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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Riverside to construct an overpass grade-separation structure for State Route 111/Avenue 66 in the Community of Mecca, Riverside County, State of California.

Application 18-08-005

ASSIGNED COMMISSIONER'S SCOPING MEMO AND RULING

This scoping memo and ruling sets forth the category, scope, and schedule of the proceeding pursuant to Rule 7.3 of the Commission's Rules of Practice and Procedure. This matter is submitted.

1. Procedural Background

By this application, the County of Riverside (Applicant) seeks authority pursuant to Public Utilities Code Sections (Pub. Util. Code §§) 1201 through 1205 and Rule 3.7 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure to construct a railroad grade-separated bypass over Union Pacific Railroad, State Route (SR) 111, and Hammond Road in the Community of Mecca.

On September 7, 2018, the Commission's Safety and Enforcement Division (SED) filed a response to the application.¹ A telephonic prehearing conference (PHC) was held on October 16, 2018. Both Riverside County and SED appeared.

Upon consideration of the application and discussion at the PHC, the issues and schedule of the proceeding are determined to be as set forth in this scoping memo.

2. Scope of Issues to be Determined

The issues to be determined are:

1. Whether the Commission should approve the request to construct a new overpass grade-separation structure for SR 111/Avenue 66 in the Community of Mecca in Riverside County?
2. Whether the Applicant's Final Environmental Impact Report is in compliance with the California Environmental Quality Act?
3. Whether the Commission should grant the Applicant a period of three years from the Application approval date to complete the proposed project.
4. Are there any safety issues presented by the Application which needs to be addressed?

3. Need for Evidentiary Hearing

There are no contested issues of material fact requiring evidentiary hearing.

¹ SED's response does not protest, or otherwise take issue with Riverside County's application. Instead, SED lists relevant information on the crossing that may be useful to the Commission in assessing the application.

4. Schedule

This matter is submitted. The proposed decision shall be filed no later than 90 days from today for public review and comment pursuant to Pub. Util. Code § 311(d) except that, if it grants the uncontested requested relief, public review and comment shall be waived pursuant to Rule 14.6(c)(2).

5. Category of Proceeding/*Ex Parte* Requirements

The category of the proceeding is ratesetting, as preliminarily determined by the Commission in Resolution ALJ 176-3422. *Ex parte* communications are restricted and subject to reporting requirements pursuant to Rule 8.1 et seq.

6. Assignment of Proceeding

Liane M. Randolph is the assigned Commissioner and Gerald F. Kelly is the assigned Administrative Law Judge to the proceeding.

IT IS RULED that:

1. The scope of this proceeding is described above.
2. The schedule of this proceeding is as set forth above.
3. This proceeding is categorized as ratesetting.
4. Evidentiary hearings are not needed.

Dated November 8, 2018, at San Francisco, California.

/s/ LIANE M. RANDOLPH

Liane M. Randolph
Assigned Commissioner