

FINANCE DOCKET No. 2392.

CONSTRUCTION OF EXTENSION BY ERIE R. R.

IN THE MATTER OF THE APPLICATION OF THE ERIE RAILROAD COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING THE CONSTRUCTION OF A LINE OF RAILROAD.

Submitted September 18, 1922. Decided September 27, 1922.

Certificate issued authorizing the construction of a line of railroad between Sparrowbush, N. Y., and Lackawaxen, Pa.

George F. Brownell for applicant.

REPORT OF THE COMMISSION.

DIVISION 4, COMMISSIONERS MEYER, EASTMAN, AND POTTER.

BY DIVISION 4:

The Erie Railroad Company, a carrier by railroad subject to the interstate commerce act, on May 19, 1922, filed an application for a certificate that the present and future public convenience and necessity require the construction of a line of railroad from a point on the applicant's main line near Sparrowbush, in the town of Deer Park, Orange County, N. Y., through the county of Sullivan, N. Y., to a connection with such main line near Lackawaxen, Pike County, Pa., a distance of 20.8 miles. No representations were made in the matter by the authorities of either State, and the case was submitted without formal hearing.

The proposed line would follow the north shore of the Delaware River, crossing the stream near its westerly terminus to unite with the present main line, which lies on the south bank of the river for most of the distance. The present line east of Port Jervis has three and four main tracks. Port Jervis is 2.4 miles east of Sparrowbush, and between those points the applicant has large yards. At Lackawaxen the main line is joined by the applicant's Wyoming division, which extends thence westerly into the Scranton anthracite fields. The main line west of Lackawaxen is double tracked. There are only two main tracks on the south side of the river between Sparrowbush and Lackawaxen, whereas on either side of this stretch there are three or more such tracks. The eastbound track between Lackawaxen and Sparrowbush is double tracked.

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waxen and Sparrowbush is especially liable to congestion on account of the movement of hard coal eastward from the Wyoming division.

The proposed line is designed to relieve the congestion on the present tracks by providing the equivalent of third and fourth main-line tracks between those points. No cities, towns, or villages would be served, as there is practically no population in the region accessible to the new line, which would lie between the river and precipitous hills. No local usefulness is claimed for the additional line. The route selected affords a location for a better line than could be built on the south side of the river, where it is impracticable to build additional tracks on the present right of way on account of physical difficulties and excessive cost. The applicant estimates that the proposed work will cost \$3,440,000 for a single track, or \$5,011,200 for a double-track line. Plans for financing this construction have not been made and the applicant is unable to fix a date at which work will be begun.

Upon the facts presented we find that the present and future public convenience and necessity require the construction of the line of railroad proposed in said application.

A certificate to that effect will be issued.

Certificate of Public Convenience and Necessity.

Investigation of the matters and things involved in this proceeding having been had, and said division having, on the date hereof, made and filed a report containing its findings of fact and conclusions thereon, which report is hereby referred to and made a part hereof:

It is hereby certified, That the present and future public convenience and necessity require the construction by the Erie Railroad Company of a line of railroad described in said application and report.

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