

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Safety and Enforcement Division
Rail Transit Safety Branch

Resolution ST-196
December 15, 2016

REDACTED

RESOLUTION

RESOLUTION ST-196 GRANTING APPROVAL OF THE FINAL REPORT ON THE 2015 TRIENNIAL SECURITY REVIEW OF SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY.

Summary

This resolution approves the California Public Utilities Commission Safety and Enforcement Division final report titled, "2015 Triennial Security Review of San Francisco Municipal Transportation Agency (SFMTA)," dated November 10, 2016. The report compiles the results of Commission Staff review of the San Francisco Municipal Transportation Agency security program. Background information and review procedures only are included in the 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 review of the transit agencies operating rail fixed guideway systems triennially.

From 1996 to 2008, the Commission's Rail Transit Safety Branch (RTSB) partnered with the Transportation Security Administration (TSA) in performing rail transit security reviews. However, in the later half of 2008, RTSB took over the responsibility of security reviews from the TSA. Staff conducted an on-site security review of the San Francisco Municipal Transportation Agency (SFMTA) security program on October 26-28, 2015 and November 2, 2015. SFMTA is San Francisco County's Transportation

Authority, which provides bus and transit rail services 365 days of the year throughout the county of San Francisco.

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 that the SFMTA is in compliance with its System Security Plan. However, Staff did find one non-compliance during the review which is described in the Findings and Recommendations section of the relevant checklist. Activities of each checklist can be found in Section D of the security report.

Staff sent SFMTA System Security Department a copy of the draft security review report for a 30-day comment period on September 26, 2016. SFMTA's Terrorism Liaison Officer/Coordinator and Senior Manager's email containing SFMTA's comments for the draft report dated October 26, 2016, requested a minor modification of the finding of non-compliance, confirmed the security report's factual accuracy, and accepted the recommendation.

Discussion

The final report, "2015 Triennial Security Review of San Francisco Municipal Transportation Agency (SFMTA)," dated November 10, 2016, included as Attachment A, identifies Staff's activities for each of the five FTA security elements evaluated during the security review. Staff recommends the Commission approve the final security review report titled, "2015 Triennial Security Review of San Francisco Municipal Transportation Agency (SFMTA)," dated November 10, 2016.

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.

Notice

On November 16, 2016, Staff's proposed resolution and request for approval of the final security review report titled, "2015 Triennial Security Review of San Francisco Municipal Transportation Agency (SFMTA)," dated November 10, 2016, was published on the Commission's Daily Calendar.

Comments

The draft resolution of the Safety and Enforcement Division in this matter was mailed in accordance with Section 311 of the Public Utilities Code and Rule 14.2(c) of the Commission's Rules of Practice and Procedure.

_____ comments were received.

Findings

1. The RTSB Staff conducted an on-site security review of SFMTA on October 26-28, and November 2, 2015. Staff conducted a post-review exit conference with SFMTA management on March 1, 2016.
2. The safety review results show SFMTA is generally in compliance with its System Security Plan, however, one program area of non-compliance were identified during the review. That non-compliant item along with recommendations for corrective actions are described, where applicable, in the Findings/Comments/Recommendations section of the applicable checklist and in the body of the Confidential version of the final staff report.
3. SFMTA has stated to staff they have or will develop and implement corrective action plans for the finding and recommendation identified in the report.

Therefore, IT IS ORDERED that:

1. The Safety and Enforcement Division's request for approval of the final security review report titled, "2015 Triennial Security Review of San Francisco Municipal Transportation Agency (SFMTA)," dated November 10, 2016, is granted.
2. The San Francisco Municipal Transportation Agency shall submit to the Rail Transit Safety Branch the plan and schedule for implementing the recommended corrective action contained in the final security report. The plan and schedule shall be submitted no later than 45 days from the effective date of this resolution.
3. The San Francisco Municipal Transportation Agency shall complete and implement the recommended corrective action contained in the report, in accordance with the plan and schedule submitted to the Rail Transit Safety Branch.
4. The San Francisco Municipal Transportation Agency shall prepare and provide monthly status reports to the Rail Transit Safety Branch. The reports shall contain detailed information on the implementation of the recommended corrective action contained in the final security review report. Monthly status reports shall be provided until the recommended corrective action is 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 December 15, 2016. The following Commissioners voting favorably thereon:

TIMOTHY J. SULLIVAN
Executive Director

ATTACHMENT A