

Decision No. 85778

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own
motion into the safety appliances and
procedures of the SAN FRANCISCO BAY
AREA RAPID TRANSIT DISTRICT.

Case No. 9867
(Filed February 4, 1975)

Malcolm Barrett and Sherwood G. Wakeman,
Attorneys at Law, for Bay Area Rapid
Transit District, respondent.
Charles R. Woodhouse, for Parsons
Brinckerhoff-Tudor-Bechtel; Pettit,
Evers & Martin, by Joseph Martin, Jr.,
Attorney at Law, for Rohr Corporation;
Charles M. Carver and Willard Wattenburg,
for themselves; and T. Richard Brown,
Attorney at Law, for TRW, Incorporated;
interested parties.
Walter H. Kessenick, Attorney at Law, for
the Commission staff.

THIRD INTERIM OPINION

By Decision No. 84582 dated June 24, 1975, the Commission issued an interim order in this matter requiring that the San Francisco Bay Area Rapid Transit District (BART), among other things, submit to the Commission descriptions of unusual occurrences within 24 hours and follow-up reports within 20 days after the event. BART was also required to submit varied reports pertaining to system performance on weekly and monthly schedules. The Commission staff recommends changes to these requirements. BART has not objected to the proposed changes.

Ordering Paragraph 2 of Decision No. 84582 provides:

"2. All accidents, incidents, or unusual occurrences which have caused, or could have caused, impact, collision, derailment, fire, explosion, or other event involving the operation of railroad on-track equipment (standing or moving)

including those occurring on passenger loading platforms-which caused, or could have caused, property damage or personal injury or death to passengers or employees, shall be reported by telephone or telegraph to the Commission (telephone 557-2271) within 24 hours from the time of such event. A follow-up written report shall be filed with the Commission within 20 days of such event."

Ordering Paragraph 3 of Decision No. 84582 provides:

"3. One copy of the following San Francisco Bay Area Rapid Transit District (BART) operating documents shall be filed with the Commission at the indicated intervals until further ordered:

- a. Car Report Weekly Summary, Form No. 0742 - file weekly.
- b. Monthly failure reports for vehicles, central control, and station and wayside equipment - file monthly. Reports for prior months in 1975 shall be filed with the first report filed in compliance with this order.
- c. Manual Intervention Log, with summary - file weekly.
- d. Central Supervisors Daily Log - file daily."

We find the staff recommendations set forth in the order below reasonable and conclude that Ordering Paragraphs 2 and 3 of Decision No. 84582 should be modified as hereafter ordered. The effective date of this order shall be the date hereof to expedite the result of safety information.

THIRD INTERIM ORDER

IT IS ORDERED that:

1. Ordering Paragraph 2 of Decision No. 84582 is modified to read as follows:

"2. All accidents, incidents or unusual occurrences which have caused, or could have caused impact, collision, derailment, fire, explosion, or other event involving the operation of on-track equipment (standing or moving) including those occurring

on passenger loading platforms which caused or could have caused, property damage, or personal injury or death to passengers or employees, shall be reported by telephone to the Commission (telephone 557-2271) within 24 hours from the time of such event. In the case of holiday or weekend occurrences, such report will be made on the next regular working day. A category shall be assigned to each report by BART. Any category assigned at the initial reporting may be changed by the Commission staff. The following categories shall be utilized:

a. Category 'A'

1. Accidents resulting in:
 - A. Death or injury.
 - B. Property damage in excess of \$1,750.
2. Incidents involving:
 - A. CABS control malfunctions.
 - B. Loss of automatic train protection.
 - C. Excessive train speed.
3. Incidents which expose employees or patrons to an immediate hazard that could result in death or injury.

b. Category 'B'

1. Accidents resulting in property damage less than \$1,750.
2. Incidents that expose employees or patrons to hazards less than immediate which can be remedied by procedure or equipment modifications.
3. Incidents which could have caused damage to equipment or property that can be remedied by equipment or procedural modification.

c. Category 'C'

Incidents exposing employees or patrons to hazards over which BART has no direct control, or which are not caused by system operation or malfunction.

d. Follow-up reporting:

1. Category 'A' reports shall require that an initial follow-up report be filed within 3 working days of the initial report. This report may be either preliminary or final; however, if preliminary, follow-up reports shall be filed every 10 working days until the final report is filed.
2. Category 'B' reports shall require that a follow-up report be filed within 20 working days of the initial report. This report may be either preliminary or final; however, if preliminary, follow-up reports shall be filed every 20 working days until the final report is filed.
3. Category 'C' reports shall require no follow-up reporting.

"For those cases which require an extended period of time to conclude, BART shall file a schedule of reporting in lieu of the reports required in Categories A and B. This schedule shall include a brief description of actions taken or planned, together with a timetable for progress reporting. BART shall inform the Commission, in writing, of any deviation from this schedule."

2. Ordering Paragraph 3 of Decision No. 84582 is amended to read as follows:

"3. One copy of the following San Francisco Bay Area Rapid Transit District operating documents shall be filed with the Commission at the indicated intervals until further order:


- a. Car Weekly Summary, Form No. 0742 - file weekly.
- b. Monthly failure reports for vehicles, central control, and station and wayside equipment - file monthly.

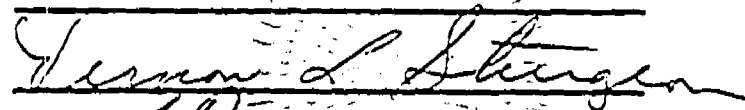

- c. Daily schedules of service level indicating average number of trains in revenue service and the time period that the schedules shall be maintained. When the number of trains scheduled for a time period of two hours or longer is greater or less than 7 percent of any other schedule, it is defined as a new service level.
- d. Daily performance console inputs for each service level noted in c - file weekly.
- e. Daily routing console inputs for each service level noted in c - file weekly.
- f. Daily number of bad order trains for each service level noted in c.- file weekly.
- g. Daily number of passenger off-loads for each service level noted in c. - file weekly.
- h. Daily number of manual movement instructions to trains for each service level noted in c. - file weekly. These movements shall include all mainline manual movements with the exception of Rule 407, H - only.
- i. Weekly total of car and train hours - file weekly.
- j. 'Categories listed on car report'. This report shall include a plot of the weekly average of 'A' car availability - file monthly.
- k. Central Supervisors Daily Log - file daily."


3. In all other respects Decision No. 84582 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 4th day of May, 1976.


President


Vernon L. Sturgeon

Commissioner


Robert B. Baker
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.