

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



**FILED**

12-12-08  
04:59 PM

In the Matter of the Application of the Exposition Metro Line Construction Authority for an order authorizing the construction of a two-track at-grade crossing for the Exposition Boulevard Corridor Light Rail Transit Line across Jefferson Boulevard, Adams Boulevard, and 23rd Street, all three crossings located along Flower Street in the City of Los Angeles, County of Los Angeles, California.

Application 06-12-005  
(Filed December 6, 2006)

Application 06-12-020  
(Filed December 19, 2006)

Application 07-01-004  
(Filed January 2, 2007)

Application 07-01-017  
(Filed January 8, 2007)

Application 07-01-044  
(Filed January 24, 2007)

Application 07-02-007  
(Filed February 7, 2007)

Application 07-02-017  
(Filed February 16, 2007)

Application 07-03-004  
(Filed March 5, 2007)

Application 07-05-012  
(Filed May 8, 2007)

Application 07-05-013  
(Filed May 8, 2007)

And Consolidated Proceedings.

**NOTICE OF EX PARTE COMMUNICATION**

Martin A. Mattes  
NOSSAMAN LLP  
50 California Street, 34<sup>th</sup> Floor  
San Francisco, CA 94111-4799  
Tel: (415) 398-3600 / Fax: (415) 398-2438  
Email: [mmattes@nossaman.com](mailto:mmattes@nossaman.com)

Attorneys for EXPOSITION METRO LINE  
CONSTRUCTION AUTHORITY

December 12, 2008

## NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rules 8.2 and 8.3 of the Commission's Rules of Practice and Procedure (“Rules”), Exposition Metro Line Construction Authority (“Expo Authority”) hereby gives notice of an ex parte communication regarding the above-captioned consolidated proceedings.

At 4:30 p.m. on December 9, 2008, Samantha Bricker, Chief Operating Officer for Expo Authority met with Commissioner Rachelle Chong, as well as with Commissioner Chong’s Chief of Staff, Jane Wang, and transportation advisor, Joseph Como, in the Commissioner’s office at the California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, California 94102. Also participating in the meeting on behalf of Expo Authority was Sandra McCubbin of Lang, Hansen, O'Malley & Miller Governmental Relations. Ms. Bricker and Ms. McCubbin discussed the Proposed Decision of Administrative Law Judge Koss and certain problems it presented for Expo Authority with particular regard to the construction of pedestrian overcrossings at Harvard Boulevard and Farmdale Avenue. The meeting lasted for about 30 minutes.

Several documents were provided to Commissioner Chong and her advisors in the course of the meeting. Copies of each of those documents are attached to this notice.

To obtain a copy of this notice, please contact:

Ms. Jeannie Wong  
NOSSAMAN LLP  
50 California Street, 34<sup>th</sup> Floor  
San Francisco, CA 94111-4799  
Tel: (415) 398-3600  
Fax: (415) 398-2438  
e-mail: [jwong@nossaman.com](mailto:jwong@nossaman.com)

In accordance with Rule 8.3(b), this notice is being served electronically on all persons appearing on the Commission's electronic service list for the above-captioned proceeding.

Respectfully submitted,

NOSSAMAN LLP

By:           /S/ MARTIN A. MATTES            
          Martin A. Mattes

50 California Street, 34<sup>th</sup> Floor  
San Francisco, CA 94111-4799  
Tel: (415) 398-3600  
Fax: (415) 398-2438  
Email: [mmattes@nossaman.com](mailto:mmattes@nossaman.com)

Attorneys for EXPOSITION METRO LINE  
CONSTRUCTION AUTHORITY

Dated: December 12, 2008

## CERTIFICATE OF SERVICE

I, Jeannie Wong, hereby certify that on this date I will serve the foregoing NOTICE OF EX PARTE COMMUNICATION, on the parties on the service list for A.06-12-005, *et al.* below.

### By electronic mail:

cprince@sonnenschein.com; mstrumwasser@strumwooch.com; lheller@hellerandedwards.com; bpalmer@strumwooch.com; fkranz@coxcastle.com; psb@cpuc.ca.gov; isamson@sonnenschein.com; mmattes@nossaman.com; damienwg@gmail.com; lark@chc-inc.org; jeff.rabin@latimes.com; millerjo@metro.net; khawaniv@metro.net; csimmons@successnet.net; mjolles@pacbell.net; eolson@exporail.net; glenn.striegler@lausd.net; jokazaki@exporail.net; jsandberg@exporail.net; rthorpe@exporail.net; aracelyalvarado@sbcglobal.net; zaldivar1231@netzero.net; meshkati@usc.edu; cwood@strumwooch.com; darrell@dclarke.org; mzischke@coxcastle.com; gg1@cpuc.ca.gov; jfp@cpuc.ca.gov; jenny.wood@asm.ca.gov; klk@cpuc.ca.gov; bon@cpuc.ca.gov; vdl@cpuc.ca.gov; [dar@cpuc.ca.gov](mailto:dar@cpuc.ca.gov); [lmb@cpuc.ca.gov](mailto:lmb@cpuc.ca.gov); [joc@cpuc.ca.gov](mailto:joc@cpuc.ca.gov); [lj@cpuc.ca.gov](mailto:lj@cpuc.ca.gov); [rim@cpuc.ca.gov](mailto:rim@cpuc.ca.gov); [khy@cpuc.ca.gov](mailto:khy@cpuc.ca.gov)

### By hand delivery:

Hon. Kenneth L. Koss  
Administrative Law Judge  
California Public Utilities Commission  
505 Van Ness Avenue, 5<sup>th</sup> Floor  
San Francisco, CA 94102

Hon. Timothy A. Simon  
Assigned Commissioner  
California Public Utilities Commission  
505 Van Ness Avenue, 5<sup>th</sup> Floor  
San Francisco, CA 94102

Executed this 12th day of December, 2008, in San Francisco, California.

*/S /JEANNIE WONG*

Jeannie Wong

# CALIFORNIA PUBLIC UTILITIES COMMISSION

## Service Lists

PROCEEDING: A0612005 - EXPOSITION METRO LIN  
FILER: EXPOSITION METRO LINE CONSTRUCTION AUTHORITY  
LAST CHANGED: DECEMBER 5 2008

CHRISTOPHER E. PRINCE  
SONNENSCHN NATH & ROSENTHAL LLP  
601 SOUTH FIGUEROA STREET, SUITE 2500  
LOS ANGELES, CA 90017-5704  
FOR: UNITED COMMUNITY ASSOCIATIONS, INC.

MICHAEL J. STRUMWASSER  
ATTORNEY AT LAW  
STRUMWASSER & WOOCHEER LLP  
10940 WILSHIRE BLVD, SUITE 2000  
LOS ANGELES, CA 90024  
FOR: L.A. UNIFIED SCHOOL DISTRICT

LAWRENCE E. HELLER  
HELLER & EDWARDS  
9454 WILSHIRE BLVD., STE 500  
BEVERLY HILLS, CA 90212  
FOR: NEIGHBORS FOR SMART RAIL

BEVERLY GROSSMAN PALMER  
STRUMWASSER & WOOCHEER LLP  
100 WILSHIRE BOULEVARD, STE 1900  
SANTA MONICA, CA 90401  
FOR: L.A. UNIFIED SCHOOL DISTRICT

FREDERICK H. KRANZ  
COX CASTLE & NICHOLSON LLP  
19800 MCARTHUR BOULEVARD, STE 500  
IRVINE, CA 92612  
FOR: EXPO METRO LINE CONSTRUCTION  
AUTHORITY

PATRICK S. BERDGE  
CALIF PUBLIC UTILITIES COMM'N  
LEGAL DIVISION  
ROOM 4300  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3214  
FOR: CONSUMER PROTECTION SAFETY DIV

IVOR E. SAMSON  
SONNENSCHN NATH & ROSENTHAL LLP  
525 MARKET STREET, 26TH FLOOR  
SAN FRANCISCO, CA 94105  
FOR: UNITED COMMUNITY ASSOCIATIONS INC.

MARTIN A. MATTES  
ATTORNEY AT LAW  
NOSSAMAN LLP  
50 CALIFORNIA STREET, 34TH FLOOR  
SAN FRANCISCO, CA 94111-4799  
FOR: EXPO METRO LINE CONSTRUCTION AUTHY

## Information Only

DAMIEN GOODMAN  
3062 STOCKER PLACE  
LOS ANGELES, CA 90008  
FOR: SAVE LEIMERT NEIGHBORHOOD  
COALITION/EXPO. COMMUNITIES UNITED

LARK GALLOWAY-GILLIAM  
SAVE LEIMERT NEIGHBORHOOD COALITION  
3731 STOCKER STREET, SUITE 201  
LOS ANGELES, CA 90008

GEORGE CHEN  
LA DOT  
555 RAMIREZ STREET, SPACE 315  
LOS ANGELES, CA 90012

JEFFREY L. RABIN  
LOS ANGELES TIMES  
202 WEST 1ST STREET  
LOS ANGELES, CA 90012

JOHN C. MILLER  
PROJECT ENGINEERING MANAGER  
LOS ANGELES COUNTY METRO TRAN. AUTHORITY  
ONE GATEWAY PLAZA  
LOS ANGELES, CA 90012

JOHN E. FISHER  
CITY OF LOS ANGELES, DOT  
100 S. MAIN STREET  
LOS ANGELES, CA 90012  
FOR: CITY OF LOS ANGELES, DOT

VIJAY KHAWANI  
DIRECTOR OF CORPORATE SAFETY  
LA COUNTY METROPOLITAN TRANS. AUTHORITY  
ONE GATEWAY PLAZA, 18TH FLOOR  
LOS ANGELES, CA 90012-2952

CLINT SIMMONS  
EXPO COMMUNITIES UNITED  
3416 REDONDO BLVD.  
LOS ANGELES, CA 90016  
FOR: EXPO COMMUNITIES UNITED

MARK C. JOLLES  
2839 S. RIMPAU BLVD.  
LOS ANGELES, CA 90016  
FOR: SELF

ERIC R. OLSON  
CHIEF PROJECT OFFICER  
EXPO METRO LINE CONSTRUCTION AUTH.  
707 WILSHIRE BLVD. SUITE 3400  
LOS ANGELES, CA 90017  
FOR: EXPO METRO LINE CONSTRUCTION AUTHY

GLENN STRIEGLER  
LAUSD OFFICE OF ENVIRONMENTAL HEALTH &  
333 SOUTH BEAUDRY AVENUE, 20TH FLOOR  
LOS ANGELES, CA 90017

JAMES OKAZAKI  
EXPO METRO LINE CONSTRUCTION AUTH.  
707 WILSHIRE BLVD., 34TH FLOOR  
LOS ANGELES, CA 90017

JOEL SANDBERG  
DIRECTOR OF ENGINEERING AND CONSTRUCTION  
EXPOSITION METRO LINE CONSTRUCTION AUTH.  
707 WILSHIRE BLVD., 34TH FLOOR  
LOS ANGELES, CA 90017

RICHARD D. THORPE  
CHIEF EXECUTIVE OFFICER  
EXPO METRO LINE CONSTRUCTION AUTH  
707 WILSHIRE BLVD., SUITE 3400  
LOS ANGELES, CA 90017  
FOR: EXPO METRO LINE CONSTRUCTION AUTH

ARACEL ALVARADO  
3783 DEKER AVE.  
LOS ANGELES, CA 90018

TERESA ZALDIVAR  
1454 EXPOSITION B1  
LOS ANGELES, CA 90018

NAJMEDIN MESHKATI  
UNIVERSITY OF SOUTHERN CALIFORNIA  
KAPRIELIAN HALL NO. 224D  
LOS ANGELES, CA 90089

CHRISTINE WOOD  
STRUMWASSER & WOOCHEER LLP  
100 WILSHIRE BOULEVARD, STE 1900  
SANTA MONICA, CA 90401

DARRELL CLARKE  
FRIENDS 4 EXPO TRANSIT  
PO BOX 913  
SANTA MONICA, CA 90406

MICHAEL H. ZISCHKE  
ATTORNEY AT LAW  
COX CASTLE & NICHOLSON  
555 CALIFORNIA ST, 10TH FLOOR  
SAN FRANCISCO, CA 94104-1513

## State Service

---

GEORGETTA GREGORY  
CALIF PUBLIC UTILITIES COMMISSION  
RAIL TRANSIT AND CROSSINGS BRANCH  
320 WEST 4TH STREET SUITE 500  
LOS ANGELES, CA 90013  
FOR: CPSD

JOSE PEREYRA  
CALIF PUBLIC UTILITIES COMMN  
RAIL SAFETY & CROSSING BRANCH  
320 WEST 4TH STREET SUITE 500  
LOS ANGELES, CA 90013  
FOR: CPSD

JENNY PUNSALAN WOOD  
ASSISTANT  
OFFICE OF KAREN BASS, ASSEMBY MAJ. LEADE  
5750 WILSHIRE BLVD. SUITE 565  
LOS ANGELES, CA 90036

KENNETH L. KOSS  
CALIF PUBLIC UTILITIES COMM'N  
DIV OF ADMINISTRATIVE LAW JUDGES  
ROOM 5041  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3214

MARIA L. BONDONNO  
CALIF PUBLIC UTILITIES COMMISSION  
LEGAL DIVISION  
ROOM 4300  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3214

VIRGINIA LAYA  
CA PUBLIC UTILITIES COMMISSION  
RAIL SAFETY & CROSSING BRANCH  
AREA 2-B  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3214

DAREN S. GILBERT  
CALIF PUBLIC UTILITIES COMMISSION  
RAIL SAFETY & CROSSING BRANCH  
515 L STREET, SUITE 1119  
SACRAMENTO, CA 95814