No. 28000 (SUB-No. 52)

IN THE MATTER OF APPLICATION FOR APPROVAL OF PROPOSED MODIFICATIONS OF SYSTEMS OR DEVICES UNDER PARAGRAPH (b), SECTION 25 OF THE INTERSTATE COMMERCE ACT AS AMENDED

DELAWARE, LACKAWANNA & WESTERN RAILROAD COMPANY

Submitted August 22, 1941. Decided November 1, 1941

Application of the Delaware, Lackawanna & Western Railroad Company for approval of modifications of automatic block-signal system and of interlockings at Nay Aug, milepost 93 to milepost 83, West Henryville, Mount Pocono, Pocono Summit, Tobyhanna, and Factoryville, Pa., and modification of automatic block-signal and automatic cab-signal systems between Dalton and Factoryville, Pa., granted.

H. L. Main for applicant.

O. L. Chadwick, *John F. Hogan*, and *E. M. Mosier* for employee organizations.

J. S. Hawley for Interstate Commerce Commission.

REPORT OF THE COMMISSION

DIVISION 3, COMMISSIONERS MAHAFFIE, PATTERSON, AND JOHNSON

BY DIVISION 3:

By four applications filed, The Delaware, Lackawanna and Western Railroad Company, pursuant to section 25 (b) of the Interstate Commerce Act as amended, seeks approval of the following signal-modification projects: (1) Modification of automatic block-signal system and discontinuance of interlocking at Nay Aug, Pa.; (2) modification of automatic block-signal system between milepost 93 and milepost 83 west of Stroudsburg, Pa., and modification of interlocking at West Henryville; (3) modification of interlockings at Mount Pocono, Pocono Summit, and Tobyhanna, Pa.; and (4) discontinuance of interlocking at Factoryville, Pa., and modifications of automatic block-signal and automatic cab-signal systems between Dalton and Factoryville, Pa.

Protests have been filed by representatives of the four train-service employee organizations, and the Order of Railroad Telegraphers; their opposition is based upon the contention that the proposed modifications would result in decreased safety.

Hearing has been held and briefs filed. In considering this case the applications will be treated seriatim.

1. In the vicinity of Nay Aug there is a three-track line over which trains are operated by timetable, train orders, and an automatic block-signal system. At Nay Aug there are cross-overs between all tracks, over which movements are controlled by a mechanical interlocking provided with approach, time, and electric switch locking. To the west of the cross-overs and tower there are three yard tracks leading off from main track on the north, and leading off to the northwest from the yard tracks is the single-track Winton branch. From Scranton eastward to Lehigh, a distance of about 18 miles, there is a heavy ascending grade and helping engines are required on heavy freight trains. Nay Aug is located on this grade 5.42 miles east of Scranton. Traffic consists of 6 passenger trains in each direction and about 21 eastward and 12 westward freight movements daily. The maximum authorized speeds in this vicinity are 60 miles per hour for passenger trains and 40 miles per hour for freight trains; through Nay Aug there are speed restrictions of 45 miles per hour for eastward, and 50 miles per hour for westward, passenger trains.

Because of decrease in switching movements, it is proposed to discontinue the interlocking and remove all interlocking facilities, change the cross-overs to hand operation, and make corresponding signal changes.

Several years ago the coal industry on the Winton branch furnished traffic to the extent of 80 or 100 cars per day, and this traffic was moved to the main line via Nay Aug, but in recent years this coal traffic has been greatly reduced; during the month of May 1941 there was only 16 crew-days' work performed on the Winton branch, with a total output of 137 cars of coal. The Pancoast branch also furnished traffic reaching the main line at Nay Aug, but traffic on this branch has been entirely discontinued and the tracks taken up. It was the practice 7 or 8 years ago to cut helping engines out of east-bound trains at Nay Aug and return them light to Scranton. At the present time the total number of helping engines in that territory is 20 to 35 percent less than formerly, and very few helping engines are cut out at Nay Aug. The applicant's general superintendent testified that there has been no need for this interlocking plant for several years; that when helpers are cut off at Nay Aug they are returned with the current of traffic, but under the proposal, when it becomes necessary to cut helping engines out at Nay Aug, they will be returned to Scranton against the current of traffic, and the cross-overs at Nay Aug would be used only in case of emergency and by a switching crew that comes there on alternate days.

2. In the territory between Gravel Place and West Henryville, a distance of about 8 miles, the line consists of 4 main tracks, over which trains are operated by timetable, train orders, and an automatic block-signal system. At West Henryville the 4 tracks westward converge into a double-track line. At Gravel Place and at West Henryville there are electromechanical interlockings. Traffic in this vicinity consists of 5 first-class trains in each direction daily, and from 22 to 37 freight trains eastward and from 16 to 19 westward, daily. The maximum authorized speeds are 60 miles per hour for passenger trains and 35 miles per hour for freight trains, except on track 4 which is a slow-speed track where maximum authorized speed is 30 miles per hour.

It is proposed to abandon eastward slow-speed track from West Henryville eastward to Analomink, a distance of about 5¼ miles, and to consolidate control of signal facilities in this territory.

The only purposes of the interlocking at West Henryville are to let west-bound trains out of the west-bound slow track and to let east-bound trains into the east-bound slow track; this interlocking plant is to be removed, two interlocked switches are to be changed to spring switches, and corresponding changes are to be made in the signals. The protecting signals for the spring switches are to be remotely controlled from Gravel Place interlocking.

At Analomink a power-operated switch machine is to be installed at the junction of tracks 2 and 4 and protecting signals will be remotely controlled from Gravel Place interlocking. A centralized traffic-control machine is to be installed at Gravel Place interlocking.

3. In the vicinity of Mount Pocono, Pocono Summit, and Tobyhanna, there is a 3-track main line over which trains are operated by timetable, train orders, and an automatic block-signal system. Mechanical interlockings are installed at Pocono Summit and Tobyhanna. The interlocking at Mount Pocono consists of 1 power-operated switch and 4 signals, all of which are remotely controlled from Pocono Summit. Traffic consists of 6 eastward and 5 westward first-class trains and about 21 eastward and 12 westward freight trains daily, including helping engines. The maximum authorized speeds are 60 miles per hour for passenger trains and 35 miles per hour for freight trains, except on the slow track where it is restricted to 30 miles per hour.

To consolidate control of signal facilities in this territory, it is proposed to change the control of the power switch and signals at Mount Pocono from Pocono Summit to Tobyhanna. All interlocking facilities at Pocono Summit will be removed, the tower abandoned, and the table lever circuit controllers moved to Toby-

hanna. Spring switches will be installed in lieu of two interlocked switches, and four interlocked switches and seven signals will be removed. Four high and two dwarf signals will be installed, and all facilities will be remotely controlled from a CTC-type machine to be installed in Tobyhanna interlocking. At Tobyhanna the only changes will be the installation of a CTC machine for controlling the facilities at Pocono Summit and Mount Pocono. Applicant contends that the proposed modifications are necessary on account of track changes at Pocono Summit, and that it will consolidate the control of signal facilities, which will result in economy of operation with no reduction in safety.

4. From Clarks Summit westward to Factoryville, 7.74 miles, there is a 3-track line, and from Factoryville westward a double-track line, over which trains are operated by timetable, train orders, automatic block signals, and an automatic cab-signal system. At Clarks Summit and at Factoryville there are mechanical interlockings. Traffic in this territory consists of 4 passenger and from 12 to 15 freight trains eastward and 6 passenger and 12 to 15 freight trains westward, daily. The maximum authorized speeds are 70 miles per hour for first-class trains, and 55 miles per hour for freight trains, with a speed restriction of 35 miles per hour for all trains through Nicolson tunnel just west of Factoryville.

Applicant proposes to remove track 4 from Factoryville eastward to a point about 1 mile west of Dalton. At this point, where track 4 will join track 2, it is proposed to install a power-operated switch and protecting signals, all to be remotely controlled from Clarks Summit.

At Factoryville the interlocking and all interlocking functions are to be removed and one interlocked switch changed to hand operation. The automatic cab-signal system will be changed to conform with the changes in the signal system. The practice of turning engines at Factoryville has been discontinued, permitting the abandonment of tracks used for that purpose. The purpose of the tower and interlocking at Factoryville has been to govern the movements of trains entering the slow-speed track. It is asserted by applicant that the reduction in facilities at Factoryville, and the proposed changes, will result in no sacrifice in safety.

The signal installations as proposed to be modified under the four applications will be in conformity with the rules, standards, and instructions prescribed by the Commission in its order of April 13, 1939.

Opposition to the granting of these four applications is based upon the contentions that the proposed changes would result in reduced safety for the following reasons: (1) The closing of the interlocking

towers will result in decrease in the number of employees to watch passing trains for defective or dragging equipment, and (2) that the number of offices where motor-car operators and other employees could get information as to train movements would be greatly reduced. Two employees, an operator and a signal maintainer, who testified, were of the opinion that safety would be reduced by discontinuing the interlockings and closing the interlocking towers.

The rule requiring employees to note the condition of passing trains is of general application to all employees and not limited to towermen. Such duty is merely incidental to the main duty of towermen attending to the operation of interlocking plants.

About 90 percent of the work gangs are provided with portable telephones; and telephones installed in stations and at other accessible locations provide motor-car employees and others with an opportunity to communicate with the train dispatcher.

In the territory involved, trains are operated by an automatic block-signal system, and the employees at interlocking towers are not responsible for their proper spacing. The reduction of employees would not, therefore, result in a reduction of safety in that respect. In addition to the protection afforded by the automatic block-signal system, there is in operation an automatic cab-signal system from Scranton westward.

Applicant's general superintendent testified that under the proposal, when necessary to cut out helping engines at Nay Aug, such engines will be returned to Scranton against the current of traffic. We do not consider such a practice, under the circumstances herein presented, free from unnecessary hazard; such movements should not be authorized except in case of emergency, and, when authorized, should be surrounded with special protection.

With the exception of the proposal that helper engines returning from Nay Aug be operated against the current of traffic, we find that the proposed modifications, as set forth in the applications, will not result in decreased safety and that the four applications should be granted with the exception that helping engines returning from Nay Aug should normally be moved with the current of traffic. An appropriate order will be entered.