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A2405012

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Palmdale to construct at-grade crossing modifications at State Route 138, CPUC #101VY (DOT #750603S and - 68.40 for the Southern California Regional Rail Authority and 001B-413.70 for the Union Pacific Railroad), within the County of Los Angeles.

Application 24-05-012

ADMINISTRATIVE LAW JUDGE'S RULING AMENDING THE PROCEEDING SCHEDULE, DIRECTING THE PARTIES TO FILE A JOINT CASE MANAGEMENT STATEMENT, AND TAKING THE MARCH 3, 2025, EVIDENTIARY HEARING OFF THE CALENDAR

This Ruling amends the proceeding schedule and directs the parties to submit a Joint Case Management Statement. Additionally, this Ruling takes the March 3, 2025, evidentiary hearing off the calendar.

1. Procedural and Factual Background

On May 9, 2024, The City of Palmdale (City or Applicant) filed an application to construct at-grade crossing modifications on State Route 138 (DOT #750603S and CPUC # 101VY-68.40 for the Southern California Regional Rail Authority, and 001B-413.70 for the Union Pacific Railroad) within the County of Los Angeles (Application).

On June 14, 2024, the Commission's Railroad Safety Division (RSD) filed a response, and Union Pacific Railroad Company (Union Pacific) filed a protest to the application. On June 25, 2024, in compliance with the assigned Administrative Law Judge's (ALJ) Ruling, the parties filed a Joint Prehearing

Statement. Subsequently on July 29, 2024, Applicant submitted the California Environmental Quality Act Initial Study with Mitigated Declaration/Environmental Assessment with a Finding of 'No Significant Impact.'

On August 27, 2024, the Parties accompanied the assigned ALJ and the assigned Assistant Chief ALJ (ACALJ) on a site visit to the existing railroad crossing for the purpose of understanding the proposed modifications detailed in the Application.

The assigned ALJ and ACALJ conducted a Prehearing Conference on August 27, 2024, in person at the Palmdale City Hall, to: address the issues of law and fact, determine the need for hearing, set the schedule for resolving the matter, and address other matters as necessary. At the Prehearing Conference, the assigned ALJ approved motions for party status made by the California Department of Transportation (Caltrans), which will assume ownership of the improvements after construction, and Metrolink, which owns a set of railroad tracks that transverse the subject rail crossing.

Commissioner Matthew Baker issued a Scoping Ruling (Scoping Memo) on September 18, 2024, that contained the proceeding schedule.

Due to the parties' ongoing settlement discussions, on November 19, 2024, the City and Union Pacific filed a joint motion to extend the time allotted to file testimony & briefings, and to reschedule evidentiary hearings (Motions). The City and Union Pacific conferred with RSD, Metrolink and Caltrans, and reported that these parties did not object to the Motion. The assigned ALJ granted the Motion on November 25, 2024, and this Ruling modifies the proceeding schedule accordingly.

2. Evidentiary Hearing on March 3, 2025

The evidentiary hearing scheduled for March 3, 2025, is hereby REMOVED from the calendar.

3. Modified Schedule

The proceeding schedule is modified as follows:

Event	Date
Joint Status Report regarding settlement discussions, Filed and Served	January 9, 2025
Opening Testimony, Filed and Served	February 3, 2025
Reply Testimony, Filed and Served	February 18, 2025
Settlement Discussions	Ongoing, but concluded by: April 1, 2025
Joint Case Management Statement regarding the need for evidentiary hearings stating whether Evidentiary Hearings are necessary and if so, providing lists of (1) all disputed material facts, (2) all witnesses and for each witness, the disputed material facts to which the witness will testify, and (3) direct and cross-examination estimate times for each witness a party proposes to conduct direct examination and cross-examination, Filed and Served	April 4, 2025
Evidentiary Hearings (if needed)	May 5, 2025
Joint Motion to Admit Testimony and Documents into Evidence Filed and Served (If no evidentiary hearing is needed)	May 5, 2025

Joint Motion to Admit Testimony and Documents into Evidence for any documents modified at the evidentiary hearing, or not otherwise ruled upon during the evidentiary hearings, Filed and Served	May 16, 2025
Concurrent Opening Briefs, Filed and Served	June 30, 2025
Concurrent Reply Briefs, Filed and Served	July 15, 2025
Proposed Decision	90 days from date case submitted.
Commission Action	60 days following proposed decision.

The proceeding will stand submitted upon the filing of the reply briefs, unless the assigned ALJ requires further evidence or argument.

IT IS SO RULED that:

The modified schedule for this proceeding is set forth above and is adopted.

Dated November 27, 2024, at San Francisco, California.

/s/ LEAH S. GOLDBERG

Leah S. Goldberg
Administrative Law Judge