

Decision 12-04-049

April 19, 2012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Consider Implementation of Collision-Avoidance Systems on Commuter Rail Lines in California.

Rulemaking 08-11-017
(Filed November 21, 2008)

**ORDER DISMISSING APPLICATION FOR REHEARING
OF RULEMAKING (R.) 08-11-017 AS MOOT**

I. SUMMARY

On November 21, 2008, the Commission issued an Order Instituting Rulemaking (“OIR”) in this proceeding, Rulemaking (R.) 08-11-017. On December 24, 2008, Union Pacific and Burlington Northern Santa Fe Railway (collectively, “rehearing applicants”) timely filed an application for rehearing of the OIR in R.08-11-017. On November 19, 2010, the proceeding was closed. In closing the proceeding, the Commission determined that it was no longer necessary for the Commission to take action in R.08-11-017 because of the enactment of the federal Rail Safety Improvement Act of 2008, which rendered a separate Commission requirement moot. (D.10-11-009, p. 1.) Counsel for rehearing applicants has communicated to Commission Staff that the application for rehearing is moot and should be dismissed.

II. CONCLUSION

By agreement of the rehearing applicants, the application for rehearing of R.08-11-017 is hereby dismissed as moot.

THEREFORE, IT IS ORDERED that:

1. The application for rehearing of R.08-11-017 is hereby dismissed.
2. Rulemaking, R.08-11-017, is hereby closed.

This order is effective today.

Dated April 19, 2012, at San Francisco, California

MICHAEL R. PEEVEY

President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

CATHERINE J.K. SANDOVAL

MARK J. FERRON

Commissioners