

No. 28000 (SUB-NO. 153)

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

DELAWARE, LACKAWANNA & WESTERN RAILROAD COMPANY

*Decided November 19, 1957*

Application of The Delaware, Lackawanna & Western Railroad Company for approval of discontinuance of automatic block-signal system between milepost 203.5 north of Chenango Forks, and milepost 283.8, south of Utica, N. Y., and modifications of interlocking at milepost 283.4, conditionally granted.

*Harold J. Gilmartin* for applicant.

*Charles W. Phillips* for protestants.

REPORT OF THE COMMISSION

DIVISION 3, COMMISSIONERS TUGGLE, MURPHY, AND MINOR

By DIVISION 3:

By an application filed pursuant to section 25 (b) of the Interstate Commerce Act, as amended, The Delaware, Lackawanna & Western Railroad Company seeks approval for the discontinuance of an automatic block-signal system on single track between milepost 203.5 north of Chenango Forks, N. Y. and milepost 283.8 south of Utica, N. Y. and modifications of interlocking at milepost 283.4, all on applicant's Utica branch of its Scranton division. Hearing has been held. The granting of the application was opposed by the Brotherhood of Locomotive Firemen and Enginemen, the Order of Railway Conductors and Brakemen, the Order of Railroad Telegraphers, and the Brotherhood of Railroad Signalmen of America. Waiver of a proposed report was stipulated by the parties.

Applicant's Utica branch extends from Chenango Forks to Utica, a distance of 84.08 miles over which trains are operated by timetable, train orders, and an automatic block-signal system. This signaling system was installed during the period 1909 and 1911, and at present consists of 209 1 and 2 arm lower quadrant style B automatic semaphore signals, electrically lighted, with primary battery used for track and signal line operation and lighting. These signals are obsolete; and since the manufacturers have discontinued the manufacture of parts therefor, replacements are no longer available. Because

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of its limited capacity, applicant is unable to make such replacement parts at its own shops. It has been able to accumulate a few slot arms and motors salvaged from its main line at Buffalo, N. Y., when signaling in that area was replaced by color-light signals, but when these parts are used up there will be no way of obtaining replacements. Applicant has considered the installation of color-light signals on the branch line under consideration in lieu of the automatic block-signal system presently in use, but the changeover was estimated to cost about \$500,000 so that it was decided to discontinue the present signals and thereafter operate trains by timetable, train orders, and related operating rules. In applicant's opinion operation in this manner would provide adequate safety particularly in view of the light traffic density on this branch.

In 1912, shortly after the installation of the automatic block-signal system in this territory, applicant operated 8 passenger and 2 milk trains in northbound service and 7 passenger and 2 milk trains in southbound service daily. A record of the number of freight trains operated at that time was not available, but there were heavy movements of coal and local trains within this territory which have since been discontinued because of diversion of traffic to other means of transportation. At the present time only two freight trains are operated Monday through Friday in each direction. The southbound trains from Utica to Chenango Forks are given a timetable schedule, while the northbound trains are operated as extras. On Sundays one train is operated in each direction between Utica and Chenango Forks. No trains are operated on Saturdays. With the exception of an occasional train operated as an extra, no scheduled passenger service has been conducted over this branch since 1950. The maximum authorized speed is 45 miles per hour with restricted speeds at curves and towns ranging from 8 to 40 miles per hour.

Under applicant's proposal, all of the present semaphore signals on its Utica branch would be discontinued and trains thereafter would be operated by timetable and train orders. All automatic protection at the 70 highway crossings in this territory will be continued in service. Electric switch lamps will be installed on all main line switches. The nine telegraph offices open Mondays through Fridays between Chenango Forks and Utica would be continued as train order stations after discontinuance of the automatic block signals. In the event passenger trains are operated over this branch, they would be operated as extras, and all following trains would be manually blocked to protect the passenger trains from any possible rear end collision. Absolute block protection would be established, thereby preventing a freight train from following a passenger train in the same segment of track.

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An experienced engineer, appearing in behalf of protestants, expressed the belief that discontinuance of these automatic block signals would decrease safety because warning to the train crews of broken rails would be eliminated. He knew of no broken rails in this territory, and a check of applicant's records for the past 2 years shows none having occurred during that period. There is no record of any collisions involving trains on this branch during a period covering more than 10 years. Although some fog and inclement weather conditions are present at times, trains are operated in accordance with applicant's operating rules at restricted speeds. No change is proposed in the speeds in effect in this territory. This area is generally rural, and the terrain is rolling with a few severe but short grades. The curvature of the track is not severe and with the exception of a 7° curve north of Chenango Forks, one of 6° north of Greene and two short curves of 5° and 5° 15', near Utica, the majority of the curves are under 2°.

The manner in which trains will be operated on the branch line under consideration will be similar to operations now being conducted by applicant on a number of other branch lines where traffic density is about the same or greater and where trains are operated by timetable and train order and without block signals. Applicant presently operates over 158.2 miles of single track in this manner. In our opinion, considering the light traffic density, discontinuance of the automatic block-signal system and operation thereafter by timetable and train order will not materially reduce safety of train operation on condition that applicant will provide a manual block signal system for the protection of passenger trains whenever they are operated over this branch line.

We find that the application for approval of the discontinuance of automatic block-signal system between milepost 203.5 north of Chenango Forks and milepost 283.8 south of Utica and modifications of interlocking at milepost 283.4 should be, and it is hereby granted, on condition that whenever passenger trains are operated over the line between the above points a manual block system shall be installed and operated for such movements.

An appropriate order will be entered.

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