

No. 28000 (SUB-No. 220)

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

DELAWARE, LACKAWANNA & WESTERN RAILROAD COMPANY

Decided September 2, 1960

Application of The Delaware, Lackawanna and Western Railroad Company for approval (1) of the discontinuance of automatic block-signal system between milepost 203.8, Chenango Forks, N.Y., and milepost 268.7, Syracuse, N.Y.; (2) of associated modifications of an interlocking at milepost 234.2, Cortland Junction, N.Y.; (3) of associated changes in spring switch protecting signals at the south end of double track at milepost 234.3; and (4) of modification of existing automatic block-signal system on one main track between milepost 268.7 and milepost 270.5, Syracuse, N.Y., all on the Syracuse branch of the Scranton-Buffalo division, granted.

Harold J. Gilmartin for applicant.

Donald W. Bennett for protestants.

REPORT OF THE COMMISSION

DIVISION 3, COMMISSIONERS HUTCHINSON, WALRATH, AND WEBB

BY DIVISION 3:

By application filed April 13, 1960, The Delaware, Lackawanna and Western Railroad Company seeks approval (1) of the proposed discontinuance of automatic block-signal system between Chenango Forks, N.Y., and Syracuse, N.Y., as follows: (a) on one main track between milepost 203.8, Chenango Forks, and milepost 234.3, Cortland, N.Y.; (b) on two main tracks between milepost 234.3 and milepost 237.9, Homer, N.Y.; and (c) on one main track between milepost 237.9 and milepost 268.7, Syracuse, N.Y.; and, in addition, (2) of associated modifications of an interlocking at milepost 234.2, Cortland Junction, N.Y., (3) of associated changes in spring switch protecting signals at the south end of double track at milepost 234.3, and (4) of modifications of existing automatic block-signal system on one main track between milepost 268.7 and milepost 270.5, Syracuse, all on the Syracuse branch of the Scranton-Buffalo division.

Hearing has been held. The application is opposed by the Brotherhood of Locomotive Firemen and Enginemen, the Order of Railway Conductors and Brakemen, the Order of Railroad Telegraphers,

311 I.C.C.

and the Brotherhood of Railroad Signalmen. The parties waived the issuance of an examiner's report.

Applicant's Syracuse branch of its Scranton-Buffalo division extends, insofar as here pertinent, northwesterly from Chenango Forks, a few miles north of Binghamton, to Oswego. Oswego is the western terminus of the branch, and the branch does not connect there with any other of applicant's lines. Among the points reached, in order, moving west, are Cortland Junction, Cortland, Homer, Jamesville, Brighton Avenue, and Syracuse. The segment here involved reaches from milepost 203.8, approximately 1 mile north of applicant's passenger station at Chenango Forks, to milepost 270.5 in Syracuse. The last point is about 0.4 mile south of applicant's Syracuse passenger station. The distance over the involved segment is 66.95 miles. The line is single track from Chenango Forks to Cortland Junction, double track from Cortland Junction to Homer, single track from directly north of Homer to the south end of Jamesville, double track through Jamesville to Brighton Avenue, and again single track from Brighton Avenue to the end of the project in Syracuse.

Present signals on this line consist of 95 one-arm, and 33 two-arm, lower quadrant semaphore signals, and 5 upper quadrant semaphore signals. These were installed between 1909 and 1913, and it is becoming difficult to obtain parts for their repair. To replace them with up-to-date color light type signals would cost about \$600,000. The instant proposal is to remove them except that they will be replaced with modern color light signals between milepost 268.7 at East Brighton Avenue and milepost 270.75 at West Adams Street in Syracuse. There will be seven such new signals in the Syracuse area as described, all intended to protect certain switching movements in the area and movements to and from the Solvay Process Company. A new color-light signal will also be installed at milepost 234.95 in Cortland, which is to act as a distant signal for the crossing with the Lehigh Valley Railroad at Cortland Junction. End of signal territory signs will be installed on each end of the involved line and at points on the line as appropriate. Present signal protection at highway grade crossings will continue. Electric switch lamps with lamps about 5 feet above the rails will be installed at all main line switches, and they will be lighted continuously. In nonsignal territory applicant will operate under timetables, train orders, and operating rules. Applicant already operates nearly 300 miles of un signaled track, including a line from Binghamton through Chenango Forks to Utica, and a check of its records, covering the 10-year period preceding the hearing, revealed no train or track car collisions in this period on any of its un signaled track. There are 10 curves on the involved line that

311 I.C.C.

curve about 3°, but none are more severe than this. The steepest grade on the line is 1.1 percent. Speed limits are 45 miles per hour, except that local restrictions require reduced speeds in certain areas.

There is no passenger service on the involved line, and freight movements are reduced to two through trains in each direction daily and three local trains a day in each direction between certain points. All are operated as extras. Trains may pass or make meets on the double track segment between Cortland Junction and Homer and at sidings at Whitney Point, Marathon, and at several other points. Train-order stations are at Whitney Point, Marathon, Cortland, Tully, and Jamesville. Numerous wayside telephones are located generally throughout the line.

Protestants point out that there are several grades and curves on the involved line; that the weather in this area is extreme in winter, and foggy in other seasons; and that these conditions singularly or collectively reduce visibility to a significant extent, sometimes to a few car lengths. They urge that the automatic block-signal system and wayside signals are of considerable help under the described circumstances and that they should not be removed as here proposed. They also point out that there are a number of switches on this line and express apprehension over whether enginemen will have adequate warnings as to whether such switches are open or closed.

We are persuaded that applicant's proposal is both reasonable and safe in the light of today's traffic conditions and that the relief sought should be granted. Protestants stress unfavorable weather conditions and terrain features, but we note that applicant's branch immediately north of the instant one, that is, the Binghamton-Chenango Forks-Utica branch, has been operated without signaling for some time and without adverse effect. No doubt the weather conditions and terrain are equally as unfavorable on that line as here and, all things considered, we are not persuaded that these factors as they are presented on this record should preclude approval of the changes here proposed. As to protestants' apprehensions over the switches on this line, we note not only that applicant is retaining or installing color-light signaling in the heavy switching area around Syracuse but that it is also planning to install modern electric switch lamps with readily visible lamps between 5 and 6 feet above the ties at all main line switches. These should give adequate warning as to the position of main-line switches.

We find that adequate protection and safety will continue under the proposed modifications and changes and that the application should be granted.

An appropriate order will be entered.

311 I.C.C.