

EXHIBIT 6-B

Docket No. DCA-08-MR009

**NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C. 20594**

**Cellular / Wireless Device Records Factual Report
Union Pacific Conductor**

NATIONAL TRANSPORTATION SAFETY BOARD
Vehicle Recorder Division
Washington, D.C. 20594

February 27, 2009

**Cellular/Wireless Device Records – Union Pacific
Conductor - Factual Report**

**NTSB Accident Number
DCA08MR009**

By Doug Brazy

A. ACCIDENT

Location: Chatsworth, CA
Date: September 12, 2008
Time: 4:22 P.M. Pacific Daylight Time
Train(s) : Metrolink 111 commuter rail / Union Pacific LOF-6512

B. GROUP

N/A

C. SUMMARY

At about 4:23 p.m. PDT on September 12, 2008 a Southern California Regional Rail Authority (Metrolink) passenger train collided head-on with a Union Pacific Railroad freight train in Chatsworth, California. Chatsworth is approximately 33 miles northwest of Los Angeles, California.

Cellular Telephone / Wireless Device records for the Union Pacific Conductor's account were obtained via subpoena and search warrant, by the NTSB Operations Group Chairman. These records include the time and date of incoming and outgoing telephone calls, as well as the time and data of Short Message Service (SMS) text messages sent and received. The content of the text messages was not obtained; the retention time (approximately 8 days) utilized by Verizon Wireless had lapsed before the record request was made.¹

Verizon Wireless records indicate that on the day of the accident, the Conductor sent or received a total of 41 text messages while on duty, between 11:30 am and 4:20 pm.² According to the "Conductors Report", the Conductor was on a train underway between 12:29pm and 1:55 pm, and again from 3:13 until the time of the accident. A total of 35 text messages were sent or received during these times.

Three outgoing telephone calls were made while the conductor was on duty. These calls appear to be business related; all three were to the Metrolink Track Warrants telephone number.

D. DETAILS OF INVESTIGATION

Text Message Timing Information

The records provided by Verizon Wireless were "time-stamped" in hours:minutes only. Seconds after the minute were not included. The clocks used to time-stamp Verizon Wireless records are synchronized to Global Positioning System (GPS) time.³

¹ The subpoena was issued on September 24, which was 12 days after the accident.

² The records did not include seconds in the times provided for text messages , only hours:minutes are given.

³ For more information about timing of Verizon Wireless phone records, see the separate report "Cellular/Wireless Device Records – Metrolink Engineer"

The request made to Verizon Wireless was for telephone and text message records for the accident day, September 12, 2008. Attachment I-1 contains a listing of text messages sent and received. Attachment I-2 contains a listing of telephone calls made. These attachments list all of the recorded activity during the time the Conductor was on duty, from 11:30 am to the time of the accident, 4:22 pm.

Douglass P. Brazy
Mechanical Engineer
NTSB Vehicle Recorder Division

Attachment I-1 – SMS Message Activity During Duty Time September 12, 2008

<u>MDN Conductor's Mobile Device Number</u>	<u>Msg Sent Date/Time</u>	<u>Orig Address</u>	<u>Msg Delivered Date/Time</u>	<u>Dest Address</u>	<u>Msg Dirn Direction</u> MO= outgoing MT = received
[Conductor]	9/12/2008 16:20	[Conductor]	9/12/2008 16:20	[number redacted]	MO
[Conductor]	9/12/2008 16:16	[Conductor]	9/12/2008 16:16	[number redacted]	MO
[Conductor]	9/12/2008 16:15	[number redacted]	9/12/2008 16:15	[Conductor]	MT
[Conductor]	9/12/2008 16:13	[number redacted]	9/12/2008 16:13	[Conductor]	MT
[Conductor]	9/12/2008 16:10	[Conductor]	9/12/2008 16:10	[number redacted]	MO
[Conductor]	9/12/2008 16:10	[number redacted]	9/12/2008 16:10	[Conductor]	MT
[Conductor]	9/12/2008 16:09	[number redacted]	9/12/2008 16:09	[Conductor]	MT
[Conductor]	9/12/2008 16:08	[Conductor]	9/12/2008 16:08	[number redacted]	MO
[Conductor]	9/12/2008 15:36	[Conductor]	9/12/2008 15:36	[number redacted]	MO
[Conductor]	9/12/2008 15:35	[number redacted]	9/12/2008 15:35	[Conductor]	MT
[Conductor]	9/12/2008 15:34	[Conductor]	9/12/2008 15:34	[number redacted]	MO
[Conductor]	9/12/2008 15:29	[Conductor]	9/12/2008 15:29	[number redacted]	MO
[Conductor]	9/12/2008 15:28	[number redacted]	9/12/2008 15:28	[Conductor]	MT
[Conductor]	9/12/2008 15:25	[number redacted]	9/12/2008 15:25	[Conductor]	MT
[Conductor]	9/12/2008 15:01	[Conductor]	9/12/2008 15:01	[number redacted]	MO

<u>MDN Conductor's Mobile Device Number</u>	<u>Msg Sent Date/Time</u>	<u>Orig Address</u>	<u>Msg Delivered Date/Time</u>	<u>Dest Address</u>	<u>Msg Dirn Direction MO= outgoing MT = received</u>
[Conductor]	9/12/2008 14:55	[number redacted]	9/12/2008 14:55	[Conductor]	MT
[Conductor]	9/12/2008 14:54	[Conductor]	9/12/2008 14:54	[number redacted]	MO
[Conductor]	9/12/2008 14:47	[number redacted]	9/12/2008 14:47	[Conductor]	MT
[Conductor]	9/12/2008 13:47	[Conductor]	9/12/2008 13:47	[number redacted]	MO
[Conductor]	9/12/2008 13:46	[number redacted]	9/12/2008 13:46	[Conductor]	MT
[Conductor]	9/12/2008 13:17	[number redacted]	9/12/2008 13:17	[Conductor]	MT
[Conductor]	9/12/2008 13:13	[Conductor]	9/12/2008 13:13	[number redacted]	MO
[Conductor]	9/12/2008 13:11	[number redacted]	9/12/2008 13:12	[Conductor]	MT
[Conductor]	9/12/2008 13:08	[Conductor]	9/12/2008 13:08	[number redacted]	MO
[Conductor]	9/12/2008 13:06	[number redacted]	9/12/2008 13:07	[Conductor]	MT
[Conductor]	9/12/2008 13:01	[Conductor]	9/12/2008 13:01	[number redacted]	MO
[Conductor]	9/12/2008 12:59	[number redacted]	9/12/2008 12:59	[Conductor]	MT
[Conductor]	9/12/2008 12:58	[Conductor]	9/12/2008 12:58	[number redacted]	MO
[Conductor]	9/12/2008 12:57	[number redacted]	9/12/2008 12:57	[Conductor]	MT
[Conductor]	9/12/2008 12:56	[Conductor]	9/12/2008 12:56	[number redacted]	MO
[Conductor]	9/12/2008 12:56	[number redacted]	9/12/2008 12:57	[Conductor]	MT
[Conductor]	9/12/2008 12:55	[number redacted]	9/12/2008 12:55	[Conductor]	MT
[Conductor]	9/12/2008 12:55	[Conductor]	9/12/2008 12:55	[number redacted]	MO
[Conductor]	9/12/2008 12:54	[Conductor]	9/12/2008 12:54	[number redacted]	MO

<u>MDN Conductor's Mobile Device Number</u>	<u>Msg Sent Date/Time</u>	<u>Orig Address</u>	<u>Msg Delivered Date/Time</u>	<u>Dest Address</u>	<u>Msg Dirn Direction</u> MO= outgoing MT = received
[Conductor]	9/12/2008 12:52	[Conductor]	9/12/2008 12:52	[number redacted]	MO
[Conductor]	9/12/2008 12:52	[number redacted]	9/12/2008 12:52	[Conductor]	MT
[Conductor]	9/12/2008 12:49	[number redacted]	9/12/2008 12:51	[Conductor]	MT
[Conductor]	9/12/2008 12:48	[number redacted]	9/12/2008 12:48	[Conductor]	MT
[Conductor]	9/12/2008 12:39	[Conductor]	9/12/2008 12:39	[number redacted]	MO
[Conductor]	9/12/2008 12:11	[Conductor]	9/12/2008 12:11	[number redacted]	MO
[Conductor]	9/12/2008 11:48	[number redacted]	9/12/2008 11:48	[Conductor]	MT

**Attachment I-2
Telephone Calls During Duty Time, September 12, 2008**

Date	Time	Dir call direction MO = outgoing	MDN Conductor's Mobile Device Number	Called #	CPN Calling Party Number	Szr Call duration in Seconds
9/12/2008	14:48:10	MO	[Conductor]	[number redacted]	[Conduc- tor]	44
9/12/2008	13:37:21	MO	[Conductor]	[number redacted]	[Conduc- tor]	26
9/12/2008	12:12:40	MO	[Conductor]	[number redacted]	[Conduc- tor]	144