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**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

APPLICATION OF BNSF RAILWAY
COMPANY FOR AN ORDER GRANTING AN
EXEMPTION FROM THE REQUIREMENTS
OF GENERAL ORDER NO. 26-D NEAR
LENWOOD, STATE OF CALIFORNIA

CASE NO.
(Filed: August 23, 2016)

**APPLICATION OF BNSF RAILWAY COMPANY FOR AN ORDER GRANTING AN
EXEMPTION FROM THE REQUIREMENTS OF GENERAL ORDER NO. 26-D NEAR
LENWOOD, STATE OF CALIFORNIA**

JEREMY J. SCHROEDER, ESQ. – SBN 223118
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Dated: August 23, 2016

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APPLICATION

BNSF Railway Company (“BNSF” or the “Applicant”) hereby submits this application for an order from the Public Utilities Commission of the State of California (the “Commission”) granting BNSF an exemption from the requirements of General Order No. 26-D.

In support of this Application, BNSF states the following:

1. The full name and address of the Applicant is:

BNSF Railway Company
2650 Lou Menk Drive, MOB-2
P.O. Box 961057
Fort Worth, Texas 76161-0057

2. BNSF is a common carrier by rail engaged in the transportation of freight across the western two-thirds of the United States, including California.

3. BNSF wishes to install an Acoustic Bearing Detector System (“ABD”) adjacent to both main tracks on its Cajon Subdivision at Mile Post 5.8, in the vicinity of Lenwood, California.

The track at this location is tangent. The Cajon Subdivision is part of BNSF’s high volume

Southern Transcon route between Los Angeles, California and Chicago, Illinois. An average of roughly 2078 trains per month, including 2-3 Amtrak passenger trains per day pass by the site of the proposed installation.

4. The purpose of the ABD is to provide early detection of defective bearings on railcars passing by it at normal operating speeds. This is accomplished through use of an arrangement of multiple microphones, placed on both sides of the track, which record the sound produced by each bearing that passes by the ABD installation. These recordings are analyzed by computer equipment programmed to detect sound patterns indicative of a number of common bearing defects.

5. In the event that the ABD detects a defective bearing on a train passing by it, the ABD will issue an alert notice to the appropriate Mechanical Department location based on the alarm's severity and confidence levels. The inspection points nearest the proposed installation site are Barstow, California (Eastbound) and San Bernardino, California (Westbound). Upon the train's arrival at the Mechanical Department location notified of the defect, the bearing(s) which led to the alert being issued will be manually inspected by Mechanical Department personnel, with appropriate action to be taken based on the results of manual inspection.

6. In order to perform its function properly, the ABD must be installed at a distance of no less than 6 feet 5 ½ inches and no more than 10 feet 6 inches from the centerline of the track, on both sides of the track, facing the target track. As proposed, the ABD would be installed at 6 feet 11 inches from the target track. The centers of main track number one and main track number two are spaced 15 feet apart at this location. As a result, the back side of the ABD equipment placed between the two tracks will also be located approximately 6 feet 11 inches from the center line of main track number two. The height of the entire ABD assembly (including the support

structure) is approximately 20.9 inches above the top of the rail nearest the ABD. Diagrams depicting these dimensions are attached hereto as Exhibit A.

7. Section 3.2 of General Order No. 26-D imposes a general horizontal clearance requirement of 8 feet 6 inches from the center line of track. A number of exceptions for specific trackside structures such as platforms, switch machines, signal equipment, and bridges subject these to different horizontal clearance requirements, but none of these clearly encompasses wayside mechanical detector equipment like the ABD system. Therefore, the general clearance requirement prescribed in Section 3.2 – 8 feet 6 inches – applies to the ABD.

8. When positioned closer than 6 feet 5 ½ inches from the centerline of the track (in order to reduce or eliminate a clearance issue with the non-target track), the performance quality of the ABD diminishes greatly; additionally, the distance between the two tracks at this location also limits the distance at which the ABD can be installed from the track. Therefore, BNSF respectfully requests that the Commission grant an exemption from the requirements of General Order No. 26-D to allow the ABD to be installed approximately 6 feet 11 inches from the centerline of the target track and approximately 6 feet 11 inches from the centerline of the non-target track, as opposed to the otherwise required 8 feet 6 inches. The Commission is permitted to grant such relief pursuant to Section 16.2 of General Order No. 26-D.

9. BNSF is committed to the safe operation of its railroad network, and the ABD technology is one of a number of trackside detector systems available to BNSF for the purpose of detecting railcar problems and preventing en route failures. Other wayside detectors in use by BNSF are designed to evaluate brake shoe status, truck performance, and wheel performance, but the ABD is currently one of few technologies available to BNSF to effectively, automatically evaluate bearing status on moving trains.

10. In light of the foregoing, BNSF respectfully submits that it is in the public interest that BNSF be permitted to install the ABD at the proposed site. Further, BNSF requests the Commission approve BNSF's Application for an exemption from the clearance requirements of General Order No. 26-D in order to allow for installation of the ABD at a distance of 6 feet 11 inches from the centerline of the track.

11. BNSF has been in contact with representatives of both the UTU and BLET regarding this exemption application. During the week of January 25, 2016, BNSF Executive Director, State Government Affairs, Don Maddy, spoke with Tim Smith, Chairman, California State Legislative Board, BLET, and Mike Anderson, Assistant Legislative Director, California State Legislative Board, UTU, regarding this exemption application. Both advised Mr. Maddy they informed their local members in the Lenwood area, and had received no response, positive or negative. Both further noted that a lack of response doesn't indicate a lack of concern, but they were not planning any further action regarding this exemption application. In order to further allow the UTU and BLET an opportunity to comment, on or about March 31, 2016, Mr. Maddy forwarded a draft copy of this Application, asking for any comment by April 7, 2016. No comments were received by April 7, 2016, nor were any thereafter.

12. Rule 2.1(c) Scoping Memo Information:

- A. Category. This is a Quasi-Legislative Proceeding;
- B. Hearings are not necessary;
- C. Issues. Whether BNSF should be granted an exemption from the requirements of General Order 26-D so that it may install to Acoustic Bearing Detector System equipment adjacent to main track number one on its Cajon Subdivision at Mile Post 5.8, in the vicinity of Lenwood, California;

D. Schedule. Should the Commission decide to hold hearings, BNSF requests an expedited schedule and, accordingly, that the following dates occur as soon as possible. BNSF provides the following specific dates:

September 19, 2016 – Prehearing Conference

October 18, 2016 – Hearings

November 18, 2016 – Briefs Due

December 19, 2017 – Submission

January 18, 2017 – Proposed Decision

February 20, 2017 –Final Decision.

Dated: August 23, 2016

/s/ Jeremy J. Schroeder

JEREMY J. SCHROEDER, ESQ. – SBN 223118
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jjis@fsslawfirm.com

VERIFICATION

I am an officer of the applicant corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 15 th day of August 2016 at Fort Worth, Texas.

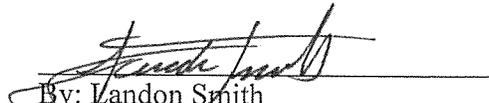

By: Landon Smith
Its: Manager Condition-Based Maintenance
BNSF RAILWAY COMPANY

Exhibit A

Diagrams of Acoustic Bearing Detector System Dimensions for double track installation

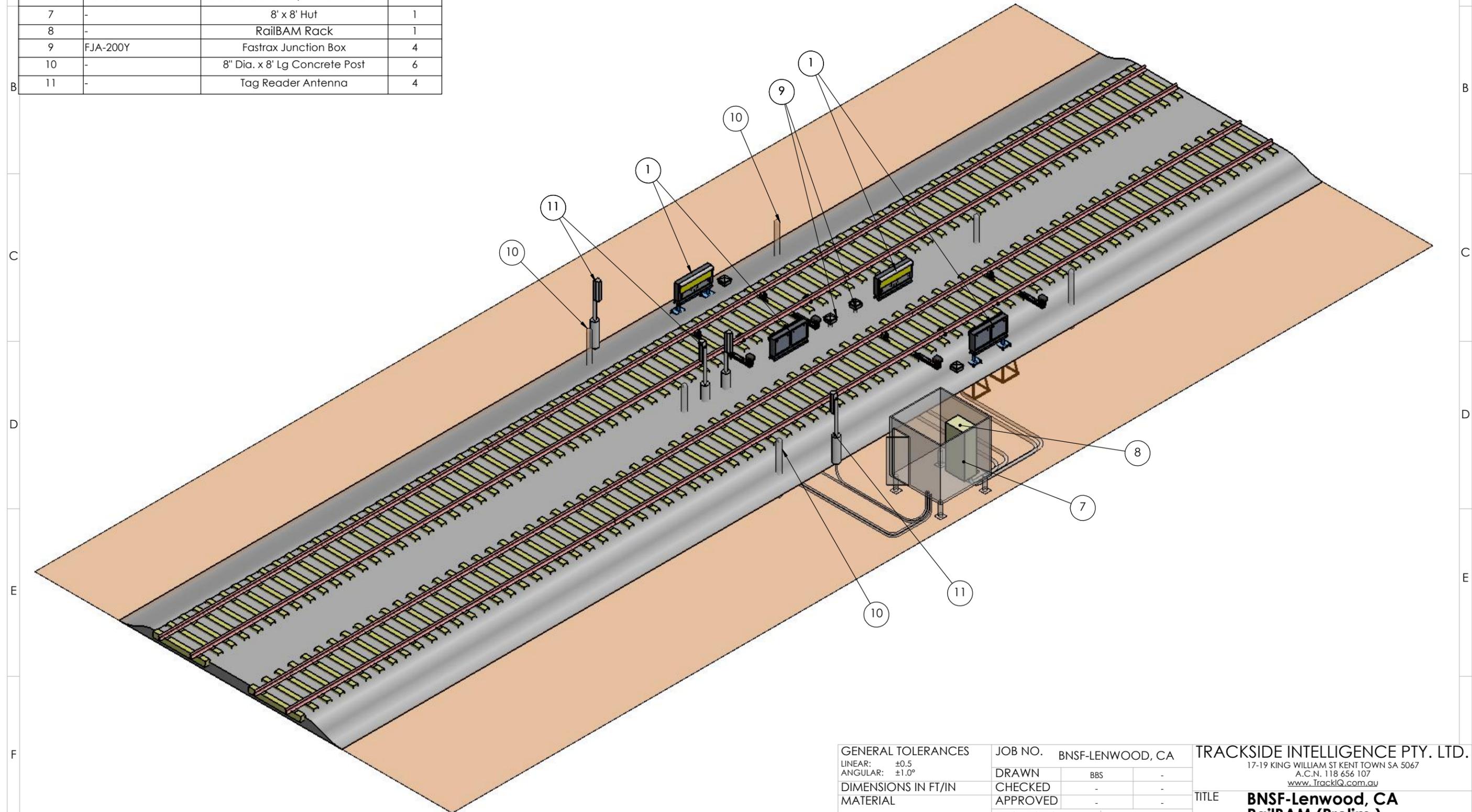
DRG NO.
BNSF-LWCA-RB

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DO NOT SCALE

REVISIONS					
ISSUE	DATE	DESCRIPTION	DRN	CHKD	APPD
0a	23JAN14	Pre Release	BBS	-	-
0b	17JUL14	Changed site to 15 ft. track centers	BBS	-	-
0c	25AUG14	Added ref dims from track cntr to near edge of RailBAM cabinets	BBS	-	-

ITEM NO.	PART NUMBER	DESCRIPTION	QTY.
1	20021-001	Slim Line Cabinet	4
2	20009-011-001	Wheel Detector Transmitter	4
3	20009-021-001	Wheel Detector Receiver	4
4	400037-05-000	Servotrip L Aux Sensor	4
5	20023-010-001	Cabinet Support Frame	4
6	180118	GE Foundation W/ HARDWARE KIT	8
7	-	8' x 8' Hut	1
8	-	RailBAM Rack	1
9	FJA-200Y	Fastrax Junction Box	4
10	-	8" Dia. x 8' Lg Concrete Post	6
11	-	Tag Reader Antenna	4



GENERAL TOLERANCES	
LINEAR:	±0.5
ANGULAR:	±1.0°
DIMENSIONS IN FT/IN	
MATERIAL	-
FINISH	-

JOB NO. BNSF-LENWOOD, CA	
DRAWN	BBS
CHECKED	-
APPROVED	-
PROJECTION	THIRD ANGLE

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TITLE	BNSF-Lenwood, CA RailBAM (Prelim.)
DRG NO.	BNSF-LWCA-RB
DRAWING STANDARD AS1100	SHT 1 OF 3 SCALE 1:1

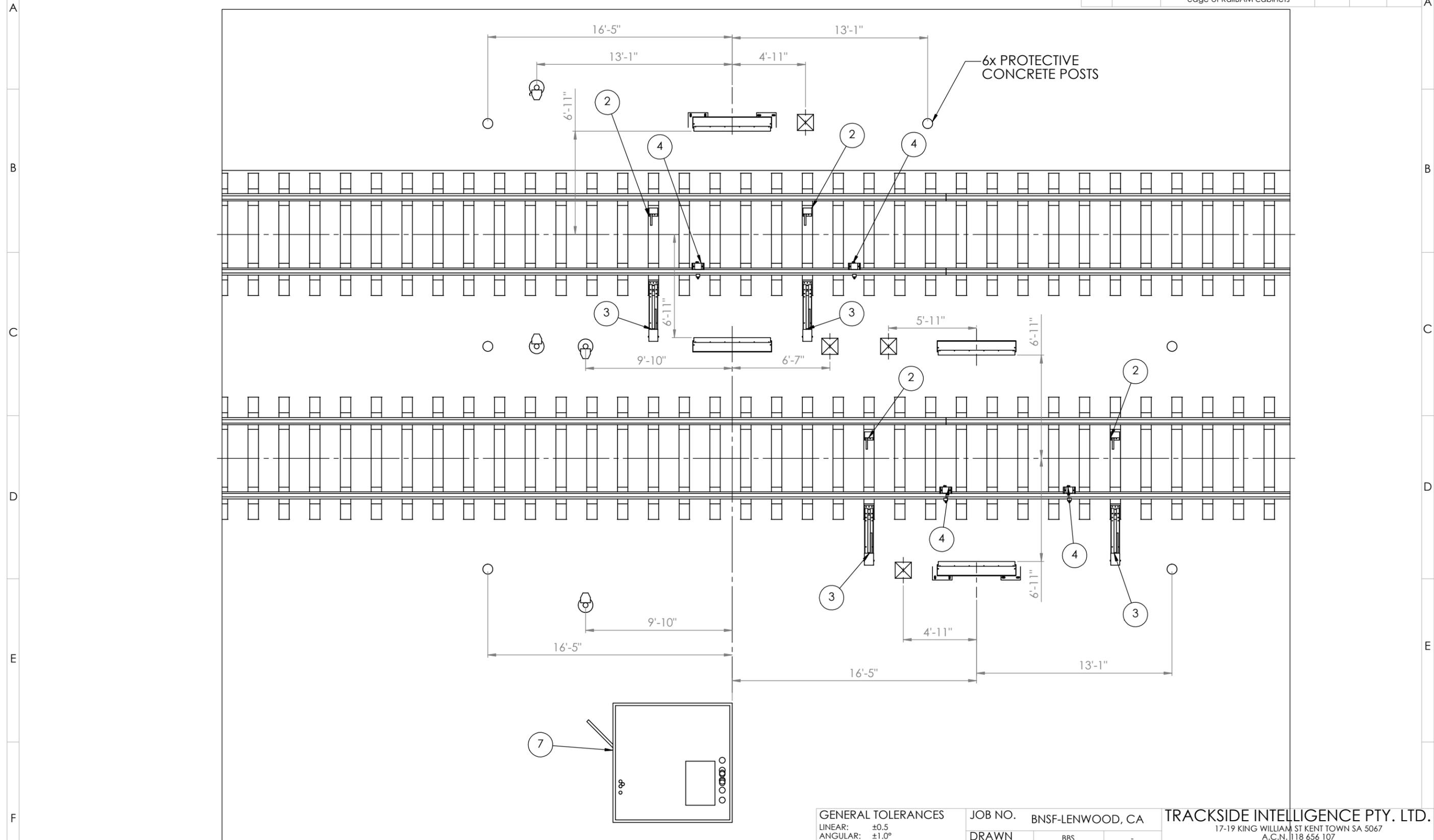
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GENERAL TOLERANCES
 LINEAR: ±0.5
 ANGULAR: ±1.0°

DIMENSIONS IN FT/IN
 MATERIAL

FINISH

JOB NO. BNSF-LENWOOD, CA

DRAWN BBS

CHECKED -

APPROVED -

PROJECTION

THIRD ANGLE

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TITLE **BNSF-Lenwood, CA RailBAM (Prelim.)**

DRG NO. BNSF-LWCA-RB

DRAWING STANDARD AS1100 SHT 2 OF 3 SCALE 1:1

A2

400

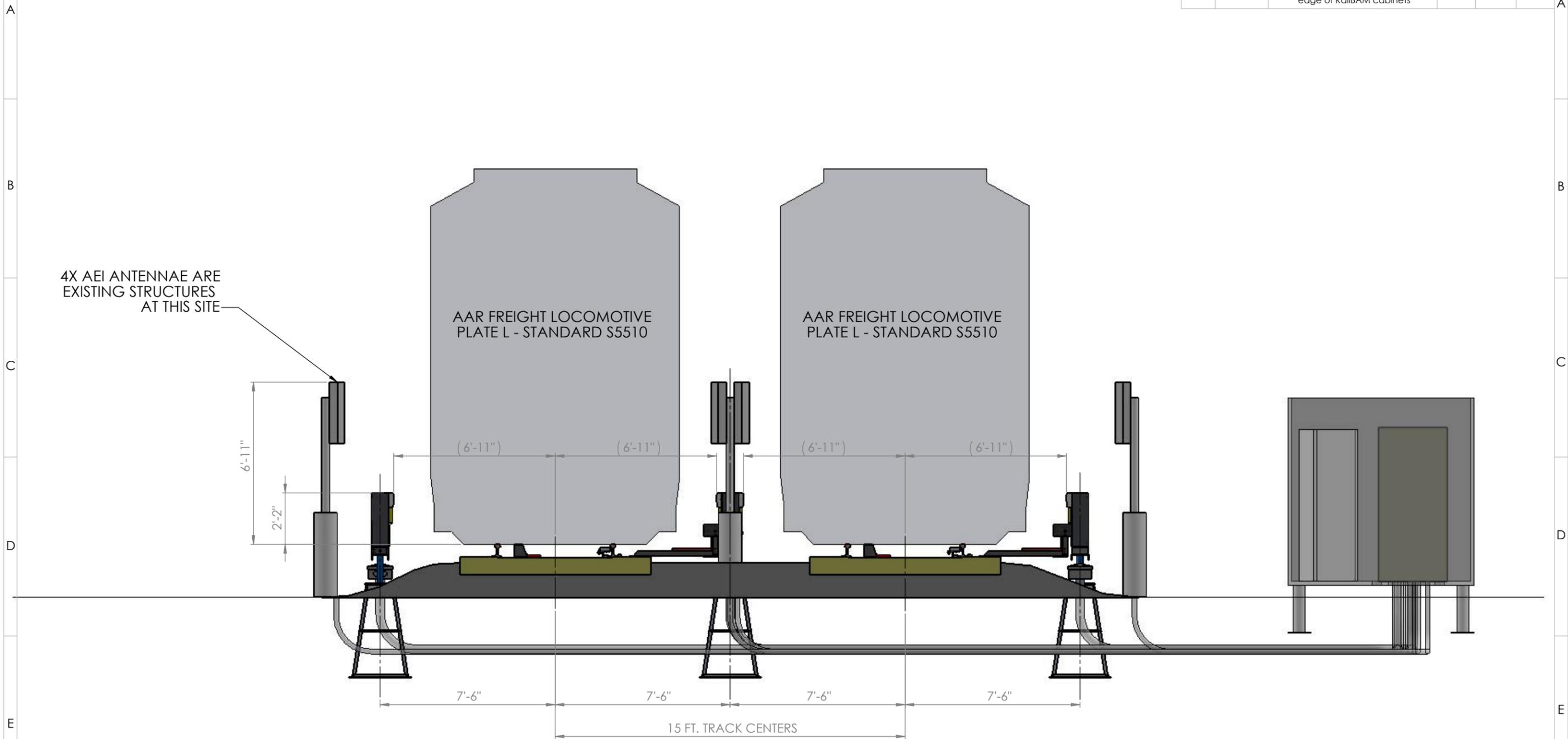
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0c	25AUG14	Added ref dims from track cntr to near edge of RailBAM cabinets	BBS	-	-



4X AEI ANTENNAE ARE EXISTING STRUCTURES AT THIS SITE

NOTE: PROTECTIVE POSTS AROUND RAILBAM CABINETS NOT SHOWN IN THIS VIEW FOR CLARITY

GENERAL TOLERANCES	
LINEAR:	±0.5
ANGULAR:	±1.0°
DIMENSIONS IN FT/IN	
MATERIAL	-
FINISH	-

JOB NO. BNSF-LENWOOD CA	
DRAWN	BBS
CHECKED	-
APPROVED	-
PROJECTION	
THIRD ANGLE	

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TITLE BNSF-Lenwood CA RailBAM (Prelim.)	
DRG NO. BNSF-LWCA-RB	A2
DRAWING STANDARD AS1100 SHT 3 OF 3 SCALE 1:1	