

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Consumer Protection and Safety Division
Rail Transit Safety Section

Resolution ST-127
May 26, 2011

REDACTED**RESOLUTION**

RESOLUTION ST-127 GRANTING APPROVAL OF THE FINAL REPORT OF THE 2010 TRIENNIAL SECURITY REVIEW OF THE PORT OF LOS ANGELES WATERFRONT RED CAR LINE.

Summary

This resolution approves the California Public Utilities Commission Consumer Protection and Safety Division final report titled, "2010 Triennial Security Review of the Port of Los Angeles Waterfront Red Car Line" dated September 30, 2010. The report compiles the results of Commission Staff review of the Port of Los Angeles Waterfront Red Car Line 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 Staff to conduct on-site security reviews of transit agencies operating rail fixed guideway systems at least once every three years.

From 1996 to 2008, the Commission's Rail Transit Safety Section (RTSS) partnered with the Transportation Security Administration (TSA) in performing rail transit security reviews. However, in the later half of 2008, RTSS took over the responsibility of security reviews from the TSA. Staff

May 26, 2011

conducted an on-site security review of the Port of Los Angeles Red Car Line (POLA RCL) security program in September 2010.

RTSS had the responsibility of standardizing the format of the Rail Transit Agency's Triennial Security Reviews and looked towards the Federal Transit Administration (FTA) for guidance. The undertaking of the FTA was to define and guide Commission's RTSS to what they considered Security Sensitive Information and what was allowed for the public to view. The RTSS management worked with Commission's legal department and the FTA over the next two years to 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 that POLA RCL is generally in compliance with its System Security Plan. However, Staff identified an area of non-compliance during the review. The non-compliant item along with a recommendation for corrective action is 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 POLA RCL a copy of the draft security review report for a 30-day comment period on February 4, 2011. The Assistant Chief Harbor Engineer verbally accepted the report's recommendations in a meeting with Staff on March 10, 2011.

Discussion

The final report, "2010 Triennial Security Review of the Port of Los Angeles Red Car Line," dated September 30, 2010 included as Attachment A, identifies Staff findings and recommendations.

Staff recommends the Commission approve the final security review report titled, "2010 Triennial Security Review of the Port of Los Angeles Red Car Line" dated September 30, 2010. Staff also recommends the Commission order Port of Los Angeles Red Car Line to:

May 26, 2011

- Submit plan and schedule to Staff for implementing and completing the recommended corrective action contained in the report;
- Implement the recommendation in accordance with the plan and schedule.

Notice

On April 22, 2011, 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 parties of interest on April 22, 2011 in accordance with Section 311 of the Public Utilities Code and Rule 14.2(c) of the Commission's Rules of Practice and Procedure. Parties' comments will be due on May 16, 2011.

Therefore, IT IS ORDERED that:

1. The Consumer Protection and Safety Division's request for approval of the final safety review report titled, "2010 Triennial Security Review of

May 26, 2011

the Port of Los Angeles Red Car Line," dated September 30, 2010, is granted.

2. The Port of Los Angeles Red Car Line shall submit to Staff a plan and schedule for implementing the recommended corrective action contained in the final security review report. The Port of Los Angeles Red Car Line shall submit the plan and schedule no later than 45 days from the effective date of this resolution.
3. The Port of Los Angeles Red Car Line shall implement and complete the recommended corrective action contained in the report, in accordance with the plan and schedule submitted to Staff.
4. The Port of Los Angeles Red Car Line shall provide monthly status reports, following the effective date of this resolution, to Staff. The reports shall contain detailed information on the implementation of all remaining recommended corrective action contained in the final security review report. The Port of Los Angeles Red Car Line shall provide monthly status reports until all 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 _____. The following Commissioners voting favorably thereon:

/s/ Paul Clanon

PAUL CLANON
Executive Director

ATTACHMENT A