

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Consumer Protection and Safety Division
Rail Transit Safety Section

Resolution ST-146
October 25, 2012

PUBLIC REDACTED

RESOLUTION

RESOLUTION ST-146 GRANTING APPROVAL OF THE FINAL REPORT OF 2012 TRIENNIAL SECURITY REVIEW OF THE NORTH COUNTY TRANSIT DISTRICT.

Summary

This resolution approves the California Public Utilities Commission Consumer Protection and Safety Division final report titled, "2012 Triennial Security Review of North County Transit District" dated July 23, 2012. The report compiles the results of Commission Staff review of the North County Transit District System Security and Emergency Preparedness Program Plan. Background information and review procedures only are included in the public redacted report.

Background

Commission General Order No. 164-D, "Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems" requires Commission Staff (Staff) to conduct on-site security reviews of transit agencies operating rail fixed guideway systems at least once every three years. Staff conducted an on-site security review of the North County Transit District (NCTD) security program in April 2012.

From 1996 to 2008, the Commission's Rail Transit Safety Section (RTSS) partnered with the Transportation Security Administration (TSA) in performing rail transit agency security reviews. In mid-2008, RTSS dissolved the partnership with TSA and took sole responsibility of the security reviews. RTSS asked the Federal Transit Administration (FTA) for

guidance to standardize the Rail Transit Agency Triennial Security Review format. RTSS worked with FTA to determine what constituted Security Sensitive Information and what should be allowed for public review. In 2009-2010, RTSS management worked with the Commission's Legal Division and FTA and developed an acceptable standard.

A full description of the security review, including the scope, results, and recommendations, is contained in the final security review report identified in this resolution as Attachment A.

The security review results show NCTD is generally in compliance with its System Security and Emergency Preparedness Program Plan; however, Staff's review identified some program areas of non-compliance. The non-compliant items and recommendations requiring corrective actions are described in the Findings/Comments/Recommendations sections of each checklist and in the body of the final report. A summary of recommendations requiring corrective action is contained in Appendix C of the report.

Staff sent NCTD a copy of the draft security review report for a 30-day comment period on July 23, 2012. The North County Transit District Chief of Transit Enforcement accepted the report's recommendations by email on August 22, 2012.

Discussion

The final report, "2012 Triennial Security Review of North County Transit District," dated July 23, 2012 included as Attachment A, identifies Staff findings and recommendations.

Staff recommends the Commission approve the final security review report titled, "2012 Triennial Security Review of North County Transit District," dated July 23, 2012. Staff also recommends the Commission order NCTD to:

- Submit plan and schedule to Staff for implementing and completing the recommended corrective actions contained in the report;

- Implement the recommendations in accordance with the plan and schedule; and
- Provide Staff with monthly reports on the status of the corrective actions until they are implemented and completed.

Notice

On September 21, 2012, this Resolution was published on the Commission's Daily Calendar.

Confidential Information

Public Utilities Code Section 583 states: "No information furnished to the commission by a public utility, or any business which is a subsidiary or affiliate of a public utility, or corporation which holds a controlling interest in a public utility, except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding. Any present or former officer or employee of the commission who divulges any such information is guilty of a misdemeanor."

The confidential appendices, marked "[CONFIDENTIAL]" in the public copy of this resolution should remain confidential at this time.

Comments

The draft resolution of the Consumer Protection and Safety Division in this matter was mailed to the Parties of Interest on September 20, 2012 in accordance with Section 311 of the Public Utilities Code and Rule 14.2(c) of the Commission's Rules of Practice and Procedure. No comments were received.

Therefore, IT IS ORDERED that:

1. The Consumer Protection and Safety Division's request for approval of the final safety review report titled, "2012 Triennial Security Review of North County Transit District," dated July 23, 2012, is granted.
2. North County Transit District shall submit to Commission Staff a plan and schedule for implementing all recommended corrective actions contained in the final security review report. North County Transit District shall submit the plan and schedule no later than 45 days from the effective date of this resolution.
3. North County Transit District shall implement and complete all recommended corrective actions contained in the report, in accordance with the plan and schedule submitted to Commission Staff
4. North County Transit District shall provide monthly status reports, following the effective date of this resolution to Commission Staff. The reports shall contain detailed information on the implementation of all remaining recommended corrective actions contained in the final security review report. North County Transit District shall provide monthly status reports until all recommended corrective actions are implemented and completed.
5. This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting held on October 25, 2012. The following Commissioners voting favorably thereon:

/s/ PAUL CLANON

PAUL CLANON
Executive Director

MICHAEL R. PEEVEY
President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE K. SANDOVAL

MARK J. FERRON

Commissioners

ATTACHMENT A