

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



**FILED**

03/06/26

04:59 PM

A2405012

Application of the City of Palmdale to construct at-grade crossing modifications at 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.

A.24-05-012  
(Filed May 09, 2024)

**JOINT STATUS REPORT OF THE CITY OF PALMDALE, UNION PACIFIC  
RAILROAD COMPANY, SOUTHERN CALIFORNIA REGIONAL RAIL  
AUTHORITY, COMMISSION RAIL SAFETY DIVISION, AND CALIFORNIA  
DEPARTMENT OF TRANSPORTATION**

CODY HICKS  
City of Palmdale  
Project Manager  
38250 Sierra Highway  
Palmdale, CA 93550  
Phone: (661) 267- 5253  
Email: [chicks@cityofpalmdale.org](mailto:chicks@cityofpalmdale.org)

ALEXANDRA HALFMAN  
SUSAN S. ARNALL  
City Attorney, Palmdale  
Harper and Burns, LLC  
453 South Glassel Street  
Orange, CA 92866  
Phone: (714) 771-7728  
Email: [ssarnall@harperburns.com](mailto:ssarnall@harperburns.com)

JEREMY A. MEIER  
Attorneys for Union Pacific Railroad  
Company  
Greenberg Traurig, LLP  
400 Capitol Mall, Suite 2400  
Sacramento, CA 95814  
Phone: (916) 868-0642  
Email: [meierj@gtlaw.com](mailto:meierj@gtlaw.com)

RODERICK HILL  
Rail Safety Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Phone: (415) 703-4478  
Email: [Roderick.hill@cpuc.ca.gov](mailto:Roderick.hill@cpuc.ca.gov)

MARK BERKEBILE  
Assistant Chief Counsel  
California Department of Transportation  
100 South Main Street  
Suite 1300  
Los Angeles, CA 90012  
Phone: (213) 247-8019  
Email: [mark.berkebile@dot.ca.gov](mailto:mark.berkebile@dot.ca.gov)

RAYMOND BARRERA  
Senior Counsel, Risk Manager  
Metrolink  
900 Wilshire Blvd.  
Suite 1500  
Los Angeles, CA 90017  
Phone: (213) 494-6583  
Email: [barrerar@scrra.net](mailto:barrerar@scrra.net)

March 6, 2026

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 (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.

A.24-05-012  
(Filed May 09, 2024)

**JOINT STATUS REPORT OF THE CITY OF PALMDALE, UNION PACIFIC RAILROAD COMPANY, SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY, COMMISSION RAIL SAFETY DIVISION, AND CALIFORNIA DEPARTMENT OF TRANSPORTATION**

The City of Palmdale (“City”), Union Pacific Railroad Company (“Union Pacific”), Southern California Regional Rail Authority (“Metrolink”), the California Public Utilities Commission’s Rail Safety Division (“RSD”) and California Department of Transportation (“Caltrans”) (jointly, the “Parties”) file this Joint Status Report in accordance with the Ruling Amending the Proceeding Schedule, Directing the Parties to File a Joint Status report issued by Administrative Law Judge (“ALJ”) Leah S. Goldberg on July 10, 2025.

The City and Union Pacific have met and conferred with the RSD’s counsel, Caltrans’ counsel, and Metrolink’s counsel in filing this Joint Status Report, as indicated by their statements included below.

**BACKGROUND**

On May 9, 2024, the City of Palmdale (“City”) filed an application to construct at-grade crossing modifications at State Route 138 (DOT #750603S and CPUC # 101VY-68.40 for Metrolink, and 001B-413.70 for Union Pacific Railroad) within the County of Los Angeles (Application).

On June 14, 2024, RSD filed a response, and 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 Conference Statement. On July 29, 2024, the City filed the California Environmental Quality Act (CEQA) 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 (PHC) 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 PHC, the assigned ALJ granted party status to Caltrans, which will assume ownership of the improvements after construction, and Metrolink, which owns a set of railroad tracks that transverses the subject rail crossing.

Commissioner Matthew Baker issued a Scoping Ruling (Scoping Memo) on September 18, 2024.

On November 19, 2024, the City and Union Pacific filed a joint motion to extend the time to serve testimony, file briefings and reschedule evidentiary hearings (Motion). 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.

On January 9, 2025, the Parties filed a Joint Case Management Statement again requesting to extend the proceeding schedule by 90 days to allow time for additional settlement discussions.

On January 14, 2025, the assigned ALJ issued a Ruling Amending the Proceeding Schedule and Directing the Parties to File a Joint Status Report. The Parties filed a Joint Status Report on April 9, 2025, requesting an additional 60- day extension to the proceeding schedule to allow the Parties additional time to discuss settlement of one of the scoped issues.

On April 30, 2025, the assigned ALJ held a status conference to discuss the Parties' request to extend the proceeding schedule.

On May 14, 2025, the assigned ALJ issued a ruling amending the proceeding schedule to allow the Parties additional time to conduct settlement discussions.

On June 9, 2025, the Parties filed a Joint Status Report stating that they had reached a settlement in principle. On June 27, 2025, the Parties requested an extension to the proceeding schedule to allow time to draft the settlement agreement and to prepare a motion to approve the

settlement agreement.

On July 1, 2025, the assigned ALJ held a status conference to discuss the latest extension request. Finding good cause for an extension, on July 10, 2025, the assigned ALJ issued a ruling amending the proceeding schedule and directing the Parties to file and serve on July 28, 2025 a joint status report detailing progress towards completing the settlement agreement. The Parties did file that joint status report on July 28, 2026.

On July 10, 2025, the assigned ALJ issued a Ruling Amending the Proceeding Schedule and Directing the Parties to File a Joint Status Report.

The Parties filed a joint status report on July 28, 2025, explaining that they had reached a settlement on all issues, were memorializing the settlement, and would file a motion to approve the settlement by August 28, 2025.

On August 28, 2025, all Parties joined in filing a Joint Motion to Approve the Settlement Agreement.

On September 11, 2025, the City sent a procedural email to the assigned ALJ notifying the Commission that the City would be amending its application and would supply necessary attachments to the Settlement Agreement in its amended application. On September 29, 2025, the assigned ALJ held a status conference to discuss the need for an amended application. At the status conference, the Parties agreed that it would be more efficient to incorporate the amended design plan into the settlement agreement and amend the motion to approve it rather than amend the application, which could create procedural complications.

On October 30, 2025, the Commission voted to extend the statutory deadline for this proceeding to May 31, 2026.

The City served the service list with a status update on October 31, 2025, explaining that the Parties were actively working to finalize the amended settlement agreement and anticipated filing an amended motion during the first week in November. On December 4, 2025, the City served a status update explaining that the Parties were working diligently on the revised design plans and would serve the documents before the holiday season. On December 31, 2025, the City again provided an email update simply saying that the Parties are still working on the design plan.

By email on January 23, 2026, the assigned ALJ set a virtual status conference for February 3, 2026 to discuss the status of the Parties' efforts to complete the design plan and file an amended motion to approve the settlement agreement and to set a deadline for doing so. Upon request for a one-day continuance from RSD, the assigned ALJ rescheduled the virtual status conference to February 4, 2026.

At the February 4, 2026 virtual status conference, the assigned ALJ directed the Parties as follows: the Parties' engineers shall participate in a Diagnostic Meeting concerning the design plans before February 20, 2026; the final design plans shall be circulated among the Parties by February 20, 2026; the Parties' engineers shall attend a second follow up Diagnostic Meeting within 10 days of February 20, 2026; and the Parties shall file a Joint Status Update on March 6, 2026. The assigned ALJ set March 20, 2026 as the deadline for the Parties to file the Amended Motion for Approval of Amended Settlement Agreement and Amended Settlement Agreement with the CPUC.

## **I. SUMMARY OF CURRENT STATUS OF SETTLEMENT AGREEMENT**

Since the virtual status conference on February 4, 2026, the Parties' engineers participated in a Diagnostic Meeting on February 11, 2026 and a follow up Diagnostic Meeting of February 26, 2026. The final design plans have been circulated among the Parties.

Union Pacific remains confident the Parties can execute a satisfactory final amended settlement agreement. Union Pacific has provided additional final comments to Exhibits A and B, which it does not expect will delay or prevent filing the amended settlement agreement by the assigned ALJ's March 20, 2026 deadline.

As of March 2, 2026, Metrolink reports that it has completed its review of Exhibits A and B and all comments have been addressed. As to the entirety of the plans, comments have been provided and Metrolink is awaiting responses from the City's engineering consultant, Parsons.

At this time, Caltrans reports that it does not have any further comments on Exhibits A and B and has informed Parsons accordingly.

Union Pacific notified the Parties on March 6, 2026 that it submitted its final comments to Parson's/City. However, these comments/changes have yet to be reviewed by RSD. RSD will need to review the final versions of both Exhibits A and B prior to the March 20, 2026 filing deadline for the Joint Motion to Approve Settlement.

The City has received comments from Union Pacific concerning Exhibits A and B and awaits RSD's comments/changes. The City is cautiously optimistic that the Parties can execute a satisfactory final amended settlement agreement by the assigned ALJ's March 20, 2026 deadline.

## II. CONCLUSION

In summary, the Parties continue to work together in good faith to finalize the terms of the Amended Settlement Agreement as well as the Amended Motion for Approval of the Amended Settlement.

Respectfully submitted,

/s/ CODY HICKS

CODY HICKS

City of Palmdale  
Project Manager  
38250 Sierra Highway  
Palmdale, CA 93550  
Phone: (661) 267- 5253  
Email: [chicks@cityofpalmdale.org](mailto:chicks@cityofpalmdale.org)

/s/ SUSAN S. ARNALL

ALEXANDRA HALFMAN  
SUSAN S. ARNALL

City Attorney, Palmdale  
Harper and Burns, LLC  
453 South Glassel Street  
Orange, CA 92866  
Phone: (714) 771-7728  
Email: [ssarnall@harperburns.com](mailto:ssarnall@harperburns.com)

/s/ JEREMY A. MEIER

JEREMY A. MEIER

Attorneys for Union Pacific Railroad  
Company  
Greenberg Traurig, LLP  
400 Capitol Mall, Suite 2400  
Sacramento, CA 95814  
Phone: (916) 868-0642  
Email: [meierj@gtlaw.com](mailto:meierj@gtlaw.com)

/s/ RODERICK HILL

RODERICK HILL

Rail Safety Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Phone: (415) 703-4478  
Email: [Roderick.hill@cpuc.ca.gov](mailto:Roderick.hill@cpuc.ca.gov)

/s/ MARK BERKEBILE

MARK BERKEBILE

Assistant Chief Counsel  
California Department of Transportation  
100 South Main Street  
Suite 1300  
Los Angeles, CA 90012  
Phone: (213) 247-8019  
Email: [mark.berkebile@dot.ca.gov](mailto:mark.berkebile@dot.ca.gov)

/s/ RAYMOND BARRERA

RAYMOND BARRERA

Senior Counsel, Risk Manager  
Metrolink  
900 Wilshire Blvd.  
Suite 1500  
Los Angeles, CA 90017  
Phone: (213) 494-6583  
Email: [barrerar@scrra.net](mailto:barrerar@scrra.net)

March 6, 2026