

FINANCE DOCKET NO. 6386

ABANDONMENT OF BRANCH LINE BY NEW YORK, SUS-  
QUEHANNA & WESTERN RAILROAD COMPANY

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*Submitted December 22, 1927. Decided January 20, 1928*

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Certificate issued authorizing the New York, Susquehanna & Western Railroad Company to abandon a branch line of railroad in Warren County, N. J.

*Chester F. Leonard* for applicant.

REPORT OF THE COMMISSION

DIVISION 4, COMMISSIONERS MEYER, EASTMAN, AND WOODLOCK

BY DIVISION 4:

The New York, Susquehanna & Western Railroad Company, a carrier by railroad subject to the interstate commerce act, on June 27, 1927, filed an application under paragraph (18) of section 1 of the act for a certificate that the present and future public convenience and necessity permit the abandonment by it of a branch line of railroad extending from a connection with its main line at Delaware Junction in a southerly direction to Delaware, a distance of 3.1 miles, all in Warren County, N. J. A similar application was filed with the Board of Public Utility Commissioners of New Jersey, which held a joint hearing on the two applications. The New Jersey commission has entered an order authorizing the proposed abandonment, effective April 29, 1928. No one appeared at the hearing in opposition to the application, and no objections have been brought to our attention.

The line was built about 1881 by the Blairstown Railway Company and formed a part of that company's main line, which extended from a point near Blairstown to Delaware, approximately 11 miles. In 1882 the Blairstown Railway Company was consolidated with a predecessor of the applicant, and that part of its railroad between Blairstown and Delaware Junction became a part of the main line of the New York, Susquehanna & Western Railroad Company, while the part between Delaware Junction and Delaware became, and has since been operated as, a branch line.

There are no stations on the branch except at Delaware, its terminus. The depot at Delaware is on the main line of the Delaware, Lackawanna & Western Railroad Company and is owned by that

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company. It is used jointly by the applicant under contract. The branch passes through an agricultural country, and is paralleled by a good highway. It does not serve any industries.

Freight service is furnished by a main-line way freight, which operates over the branch on an average of every other day. Freight is interchanged with the Delaware, Lackawanna & Western at Delaware. Passenger service is provided by a gasoline-motor car, which makes two round trips daily from Blirstown, via Delaware Junction, to Delaware.

For the five years ended December 31, 1926, the average annual tonnage originating on or destined for delivery on the branch was 328 tons. In the same period the tonnage interchanged with the Lackawanna and moving over the branch averaged 5,764 tons a year. The applicant represents that this tonnage would not be lost through the abandonment of the branch, but could be interchanged as conveniently at other junctions. Earnings from freight traffic on the branch for the period 1922-1926, inclusive, allocated on a mileage prorate, averaged \$769.12 a year, and the total system earnings of the applicant from all freight traffic moving over the branch, including that interchanged with the Lackawanna, averaged \$6,140 a year. The number of passengers carried progressively declined from 5,517 in 1922 to 2,941 in 1926, and the passenger earnings, allocated on a mileage prorate basis, decreased from \$662.04 in 1922 to \$352.92 in 1926. Total system revenues of the applicant from passenger traffic moving over the branch, including the branch line revenues, decreased from \$2,073.33 in 1922 to \$1,130.60 in 1926.

It is estimated that the proposed abandonment will enable the applicant to effect a saving in out-of-pocket cost of \$13,330.31 a year. Included in this amount is the cost of the use of the station at Delaware, of maintaining the right of way, and of operating the motor car between Blirstown and Delaware. No amount is included for savings in taxes and equipment rents, or in the cost of maintaining the present freight service.

The record does not indicate any probability of an increase in the traffic originating on or destined to the branch. If the branch be abandoned adequate service will be provided the termini by the applicant's main line and the Lackawanna, and also by the Pennsylvania Railroad, which operates passenger trains through Delaware over the Lackawanna under trackage rights. It does not appear that the convenience and necessity of the territory local to the branch will be affected adversely by the abandonment proposed.

Upon the facts presented we find that the present and future public convenience and necessity permit the abandonment by the applicant of the branch line of railroad in Warren County, N. J., described in the application. A certificate to that effect will be

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issued. Such certificate will provide that it shall take effect and be in force from and after April 29, 1928. Suitable provision will be made therein for the cancellation of tariffs.

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CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

*Issued January 20, 1928*

A hearing and 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 said report is hereby referred to and made a part hereof:

*It is hereby certified,* That the present and future public convenience and necessity permit the abandonment by the New York, Susquehanna & Western Railroad Company of the branch line of railroad in Warren County, N. J., described in the application and report aforesaid:

*It is ordered,* That the New York, Susquehanna & Western Railroad Company, when filing schedules canceling tariffs applicable on said branch line of railroad, shall in such schedules refer to this certificate by title, date, and docket number.

*It is further ordered,* That this certificate shall take effect and be in force from and after April 29, 1928. Tariffs applicable on said branch line may be canceled within not more than 30 days prior to the effective date of this certificate upon notice to this commission and to the general public by not less than 10 days' filing and posting in the manner prescribed in section 6 of the interstate commerce act.

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