



**From:** Miles, Patricia

**Sent:** Thursday, June 22, 2017 1:16 PM

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**Cc:** ALJ Docket Office; ALJ STAR

**Subject:** A.17-03-006 City of Emeryville South Bayfront Pedestrian Bridge - Administrative Law Judge's EMAIL RULING

TO PARTIES AND OTHERS ON THE OFFICIAL ADDRESS LIST:

At the Prehearing Conference (PHC) held in this matter, counsel for the City of Emeryville (City) and Commission staff from the Rail Crossing Engineering Section of the Safety and Enforcement Division (RCES) represented that they had met with each other and with staff from Union Pacific Railroad (UPRR) about the South Bayfront Pedestrian Bridge project (Project). RCES staff expressed opinion that the Project complied with Commission requirements, including GO-26-D. RCES and counsel for the City indicated that they had met and conferred with representatives of UPRR to confirm that UPRR had no objections to the design and construction of the Project. UPRR did not participate in the PHC, and at the time of the PHC, the City indicated that it was still negotiating the construction and maintenance agreement for the bridge with UPRR.

Accordingly, before issuing proposed decision on the City's A.17-03-006, the assigned ALJ requests the following:

- 1) RCES is requested to file in the proceeding, a brief summary of its review of the Project and confirmation that its review leads to conclusion that the Project complies with Commission requirements, including GO-26-D;
- 2) The City, RCES and UPRR must file in the proceeding, confirmation that they have met/conferred (whether previously or subsequent to this ruling) and are in agreement that UPRR has no objections to the design and construction of the Project; and
- 3) The City must file confirmation that they have reached agreement with UPRR on terms of a construction and maintenance agreement.

IT IS SO RULED. The Docket Office shall formally file this ruling.

**Patricia B. Miles**  
**Administrative Law Judge**  
**California Public Utilities Commission**

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