



California Public Utilities Commission
505 Van Ness Ave., San Francisco

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PRESS RELEASE

Contact: Terrie Prosper, 415.703.1366, news@cpuc.ca.gov

**CPUC WILL CONSIDER PERMANENT BAN OF
CELL PHONE USE BY TRANSIT OPERATORS**

SAN FRANCISCO, October 16, 2008 - The California Public Utilities Commission (CPUC) today said it will determine whether the temporary measures it adopted restricting the use of electronic devices by rail transit personnel should be adopted on a permanent basis for rail transit agencies.

The CPUC adopted Resolution SX-88 on September 18, 2008, as an interim emergency order to restrict personal use of Commercial Mobile Radio Services (CMRS) and devices (cell phones, satellite phones, pagers, personal communications services) by certain railroad and rail transit employees. Resolution SX-88 was adopted in response to two rail transit accidents that happened in June and July 2008, and the September 12, 2008, multiple-fatality Metrolink collision. Preliminary investigations implicated personal cell phone use as a likely factor in the accidents.

On October 7, 2008, the Federal Railroad Administration (FRA) published Emergency Order 26 covering CMRS and other electronic devices used by railroad employees. The order will go into effect on October 27, 2008, for railroads that are under the FRA's jurisdiction, making it unnecessary for the CPUC to consider a permanent ban at the state level. Therefore the scope of the proceeding opened today is restricted to rail transit agencies under the jurisdiction of the CPUC.

Today's decision opens a proceeding to consider whether the temporary prohibition should be made permanent and whether the scope of the prohibition should be broadened.



“We are opening this proceeding to develop permanent rules regarding electronic devices and rail operators,” said CPUC President Michael R. Peevey. “I expect the full cooperation and involvement of the railroad companies, the unions, and all other parties because we all need to share the goal of making rail travel safe. This proceeding is not the place for foot-dragging.”

For more information on the CPUC, please visit www.cpuc.ca.gov.

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