

FINANCE DOCKET No. 11250
MOOSIC MOUNTAIN & CARBONDALE RAILROAD COM-
PANY ET AL. ABANDONMENT

Submitted September 24, 1936. Decided October 22, 1936

Certificate issued permitting abandonment by the Moosic Mountain & Carbondale Railroad Company of a line of railroad in Lackawanna County, Pa., and abandonment of operation thereof by the Erie Railroad Company.

H. A. Taylor and Paca Oberlin for applicants.

REPORT OF THE COMMISSION

DIVISION 4, COMMISSIONERS MEYER, PORTER, AND MAHAFFIE

BY DIVISION 4:

The Moosic Mountain and Carbondale Railroad Company and the Erie Railroad Company, on June 19, 1936, jointly applied for permission to abandon the part of the line of railroad of the former extending from station 98+90 to the end of the line at Marshwood, approximately 2.457 miles, all in Lackawanna County, Pa. No representations have been made by any State authority and no objection to the application has been offered. A similar application was filed with the Public Service Commission of Pennsylvania and that commission held a hearing on the applications, at which no one appeared in opposition.

The railroad of the Moosic Mountain & Carbondale is operated by the Erie without any written lease or agreement. The latter owns all the capital stock of the former.

The line proposed to be abandoned was completed in 1888 to serve the colliery of the Moosic Mountain Coal Company at Marshwood, where mining operations were conducted by that company and its successor, the Bald Mountain Coal Company, until 1924, when operation of the colliery was discontinued and the breaker tools and machinery removed. Since then there has been no traffic for movement on the line, and there is no prospect of any for the future. The only traffic ever moved on the line consisted of coal and necessary mining materials to and from Marshwood.

The record indicates that there is no available rail traffic for the line proposed to be abandoned, that its operation would impose an unnecessary and undue burden upon interstate commerce, and that the proposed abandonment will not result in public inconvenience.

217 I. C. C.

We find that the present and future public convenience and necessity permit abandonment by The Moosic Mountain and Carbondale Railroad Company of the line of railroad in Lackawanna County, Pa., described in the application, and abandonment of operation thereof by the Erie Railroad Company. An appropriate certificate will be issued, effective from and after 30 days from its date, in which suitable provision will be made for the cancelation of tariffs.

217 I. C. C.