

Decision No. 92222 SEP 3-1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation On The Commission's)	Case No. 9867
Own Motion Into The Safety)	(Tunnel Phase)
Appliances And Procedures)	(Petition for Modification
Of The San Francisco Bay Area)	filed August 22, 1980)
Rapid Transit District.)	

FIFTEENTH INTERIM OPINION AND ORDER

By a petition dated August 22, 1980 in this case, San Francisco Bay Area Rapid Transit District (BART) requests an extension of time to comply with Ordering Paragraph 2 of Decision No. 90144, dated April 4, 1979, as amended by Ordering Paragraph 1 of Decision No. 91466, dated March 18, 1980. Those ordering paragraphs involved a schedule by BART to replace polyurethane materials on the seat assemblies in BART cars; that project is now required to be completed by September 14, 1980.

In support of its request BART cites problems it has had with the workmanship of the replacement cushions requiring BART to have its supplier rework cushions already manufactured and delivered and improve the quality of cushions yet to be manufactured. This caused delays in the replacement program. Further delays have been caused by the business failure of a subcontractor on the project. BART now expects completion of the project by October 10, 1980.

By memorandum to the assigned Administrative Law Judge from the Manager, Transit Districts Safety Branch of the Commission staff, staff recommends the petition be granted.

It appears that for such a short extension of time a public hearing would serve no useful purpose. The order should be made effective the date hereof because the present compliance date is September 14, 1980.

Findings of Fact

1. Circumstances beyond BART's control have caused a delay in the seat replacement program for BART's revenue cars.
2. A public hearing is not necessary.

We conclude that the extension of time requested by BART should be granted.

IT IS ORDERED that BART is granted an extension of time to October 10, 1980 to comply with Ordering Paragraph 2 of Decision No. 90144.

The effective date of this order is the date hereof.

Dated SEP 3 - 1980, at San Francisco, California.

John E. Bryan
President

James L. Litton

Richard D. Gruelle

Clare J. Dejeu

Stanley J. Smith
Commissioners