

From: Prosper, Terrie D.
Sent: 2/16/2012 1:13:12 PM
To: Prosper, Terrie D. (terrie.prosper@cpuc.ca.gov)
Cc:
Bcc:
Subject: CPUC Sponsors Legislative Bills to Obtain Needed Safety and Enforcement Tools:
CPUC Press Release

**FOR IMMEDIATE RELEASE
RELEASE**

PRESS

Media Contact: Terrie Prosper, 415.703.1366, news@cpuc.ca.gov

CPUC SPONSORS LEGISLATIVE BILLS TO OBTAIN NEEDED SAFETY AND ENFORCEMENT TOOLS

SAN FRANCISCO, February 16, 2012 - The California Public Utilities Commission (CPUC) today said it will sponsor four legislative proposals designed to better ensure that the CPUC is able to proactively address safety concerns by expanding and expediting its enforcement authority.

Three of the legislative proposals would improve the safety of the state's natural gas pipeline system and are in response to recommendations made by the Independent Review Panel that examined the Pacific Gas and Electric Company pipeline rupture in San Bruno in 2010. The fourth proposal would ensure the CPUC's ability to expeditiously close unsafe railroad crossings.

The CPUC is sponsoring Assembly Bill 1514 (Lowenthal), which would authorize the CPUC to enforce and issue civil penalties for a utility company's or an excavator's failure to comply with the state's One-Call law and call 811 prior to beginning a digging project. Violations of the One-Call law result in thousands of instances every year in which subsurface utility facilities are struck and damaged. There is an immediate threat to the public when subsurface facilities are damaged due to inadequate excavation practices. Flammable gases, pressurized sewage, hazardous liquids, and electric cables create an immediate safety hazard, while damaged communication facilities can significantly impact 911 services and public commerce. Currently, only the Attorney General, District Attorneys, or local permitting agencies can enforce the law. The CPUC's memorandum on this bill is available at

http://docs.cpuc.ca.gov/word_pdf/REPORT/159680.pdf.

The CPUC is also sponsoring Assembly Bill 1694 (Fuentes), which would allow the CPUC to employ a risk-based approach in determining the frequency of inspections for master-metered natural gas and propane systems. Current law requires that each mobilehome park master-metered natural gas and propane system must be inspected by the CPUC at least once every five years, regardless of the condition and compliance history of the operator. Substituting a risk-based inspection schedule for the set schedule would enable the CPUC to allocate its inspection resources more effectively to focus on the mobilehome parks and propane systems it determines are at the highest priority for inspection. The CPUC's memorandum on this bill is available at http://docs.cpuc.ca.gov/WORD_PDF/REPORT/159709.pdf.

The third safety proposal the CPUC voted to sponsor would provide the state's gas utilities with the right to expedited permitting by counties and municipalities for pipeline inspection, remediation, and replacement work. Final bill language will be worked out in discussions that are ongoing between stakeholders and legislative leaders. The CPUC's memorandum on this proposal is available at http://docs.cpuc.ca.gov/word_pdf/REPORT/159704.pdf.

Said Commissioner Mike Florio, "These bills help to strengthen the CPUC's safety and enforcement efforts and are part of the CPUC's promise to make good on each and every item brought up in the National Transportation Safety Board and Independent Review Panel reports."

For an overview of CPUC actions in response to the National Transportation Safety Board and Independent Review Panel recommendations, please see www.cpuc.ca.gov/PUC/events/sanbruno.htm.

The CPUC is taking a comprehensive look at ways to improve all of its safety programs. To that end, it is also sponsoring Assembly Bill 1665 (Galgiani), which would clarify existing law and confirm the CPUC's authority over rail crossings in California. A number of fatalities occur every year in California at existing highway-rail crossings. This legislation would help ensure that dangerous crossings can be closed with simple minor modifications without the delay of an unnecessary California Environmental Quality Act (CEQA) review. Since most, if not all, the considerations addressed under CEQA are considered by the CPUC in its crossing closure public hearings and proceedings, these important considerations will be more expeditiously

aired and resolved. The CPUC's memorandum on this bill is available at http://docs.cpuc.ca.gov/WORD_PDF/REPORT/159703.pdf.

For more information on the CPUC, please visit www.cpuc.ca.gov.

###

Terrie Prosper
Director, News & Public Information Office
California Public Utilities Commission
Visit the CPUC on: [Twitter](#) | [Facebook](#)