

PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
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May 6, 2016

Agenda ID #14881
Quasi-legislative

TO PARTIES OF RECORD IN INVESTIGATION 15-06-008:

This is the proposed decision of Commissioner Florio. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's June 9, 2016 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

/s/ DOROTHY DUDA for
Karen V. Clopton, Chief
Administrative Law Judge

KVC:ek4
Attachment

Decision **PROPOSED DECISION OF COMMISSIONER FLORIO**

(Mailed 5/6/16)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation for the Purpose of Establishing a List for the Fiscal Years 2016-2017 and 2017-2018 of Existing Crossing At Grade of City Streets, County Roads or State Highways in Need of Separation, or Existing Separations in Need of Alterations or Reconstruction in Accordance with Section 2452 of the Streets and Highways Code.

Investigation 15-06-008
(Filed June 11, 2015)

DECISION ESTABLISHING THE CALIFORNIA GRADE SEPARATION FUND PRIORITY LIST FOR FISCAL YEAR 2016-2017

Summary

This decision establishes the California Grade Separation Fund Priority List for Fiscal Year 2016-2017, as required by Streets and Highways Code Section 2452. In accordance with our adopted procedure, we order Investigation 15-06-008 to remain open until we issue our final decision establishing the California Grade Separation Priority List for Fiscal Year 2017-2018.

1. Background and Introduction

We initiated this proceeding by issuing Order Institution Investigation (I.) 15-06-008 on June 11, 2015, to create the California Grade Separation Program Priority Lists (Priority Lists) for Fiscal Years (FY) 2016-2017 and 2017-2018. The Priority Lists establish the relative priorities for allocation of funds to qualified projects for eliminating or altering hazardous railroad crossings under Streets and Highways (S&H) code § 2450 *et seq.* These projects include construction of new grade separations to replace existing at-grade crossings, or alteration or reconstruction of existing grade separations. Section 190 of the S&H Code requires the State's annual budget to include \$15 million for funding these projects.

S&H Code § 2452 requires the California Public Utilities Commission (CPUC or Commission) to establish a priority list for projects and furnish it to the California Transportation Commission (CTC) by July 1st of each year for use in the fiscal year beginning on that date. The CTC is responsible for allocating (distributing) the funds to qualified projects, a responsibility it has delegated to the California Department of Transportation (CalTrans).¹

Every two years, the Commission issues a new Order Instituting Investigation (OII), in which it determines the priority list for the next two FYs. The Commission adopts the priority list for the first FY by interim decision issued before that FY begins. The Commission then revises the priority list for the second FY by deleting projects for which funds were actually allocated in the first, adopting a revised priority list by final decision before the second FY

¹ S&H Code § 2453

begins. The two-year funding cycle begins again with the issuance of a new OII for the creation of a new priority list for the following two FYs.

Our procedure also requires local agencies to furnish planned grade separation project nominations to this Commission in response to an announcement made a year prior to the cycle. The Commission reviews each nominated project to ensure that it is eligible for the California Grade Separation Program and holds a series of hearings so that nominating agencies may present each proposal, answer questions about its content, and confirm its accuracy. Attendance and participation in these hearings is mandatory for any project proponent. The Commission's Safety and Enforcement Division (SED) staff adjusts the draft priority list in accordance with evidence received at the hearings, and the list is presented to the Commission for adoption by interim decision.

The Priority List is a comparative evaluation of all qualified projects nominated and accepted for inclusion in this investigation, with the priority index value based on one of the two formulas that SED staff uses to rank projects, as published in Appendix 2 of I.15-06-008: one formula for crossings nominated for separation or elimination, and the other for existing grade separations in need of alteration or renovation. The formulas incorporate crossing inventory and accident data submitted in the nomination forms and verified by SED staff. SED staff reviews each application for qualification and creates the prioritized list from the nomination data entered into a Microsoft Excel spreadsheet that calculates the priority index value for each project. Appendix A of this decision shows the 2016–2017 Priority List, by project, in ranking order.

2. Establishment of the Fiscal Year 2016-2017 Priority List

After I.15-06-008 was issued, SED notified railroads, light rail transit agencies, cities, counties, and other interested parties that nominations were due by October 23, 2015, for grade separation projects proposed to be included in the current priority list. SED received a total of 38 timely submitted nominations for projects to be included in the current list. By ruling issued via electronic mail on December 17, 2015, the assigned Administrative Law Judge (ALJ) established a procedural schedule for the FY 2016-2017 part of the proceeding. After evaluating each nominated project, SED staff produced a preliminary Priority List on March 18, 2016, from the data furnished in the written nominations. The ALJ held hearings in San Francisco and Los Angeles on April 19, 2016 and April 21, 2016, respectively. At the conclusion of the hearings, the 2016-2017 Priority List was finalized by SED to include 38 nominations – all projects submitted were found to be qualified. As discussed above, the statutory procedure for creating the fiscal year 2016-2017 Priority List was properly followed, and all corrections to the draft were properly made. We therefore adopt the final priority list developed by SED without change for purposes of allocating funds in the California Grade Separation Fund (see Appendix A to this decision).

3. Categorization and Need for Hearing

This proceeding has been categorized as quasi-legislative. Hearings were held in accordance with our adopted procedure for establishing the biennial priority list.

4. Comments on Proposed Decision

The proposed decision of Commissioner Florio in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _____ by _____, and reply comments were filed on _____ by _____.

5. Assignment of Proceeding

Michel Peter Florio is the assigned Commissioner and Dan H. Burcham is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. Written notification of the opportunity to submit nominations for separation of existing railroad grade crossings, or alteration or reconstruction of existing separations, pursuant to S&H Code § 2451, was given to railroads, light rail transit agencies, cities, counties, and others on the service list compiled at the conclusion of the previous Priority List proceeding, and the notice advised them of the deadline to file a nomination for each grade separation project they sought to include in the FY 2016-2017 Priority List.
2. SED received a total of 38 timely-submitted nominations for projects to be included in the current list.
3. SED staff ranked all nominations accepted in this proceeding in priority, and the methodology utilized by SED to rank the nominations in priority order is that which we have adopted in I.15-06-008.
4. The 2016-2017 Priority List was finalized by SED to include 38 nominations.

5. The Priority List attached as Appendix A consists of projects that were received for the record, properly supported, and put in priority order by SED staff in accordance with our adopted methodology in this proceeding.

Conclusions of Law

1. Appendix A should be adopted as the FY 2016-2017 Priority List in this proceeding.
2. The effective date of the Interim Order must be no later than June 30, 2016, in order to comply with S&H Code § 2452.
3. This proceeding should remain open for the purpose of creating the Fiscal Year 2017-2018 Priority List.

O R D E R

IT IS ORDERED that:

1. Pursuant to California Streets and Highways Code Section 2452, the California Grade Separation Priority List attached as Appendix A is established for Fiscal Year 2016-2017 as the list, in order of priority, of projects which the Commission determines to be most urgently in need of separation, alteration, or reconstruction.
2. The Executive Director shall furnish certified copies of this decision to the California Department of Transportation and the California Transportation Commission by not later than July 1, 2016.
3. Investigation 15-06-008 must remain open until we issue our final decision.

4. Staff must take all necessary actions to establish the California Grade Separation Priority List for Fiscal Year 2016-2017 in a timely manner, as required by law.

This order is effective today.

Dated _____, at San Francisco, California.

Appendix A

California Grade Separation Program
Priority List

for Fiscal Year 2016 – 2017

I.15-06-008 Second Revised Proposed Grade Separation Priority List for FYs 2016-2017 and 2017-2018

Summary of Second Changes to I.15-06-008 Staff's FYs 2016-2017 and 2017-2018 Proposed Priority List

Rank	Agency	Crossing Location	PUC ID	DOT ID	TRN	Cost Share	Revisions
2	City of Burlingame	Broadway Avenue				5000	The cost share was changed from 10000 to 5000.
18	Orange County Transportation Authority (Santa Ana/Orange)	Santa Ana Boulevard			77		The TRN (train count) was changed from 7 to 77.
25	City of Ontario	Grove Avenue***	001B-521.40-B***				The PUC ID was changed from 001B-521.40B to 001B-521.40-B.
29	County of Kern (Bakersfield)	Renfro/Jenkins Roads; (Reina Road)**	(002-896.62)**	(028379W)**			The notations of TBD for the PUC ID and the DOT ID of Renfro/Jenkins Roads were deleted.
35	County of Kern (Bakersfield)	Airport Drive***	001B-309.60-B***				The PUC ID was changed from 001B-309.60B to 001B-309.60-B.
37	San Joaquin County (Acampo)	Lower Sacramento Road***	001BEL-65.94-B***				The PUC ID was changed from 001BEL-65.94B to 001BEL-65.94-B.

I.15-06-008 Second Revised Proposed Grade Separation Priority List for FYs 2016-2017 and 2017-2018

GRADE SEPARATION PRIORITY LIST FOR FISCAL YEARS 2016-2017 and 2017-2018 - By Rank

Rank	Agency	Crossing_Location	PUC ID	DOT ID	Railroad	VEH	TRN	LN	TRN	Cost Share	AH/WC	BD/HC	VS/SR	RS/AS	CG/POF	PT/AP	OF/DE	SCF/SF	Priority Index
1	City of Santa Fe Springs	Rosecrans/ Marquardt Avenues	002-157.80	027656A	BNSF	28406	112	0	5000	14	5	3	6	11	8	16	48	9593	
2	City of Burlingame	Broadway Avenue	105E-15.20	754879V	PCJX	36339	96	0	5000	4	2	0	6	8	10	11	37	3526	
3	City of Oxnard	Rice Avenue	001E-406.24	745855H	UPRR	35372	30	0	5000	11	1	5	5	7	4	11	33	2579	
4	Alameda Corridor-East Construction Authority (Industry)	Fullerton Road	003-21.40	810880T	UPRR	34432	51	0	5000	5	3	1	6	12	4	11	37	2144	
5	City of San Bruno and City of South San Francisco	Scott Street; South Linden Avenue	105E-10.60; 105E-10.20	754867B; 754866U	Caltrain	12143	101	0	5000	6	4	0	12	23	20	11	70	1787	
6	Orange County Transportation Authority (Santa Ana/Orange)	17th Street	101OR-174.70	026699P	SCRRA	33748	77	0	5000	2	3	2	6	11	10	8	40	1599	
7	City of Ontario	San Antonio Avenue	003-37.10; 001B-519.60	810893U; 746939G	UPRR; UPPR	9344	68	0	5000	6	3	1	4	8	4	11	31	921	
8	City of San Mateo	25th Avenue	105E-19.70	754910E	PCJX	13365	94	0	10000	6	1	1	6	9	10	10	37	916	
9	City of Shafter	Lerdo Highway	002-905.13	028390W	BNSF	9103	46	0	5000	7	2	1	6	11	4	9.5	33	703	
10	City of Mountain View	Rengstorff Avenue	105E-34.70	755013M	PCJX	20182	94	0	20000	5	2	1	6	11	10	14	44	613	
11	Alameda Corridor-East Construction Authority (Montebello)	Montebello Boulevard	003-8.53	811074G	UPRR	20687	45	0	5000	2	4	1	6	10	3	16	40	598	
12	Stanislaus County (near Modesto)	Claribel Road	002-1094.50	028755B	BNSF	11363	46	0	5000	4	3	3	6	4	4	13	32	555	
13	City of Stockton	West Lane	001BEL-82.14	752897L	UPRR	33370	30	0	4000	1	2	2	3	7	4	13	31	531	
14	Alameda Corridor-East Construction Authority (Industry)	Turnbull Canyon Road	003-17.20	810867E	UPRR	13654	25	0	5000	6	2	1	6	9	4	10	32	510	
15	City of Montclair	Monte Vista Avenue	001B-517.40; 003-35.00	746936L; 810896P	UPRR; UPRR	15090	73	0	5000	1	5	2	5	11	4	11	38	478	
16	Greater Bakersfield Separation of Grade District (Bakersfield)	Morning Drive; (Vineland Road)**	001B-317.50; (001B-318.50)**	757413M; (757413U)**	UPRR	19445	46	0	20000	7	5	6	10	19	0	13	53	411	
17	Alameda Corridor-East Construction Authority (Pico)	Durfee Avenue	003-10.30	811219R	UPRR	11214	38	0	5000	3	3	0	4	10	3	12	32	373	

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GRADE SEPARATION PRIORITY LIST FOR FISCAL YEARS 2016-2017 and 2017-2018 - By Rank

Rank	Agency	Crossing Location	PUC ID	DOT ID	Railroad	VEH	TRN	LTRN	Cost Share	AH/WC	BD/HC	VS/SR	RS/AS	CG/POF	PT/AP	OF/DE	SCF/SF	Priority Index
18	Orange County Transportation Authority (Santa Ana/Orange)	Santa Ana Boulevard	101OR-175.10	026702V	SCRRA	20655	77	0	5000	0	3	1	3	10	10	14	40	359
19	County of Los Angeles (Willowbrook)	El Segundo Boulevard	001BBH-492.60, 084L-10.40	747868R	UPRR, LACMTA	10357	3	168	5000	7	2	1	2	12	0	12	29	357
20	City of Bakersfield	Kratzmeyer Road	002-897.33	028380R	BNSF	3740	48	0	5000	7	3	4	6	7	4	11	34	336
21	City of Bakersfield	Truxtun Avenue; (Sumner Street, Baker Street, Tulare Street, Sonora Street)**	002-885.90; (002-885.40, 002-885.95, 002-886.20, 002-886.40)**	028284N; (028280L, 028285V, 028288R, 028289X)**	BNSF	25442	38	0	20000	4	22	8	0	39	0	15	83	325
22	Orange County Transportation Authority (Anaheim/Orange)	State College Boulevard	101OR-170.30	026652U	SCRRA	23620	61	0	5000	0	2	2	5	10	8	6	33	321
23	City of Ontario	Archibald Avenue	003-41.20	810911P	UPRR	11385	30	0	5000	2	2	2	6	13	4	9	36	241
24	City of Ontario	Campus Avenue	003-38.30;	810907A;	UPRR;	6888	68	0	5000	1	3	2	4	12	4	10	35	223
25	City of Ontario	Grove Avenue***	001B-520.70	746944D	UPRR	25384	38	0	5000	6	0	2	4	3	2	2	19	212
26	County of Kern (Bakersfield)	Olive Drive	001B-308.9	756945M	UPRR	18743	20	0	5000	1	2	3	5	10	0	11	31	181
27	City of Stockton	Alpine Avenue	001BEL-81.94	752898T	UPRR	18992	30	0	4000	0	2	2	0	12	3	11	30	172
28	City of Newark	Central Avenue	001L-31.10	749943G	UPRR	15470	39	0	5000	0	2	2	4	9	4	10	31	151
29	County of Kern (Bakersfield)	Renfro/Jenkins Roads; (Reina Road)**	(002-896.62)**	(028379W)**	BNSF	2030	48	0	5000	5	2	4	6	4	4	10	30	147
30	City of Ontario	Vineyard Avenue	001B-522.40	746960M	UPRR	11359	38	0	5000	0	2	3	4	8	1	13	31	117
31	County of Los Angeles (Palmdale)	Avenue S	101VY-66.92	750601D	SCRRA	32883	11	0	5000	0	1	5	3	8	3	11	31	103
32	County of Kern (Bakersfield)	Snow Road	001B-307.40	756948H	UPRR	9020	14	0	5000	2	1	3	4	5	0	11	23	99
33	County of Los Angeles (Lakeview)	Sierra Highway; (Barrel Springs Road)**	101VY-65.58; (101VY-65.77)**	750600W; (750644W)**	SCRRA	4340	14	0	5000	4	1	1	6	8	4	8	28	89
34	Alameda Corridor-	Maple Avenue	003-8.00	811076V	UPRR	5332	48	0	5000	0	3	0	6	10	4	12	35	86

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Rank	Agency	Crossing Location	PUC ID	DOT ID	Railroad	VEH	TRN	LTRN	Cost Share	AH/WC	BD/HC	VS/SR	RS/AS	CG/POF	PT/AP	OF/DE	SCF/SF	Priority Index	
	East Construction Authority (Montebello)																		
35	County of Kern (Bakersfield)	Airport Drive***	001B-309.60-B***	756943Y***	UPRR	24805	13	0	5000	0	0	0	0	2	2	2	6	70	
36	County of Kern (Bakersfield)	Rosedale Highway	103Q-113.20	029473N	SJVR	49500	5	0	5000	0	1	3	0	1	0	12	17	67	
37	San Joaquin County (Acampo)	Lower Sacramento Road***	001BEL-65.94-B***	752925M***	UPRR	4742	33	0	5000	10	4	5	1	5	4	2	31	62	
38	City of Brentwood	Lone Tree Way	001B-59.10	751831H	UPRR	11050	0	0	5000	0	0	3	5	7	0	7	22	22	

I.15-06-008 Second Revised Proposed Grade Separation Priority List for FYs 2016-2017 and 2017-2018
GRADE SEPARATION PRIORITY LIST FOR FISCAL YEARS 2016-2017 and 2017-2018 - By Rank

Note: *All calculated numbers are round to the nearest whole numbers for tabulating purposes.

**Any listed crossing within a pair of parentheses is proposed to be closed.

Note:

VEH – Average Daily Vehicle Traffic
LTRN – Average Daily Light Rail Train Traffic

TRN – Average Daily Freight/Commuter Train Traffic
Cost Share - Project Cost Share to be Allocated from the Grade Separation Fund (expressed in thousands)

Formula for Crossing Nominated for Separation or Elimination:

AH - Accident History
VS - Vehicular Speed Limit
CG - Crossing Geometrics
SCF - Special Conditions Factor
BD - Crossing Blocking Delay
RS - Rail Speed Limit
PT - Passenger trains
OF - Other Factors (e.g., Passenger Buses, School Buses, Hazmat Trucks, Community Impact)

***Formula for Existing Separations Nominated for Alteration or Reconstruction:

WC - Width Clearance
SR - Speed Reduction
POF - Probability of Failure
DE - Delay Effects
HC - Height Clearance
AS - Accidents near Structure
AP - Accident Potential
SF - Separation Factor

Railroad Abbreviations:

BNSF: The Burlington Northern Santa Fe Railway Company
LACMTA: Los Angeles County Metropolitan Transportation Authority
PCJX: Peninsula Corridor Joint Powers Board (**Caltrain/PCMZ**)
SCRRA: Southern California Regional Rail Authority (**Metrolink**)
SJVR: San Joaquin Valley Railroad
UPRR: Union Pacific Railroad Company