

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED

12-18-09
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In the Matter of the Application of the Exposition Metro Line Construction Authority for an order authorizing the construction of a two-track at-grade crossing for the Exposition Boulevard Corridor Light Rail Transit Line across Jefferson Boulevard, Adams Boulevard, and 23rd Street, all three crossings located along Flower Street in the City of Los Angeles, County of Los Angeles, California.

Application 06-12-005
(Filed December 6, 2006)

Application 06-12-020
(Filed December 19, 2006)

Application 07-01-004
(Filed January 2, 2007)

Application 07-01-017
(Filed January 8, 2007)

Application 07-01-044
(Filed January 24, 2007)

Application 07-02-007
(Filed February 7, 2007)

Application 07-02-017
(Filed February 16, 2007)

Application 07-03-004
(Filed March 5, 2007)

Application 07-05-012
(Filed May 8, 2007)

Application 07-05-013
(Filed May 8, 2007)

And Consolidated Proceedings.

NOTICE OF EX PARTE COMMUNICATION

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CONSTRUCTION AUTHORITY

December 18, 2009

NOTICE OF EX PARTE COMMUNICATION

In accordance with Rule 8.3 of the Rules of Practice and Procedure (“Rules”) of the California Public Utilities Commission (“Commission”), Exposition Metro Line Construction Authority (“Expo Authority”) hereby provides notice of an ex parte communication in the above-captioned proceeding. Beginning at approximately 11:00 a.m. on December 15, 2009, Mr. Richard Thorpe, Chief Executive Officer of Expo Authority, met with Commissioner Timothy Alan Simon in Commissioner Simon’s office at the Commission’s headquarters at 505 Van Ness Avenue, in San Francisco. Also in attendance at the meeting were Mr. Tommy Ross and Ms. Sandi McCubbin, Consultants to Expo Authority, Mr. Martin Mattes of Nossaman LLP, attorneys for Expo Authority, Mmes. Natalie Wales and Melicia Charles, Advisors to Commissioner Simon, and Richard Clark, Director of the Commission’s Consumer Protection and Safety Division. The meeting lasted for approximately 30 minutes.

In the course of the meeting, Mr. Thorpe explained the current state of planning for the Expo Rail line to cross Farmdale Avenue at the intersection of Farmdale Avenue and Exposition Boulevard in the City of Los Angeles. Mr. Thorpe recalled that the Amendment to Application 07-05-013 that Expo Authority filed in July 2009 offered four options for the crossing, including a pedestrian overcrossing with Farmdale Avenue closed, and three variations on at-grade crossing with either a station added at which all trains would stop before entering the intersection, a stop-and-proceed rule requiring that all trains stop before entering the intersection, or the station option subject to a stop-and-proceed rule pending construction of the station. Mr. Thorpe explained that Expo Authority and the Los Angeles Unified School District (“LAUSD”) have reached an agreement in principle on a solution for the Farmdale crossing that would be based on the option of an at-grade crossing with a

station at Farmdale Avenue. In answer to Commissioner Simon's question, Mr. Thorpe confirmed that the agreement included a commitment that all trains operating in either direction at all hours of system operation would come to a complete stop at the station platforms before entering the Farmdale intersection. He explained that all crossing gates will be in the down position when the train arrives at the crossing and will not go up until the crossing is clear. Mr. Thorpe also noted that the agreement between Expo Authority and LAUSD provides for Expo Authority to purchase a motel property at the northeast corner of the intersection and to improve and convey that property to LAUSD for use as a parking lot for school employees. Mr. Thorpe provided a set of 17 views of the proposed Farmdale crossing from various perspectives, which illustrated the planned safety features of the crossing, locations of the station platforms, and alterations to the adjacent high school and motel properties. A set of these 17 views is attached to this notice.

In addition to Mr. Thorpe's statements, Mr. Mattes explained the anticipated sequence of events related to assessment of environmental aspects of the crossing proposal and the planned submission of the proposed crossing solution in the form of a proposed settlement for Commission approval.

To obtain a copy of this notice, please contact:

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Respectfully submitted,

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Dated: December 18, 2009



































CERTIFICATE OF SERVICE

I, Jeannie Wong, hereby certify that on this date I will serve the foregoing NOTICE OF EX PARTE COMMUNICATION by electronic mail and by hand delivery on the Parties to Application No. 06-12-005, *et al.*:

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By hand delivery:

Hon. Maribeth A. Bushey
Administrative Law Judge
California Public Utilities Commission
505 Van Ness Avenue, 5th Floor
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Hon. Timothy A. Simon
Assigned Commissioner
California Public Utilities Commission
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Executed this 18th day of December, 2009, in San Francisco,
California.

/S/ JEANNIE WONG

Jeannie Wong

CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

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