

No. 15006

**RATES, CHARGES, REGULATIONS, AND PRACTICES
GOVERNING TRANSPORTATION OF ANTHRACITE
COAL**

Decided November 8, 1927

Findings in supplemental report, 122 I. C. C. 527, in respect of rates on prepared sizes of anthracite coal, in carloads, from mines in Pennsylvania to points in northern New York clarified, and the Lehigh Valley Railroad permitted to establish rate of \$2.65 per ton of 2,240 pounds from mines served by it to certain points in northern New York.

SUPPLEMENTAL REPORT OF THE COMMISSION**CAMPBELL, Commissioner:**

In our supplemental report herein, adopted February 14, 1927, 122 I. C. C. 527, we found the adjustment of rates then existing on prepared sizes of anthracite coal, in carloads, from the Wyoming, Lehigh, and Schuylkill regions in Pennsylvania to Albany, Troy, Mechanicville, Utica, Syracuse, Geneva, Hornell, N. Y., and other points taking the same rates on prepared sizes over one or more routes, considered as a whole to be unjust, unreasonable, and unduly prejudicial and preferential in the relation of such rates to each other. We further found that for the future the just and reasonable rates on prepared sizes of anthracite coal, in carloads, to those destinations to be thereafter observed would be (a) \$2.65 per ton of 2,240 pounds from all points in the Wyoming region on the line of each carrier serving that region, except the Central Railroad of New Jersey, the Lehigh Valley, and the Pennsylvania, over all single-line routes, and also over the shortest tariff route to each destination, determined by averaging the distances from all mines in the Wyoming region on each carrier to each destination; and (b) \$2.88 per ton of 2,240 pounds from all points in the Wyoming, Lehigh, and Schuylkill regions on the line of each carrier serving any of those regions, over all routes over which a rate of \$2.88 was proposed in schedules under suspension in Investigation and Suspension Docket No. 2637, *Anthracite Coal, Pennsylvania to New Jersey, New York, and Pennsylvania*, disposed of in the same report, other than those over which a rate lower than \$2.88 applied under the conclusions therein.

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Rates on the foregoing bases became effective on June 20, 1927. Subsequently the Lehigh & New England and the Central Railroad of New Jersey established the rate of \$2.65 from mines on the lines of those carriers in the Wyoming and Lehigh regions to the Albany district over two new routes via Bethlehem Junction, Pa., and Campbell Hall, N. Y., 267 and 240 miles, respectively. Still later we modified our supplemental order No. 24, entered in connection with the foregoing supplemental report, so as to permit the Lehigh & New England to maintain the rate of \$2.65 from mines served by that carrier to the Albany district over its direct route via Campbell Hall, 217 miles. We now have a petition from the Lehigh Valley for leave to publish the rate of \$2.65 from all mines in the Wyoming, Lehigh, and Schuylkill regions served by it over established routes to the Albany district, Syracuse, N. Y., and all points on the New York Central and West Shore between Albany and Syracuse. The average distances over the present routes from all Lehigh Valley mines are 273 miles to Syracuse, 303 miles to Albany, and 301 miles to Utica, N. Y., a point on the New York Central and West Shore between Albany and Syracuse. The Lehigh Valley states that competition of the mines served by it with mines in the same regions now paying the rate of \$2.65 demands that the same rate be established from the mines which it serves. No reply to the petition of the Lehigh Valley has been filed.

In the supplemental report and order we prescribed and required to be maintained what we found to be a just and reasonable adjustment of rates on anthracite coal to points in northern New York, among which, as stated, was a rate of \$2.88 over routes above described. Nothing in this or the supplemental report and order of February 14, 1927, shall be construed as prohibiting the routes over which the rate of \$2.88 was found to be just and reasonable from meeting the rate of \$2.65 for purposes of competition. In making such reductions, however, care must be exercised that no rate is applied over any route which is not reasonably compensatory for the service performed and is therefore unduly burdensome upon other traffic. Nothing upon this record indicates that the Lehigh Valley routes over which it is desired to reduce the rate of \$2.88 to \$2.65, or any other routes over which the rate of \$2.65 now applies, fall within that category.

An appropriate supplemental order, clarifying our supplemental order No. 24, will be entered.

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