules provide the Commission and Commission staff with the direction and authority to assure the safe operation of public utilities in the rail, electricity, gas, passenger and household goods carriage, video franchising, and water industries. In addition, the Public Utilities Code contains provisions addressing Commission authority and administrative procedures, designed to strengthen the Commission's safety-related work and assure an effective response to natural disasters.

These rules, grouped by industry, are listed below.

RAIL

The numerous safety rules applicable to the rail industry include: construction, maintenance, and operational rules for rail systems; rules governing the transportation of hazardous materials by rail; inspection intervals; rules to protect rail workers on the job and prevent distracted train operation; and rules to protect drivers and pedestrians at rail crossings and rail property.

Construction, Maintenance, and Operation

General Orders

- GO 26-D: Clearances between railroads and overhead and adjacent structures, parallel tracks and street crossings.
- GO 33-B: Concerning the construction, reconstruction, maintenance and operation of railroad interlocking.
- GO 118-A: Construction and maintenance of walkways adjacent to railroad tracks, including vegetation management.
- GO 127: Maintenance and operation of automatic train control for rapid transit systems.
- GO 143-B: Concerning the design, construction, and operation of light rail transit systems.
- GO 164-D: Rules governing the state safety oversight of rail fixed guide way systems.

Public Utilities Code

- Section 315: Provides the Commission authority to investigate accidents.
- Section 771: Provides the Commission authority to enter the property of any utility.
- Sections 761, 768: Provides the Commission rulemaking authority over utilities regarding infrastructure, maintenance, operations.
- Sections 7653 – 7663: Operational requirements, signage and reporting of accidents.
- Sections 7665 through 7667: Require the Commission to consult with the Director of Emergency Services concerning rail operators' annual infrastructure protection programs, and permits the Commission to order changes as necessary.

- Sections 7710 through 7727: Require the Commission to take specific steps to reduce railroad accidents, including analyzing “near miss” data and filing annual reports to the Legislature on hazardous railroad lines.

FRA Regulations

Title 49 CFR:

- Part 213: Track Safety Standards
- Part 215: Railroad Freight Car Safety Standards
- Part 217: Railroad Operating Rules
- Part 218: Railroad Operating Practices
- Part 219: Control of Alcohol and Drug Use
- Part 220: Railroad Communications
- Part 221: Rear End Marking Device
- Part 225: Railroad Accidents/Incidents
- Part 228: Hours of Service
- Part 229: Railroad Locomotive Safety Standards
- Part 231: Railroad Safety Appliance Standards
- Part 232: Brake System Safety Standards
- Part 233: Signal Systems Reporting Requirements
- Part 234: Grade Crossing Safety
- Part 236: Signal and Train Control Systems
- Part 237: Bridge Safety Standards
- Part 238: Passenger Equipment Safety Standards
- Part 240: Locomotive Engineer Certification
- Part 242: Conductor Certification

Transportation of Hazardous Materials By Rail

General Orders

- GO 161: Rules pertaining to the transportation of hazardous materials by rail.
- 49 CFR Parts 171 – 174, 178 – 180: Requirements for shipping hazardous material by rail.

Public Utilities Code

- Sections 7671 through 7673: Require railroads transporting hazardous materials to provide officials (including the Commission) with system maps showing possible hazards along the route, and with annual reports containing emergency handling guidelines.

Inspection Intervals

Public Utilities Code

- Section 309.7: Specifies inspection intervals for Class I railroads in California.

Protecting Rail Workers and Preventing Distracted Operation

General Orders

- GO 172: Rules governing the use of personal electronic devices, intended to prevent distracted operation by rail transit employees.
- GO 175: Rules governing the protection of rail transit employees who work on the track.
- 49 CFR Part 214: Railroad Workplace Safety.
- 49 CFR Part 227: Occupational Noise Exposure.

Protecting Pedestrians and Drivers at Rail Crossings and Rail Property

General Orders

- GO 72-B: Construction standards for railroad grade crossings.
- GO 75-D: Warning devices at railroad grade crossings.
- GO 88-B: Rules for altering railroad grade crossings.
- GO 145: Standards for exemptions from the “mandatory stop” requirements at railroad grade crossings.

Public Utilities Code

- Section 778: Requires the Commission to adopt rules and regulations pertaining to the safety of rail transit services operating at grade level and in vehicular traffic.
- Section 1202: Grants the Commission the exclusive power to maintain safety at public railroad crossings by, e.g.: closing or moving crossings, mandating the use of safety equipment, and/or requiring grade separation.
- Section 7537: Grants the Commission authority over private crossings.

ELECTRICITY

Safety rules applicable to the electric industry include: construction, maintenance, and operational standards for electric generation and distribution facilities; emergency preparedness; inspection intervals; and background checks of certain employees of electric service providers.

Construction, Maintenance, and Operation

General Orders

- GO 95: Rules related to overhead electric and communications line construction.
- GO 128: Construction standards for underground electric and communications facilities.
- GO 167: Maintenance and operation standards for electric generating facilities.
- GO 174: Rules governing the design, construction and maintenance of electric substations.

Public Utilities Code

- Section 316: Requires that electrical corporations cooperate fully with Commission investigations into major accidents or reportable incidents involving overhead electrical facilities.
- Sections 8026 through 8038: Engineering and clearance standards for overhead electrical lines.
- Sections 8051 through 8057: Engineering and clearance standards for underground electrical lines.

Emergency Preparedness

General Orders

- GO 166: Standards to insure that electric utilities are prepared for emergencies and disasters in order to minimize damage and inconvenience to the public.

Public Utilities Code

- Section 768.6: Requires the Commission to establish standards for emergency preparedness plans for water companies and electrical corporations.

Inspection Intervals

General Orders

- GO 165: Inspection cycles for electric distribution facilities.

Background Checks

Public Utilities Code

Section 394: Requires fingerprint-based background checks of the owners, partners, officers, and directors of electric service providers.

GAS

Safety rules for gas industry include: design, construction, maintenance, operation, and emergency response of natural gas transmission, distribution, and storage facilities; background checks for certain employees of core gas transport agents; and ensuring that mobile home park operators and propane operators comply with federal safety standards.

Design, Construction, Maintenance, Operation, and Emergency Response

General Orders

- GO 58-A: Standards for natural gas service, including, e.g., gas pressure, pressure testing, and maintenance and operation of facilities.
- GO 94-B: Design, construction, inspection, operation and maintenance of gas storage vessels.
- GO 112-E: Design, construction, maintenance and operation of gas tethering, transmission, and distribution piping systems.

Public Utilities Code

- Sections 950 through 970, including the Natural Gas Pipeline Safety Act of 2011, establish specific safety and emergency response standards for intrastate gas pipelines.

Background Checks

Public Utilities Code

- Section 980: Requires fingerprint-based background checks of the owners, partners, officers, and managers of core gas transport agents.

Compliance with Federal Safety Standards

Public Utilities Code

- Sections 4351 through 4361: Require that the Commission ensure mobile home park operators comply with federal gas pipeline safety standards.
- Sections 4451 through 4465: Require that the Commission ensure propane operators comply with federal propane distribution safety standards.

PASSENGER CARRIERS AND HOUSEHOLD GOODS CARRIERS

Safety rules applicable to the passenger carrier and household goods carrier industries include rules designed to ensure vehicle safety, driver safety, and roadway safety, including background checks, vehicle maintenance programs, and safety education programs for drivers.

General Orders

- GO 157-D: Operations of charter party passenger carriers.
- GO 158-A: Operations of passenger stage corporations.

Public Utilities Code

- Sections 1032, 1032.1: Require that passenger stage corporations comply with certain safety requirements, including: vehicle maintenance, safety education programs for drivers, hours of service rules, mandatory alcohol and controlled substance testing, and driving records checks.
- Sections 4000 through 4022: Require coordination between the Commission and the California Highway Patrol concerning shared authority over the safety-related regulation of private carriers of passengers.
- Section 5135: Requires fingerprint-based background checks of the owners, partners, officers, and directors of household goods carriers.
- Sections 5351 through 5393: Rules concerning the registration, operation, and safety of charter party carriers.

TELECOMMUNICATIONS

Safety rules for the telecommunications industry cover standards for telecommunication service, connection of customer equipment to the communications network, and background check requirements specifically for telecommunication corporations and video franchise holders.

Construction, Maintenance, and Operation

General Orders

- GO 95: Rules related to overhead electric and communications line construction.
- GO 128: Construction standards for underground electric and communications facilities.
- GO 133c: Standards for telecommunications service
- GO 138: Rules for the connection of customer-provided equipment attached to telephone company systems shall not present a hazard to the company's systems or employees or to the communications network or its users.
- GO 159a: Construction goals of cellular radiotelephone facilities in California to ensure the public health, safety, welfare, and zoning concerns of local government are addressed.

Public Utilities Code

- Section 768.5: Permits the commission to require every cable television corporation to construct, maintain, and operate its plant, system, equipment, apparatus, and premises in such manner as to promote and safeguard the health and safety of its employees, customers, and the public, and may prescribe, among other things, the installation, use, maintenance, and operation of appropriate safety or other devices or appliances, establish uniform or other standards of construction and equipment, and require the performance of any other act which the health or safety of its employees, customers, or the public may demand.
- Section 5880: Requires holders of state franchises to comply with the Emergency Alert System requirements of the Federal Communications Commission in order that emergency messages may be distributed over the holder's network.

Background Checks and Employee Identification

Public Utilities Code

- Section 708: Requires every electrical, gas, and telephone corporation to issue to every employee who, in the course of his or her employment, has occasion to enter the premises of customers or subscribers of the corporation an identification card in a distinctive format having a photograph of the employee and to require every employee to present the card upon requesting entry.
- Section 5910: Requires state video franchise holders to perform background checks of job applicants as well as contractors and vendors.
- Section 7910: Requires telephone corporations to perform background checks of job applicants as well as contractors and vendors.

WATER

Safety rules applicable to water companies under the Commission's jurisdiction include water quality, and emergency preparedness

General Orders

- GO 103-A: Rules concerning water and wastewater service, e.g., construction standards and water quality.

Public Utilities Code

- Section 768.6: Requires the Commission to establish standards for emergency preparedness plans for water companies and electrical corporations.

Administrative

The Public Utilities Code directs the Commission to take steps necessary to ensure that its personnel and administrative processes maximize safety, and to prepare for natural disasters and energy shortages.

- Sections 768, 768.5: The Commission has broad authority to require that public utilities and cable companies take actions designed to protect the health and safety of employees, passengers, customers, and the public.
- Section 315: Authorizes the Commission to investigate all accidents related to public utility maintenance or operation occurring on public utility property that result in death, injury, or property damage.
- Section 765.5: Requires the Commission to take particular steps in order to ensure the safe operation of railroads, including maintaining adequate resources and staffing levels, and performing targeted inspections.
- Section 308.5: Specifies the conditions under which SED investigators and supervisors may act with the authority of peace officers, with the power to issue warrants and make arrests under the Penal Code.

- Section 2772: Requires that the Commission establish priority customers and priority uses of electricity and gas, to be used when service curtailment is necessitated by electricity or gas shortages.
- Section 311: In the event of an emergency, the Commission is permitted to waive the 30 day review period for proposed decisions, and to make changes to its Rules of Practice and Procedure without prior approval from the Office of Administrative Law.
- Section 325: Directs the Commission to have procedures in place to plan for the long-term recovery of utility facilities and operations after a declaration of emergency by the President of the United States.
- Section 708: Every electrical, gas, and telephone corporation is required to issue photo IDs to every employee who enters customer premises.