

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Operations, Practices, and Conduct of San Francisco Municipal Transportation Agency, Regarding Ongoing Public Safety Issues.

Investigation 14-01-005
(Filed January 16, 2014)

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to January 16, 2016.

Background

Pub. Util. Code § 1701.2(d) provides that adjudicatory matters such as this enforcement investigation shall be resolved within 12 months after they are initiated, unless the Commission makes findings why that deadline cannot be met and issues an order extending the 12-month deadline. This matter has been categorized as adjudicatory, and the 12-month deadline for resolving this proceeding is January 16, 2015.

The Commission on its own motion on January 16, 2014, instituted this enforcement investigation into the operations, practices, and conduct of San Francisco Municipal Transportation Agency, regarding ongoing public safety issues.

On April 17, 2014, a Prehearing Conference was held and a Scoping Ruling was issued on June 12, 2014. Evidentiary Hearings were held on July 21 and 22, 2014. Parties filed briefs from September 12, 2014 to September 26, 2014.

On November 26, 2014, the Presiding Officer's Decision (POD) was filed and served to the parties. On December 26, 2014, the Safety and Enforcement Division filed an Appeal. Due to the filing of the Appeal, there is a need to prepare a Modified POD for Commission consideration.

Under all the circumstances here, an extension of time is necessary to allow the assigned Administrative Law Judge (ALJ) time to review the Appeal and prepare a Modified POD. Accordingly, an extension of time until January 16, 2016 is warranted.

Waiver of Period

Under Rule 14.6(c)(4) of the Rules of Practice and Procedure, the Commission may waive the otherwise applicable 30-day period for public review and comment on a decision that extends the 12-month deadline set forth in Pub. Util. Code § 1701.2(d). Under the circumstances of this investigation, it is appropriate to waive the 30-day period for public review and comment.

Assignment of Proceeding

Carla J. Peterman is the assigned Commissioner and Maribeth A. Bushey is the assigned ALJ in this proceeding.

Findings of Fact

1. The enforcement investigation was instituted on January 16, 2014.
2. Evidentiary Hearings have been concluded.
3. On November 26, 2014, the POD was filed and served to the parties.
4. An Appeal to the POD was filed on December 26, 2014.

5. An extension of time is necessary to prepare a Modified POD and issue a final decision.

Conclusions of Law

1. Because of the current schedule of this proceeding, it will not be possible to resolve this investigation within the 12-month period provided for in Pub. Util. Code § 1701.2(d).

2. The 12-month statutory deadline should be extended until January 16, 2016.

IT IS ORDERED that the 12-month statutory deadline in this proceeding is extended to January 16, 2016.

This order is effective today.

Dated _____, at San Francisco, California.