

SEP 3 1992

Decision 92-09-011 September 2, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation instituted on the Commission's own motion into the responsibilities of railroad corporations to improve walkway conditions along tracks in existence before the adoption of General Order 118.

1.89-03-004
(Filed March 8, 1989)

O P I N I O N

On June 25, 1992, the Safety Division petitioned to modify Decision (D.) 90-09-047, requesting that this proceeding remain open until June 1, 1993. This proceeding was to remain open until June 1, 1992 pending Safety Division's review and evaluation of compliance by the State's jurisdictional railroads with rules adopted in D.90-09-047. Those rules are intended to improve walkway safety.

Safety Division states its review and evaluation efforts in this proceeding have been delayed due to unanticipated demands on its time resulting from two railroad derailments in 1991.

We will grant Safety Division's request to leave this proceeding open until June 3, 1993. This extension of time will not relieve the railroads of their obligations to improve walkway conditions as set forth in D.90-09-047.

Findings of Fact

1. D.90-09-047 directed that this proceeding would remain open until June 1, 1992 pending review and evaluation by Safety Division of railroad company compliance with provisions of D.90-09-47.

2. Safety Division has deferred its efforts to review and evaluate railroad company compliance with walkway safety rules

adopted in D.90-09-047 because of staffing demands brought on by two railroad derailments in 1991.

Conclusions of Law

1. This proceeding should remain open until June 1, 1993 to provide time for Safety Division to review and evaluate railroad compliance with the provisions of D.90-09-047.
2. This decision should not be construed to relieve railroad companies of their obligations to improve walkway conditions as set forth in D.90-09-047.

ORDER

IT IS ORDERED that:

1. Ordering Paragraph 3 of Decision (D.) 90-09-047 is modified to provide that this proceeding shall remain open until June 1, 1993.
2. This decision shall not in any way relieve the railroad companies of obligations to improve walkway safety conditions, as set forth in D.90-09-047.

This order is effective today.

Dated September 2, 1992, at San Francisco, California.

DANIEL Wm. FESSLER
President
JOHN B. OHANIAN
NORMAN D. SHUMWAY
Commissioners

Commissioner Patricia M. Eckert,
being necessarily absent, did
not participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY