

June 25, 1942

BEFORE THE  
INTERSTATE COMMERCE COMMISSION

Finance Docket No. 13762

In the Matter of the Application of Los Angeles & Salt Lake Railroad Company for Certificate of Public Convenience and Necessity Authorizing the Abandonment of the Fairfield Branch in Utah and Tooele Counties, Utah, and Authorizing Union Pacific Railroad Company, Lessee, to Abandon Operation Thereof.

RETURN TO QUESTIONNAIRE

Los Angeles & Salt Lake Railroad Company and its lessee, Union Pacific Railroad Company, hereinafter called applicants, having made application to the Interstate Commerce Commission pursuant to Paragraph 18 of Section 1, Part I of the Interstate Commerce Act for a certificate of public convenience and necessity authorizing the former to physically abandon and the latter to abandon operation of a branch line of railroad known as the Fairfield Branch, extending from station of Cutler in Utah County, to Five Mile Pass in Tooele County, Utah, a distance of 23.044 miles, together with incidental side and spur tracks, which application is filed in the office of the Interstate Commerce Commission in Finance Docket 13762; that notice of the application is being published in the form prescribed by the Commission and that said notice has been posted and proof of publication and affidavit of publication of notice will be hereafter furnish-

ed to the Commission.

Applicants also submit the following information required by the Commission's order dated November 27, 1941.

1. Complete statement of the purpose of the application.

ANSWER: The territory served by this branch is barren, dry and unproductive. It is also very sparsely populated and the traffic available to the line is insufficient to permit of profitable operation. It was originally constructed for the purpose of securing traffic from anticipated development of certain mineral areas. However, these developments did not materialize, or the mines have discontinued operations and at the present time and for a long period in the past there has been practically no movement of ore or other products of the mines except an occasional car of ore has been shipped from Fairfield and a small volume of clay has moved from the spur located at Mile Post 21 to Salt Lake City. There has been no movement of any consequence of other commodities and there is no reasonable prospect of any increase in traffic and the present volume of traffic does not justify continued operation of the line.

2. When, by whom, and for what purpose the line was constructed, and its proprietary history.

ANSWER: The Fairfield Branch was constructed in 1881-1882 by the Salt Lake and Western Railway Company, a predecessor of the Oregon Short Line Railroad Company for the purpose, as before stated, of securing traffic from

anticipated development of certain mineral areas in the vicinity thereof.

On July 7, 1903, Los Angeles & Salt Lake Railroad Company purchased the branch line. All of the property of the Los Angeles & Salt Lake Railroad Company is now and has been operated since January 1, 1936 by the Union Pacific Railroad Company under lease approved and sanctioned by the Interstate Commerce Commission on July 26, 1935, in Finance Docket No. 9422.

3. A copy of the applicant's general balance sheet of the latest date available, and a copy of the applicant's income account for each of the last five calendar years, and for that portion of the current year for which the information is available.

ANSWER: Attached to this Return and identified as Exhibit 1 is a copy of the General Balance Sheet and Exhibit 2 is a copy of the Income Account of the Los Angeles & Salt Lake Railroad Company, and also attached to this Return and identified as Exhibit 3 is a copy of the General Balance Sheet and Exhibit 4 is a copy of the Income Account of the Union Pacific Railroad Company. Each of these exhibits cover the period 1937 to 1941, inclusive, and the three months ended March 31, 1942.

4. The present state of maintenance of the line.

ANSWER: The line for which authority is herein sought to be abandoned has been maintained in suitable condition for the class and volume of traffic offered, maintenance expenditures having been confined to the minimum consistent with safe operation.

5. The estimated salvage value of the line, with a general statement of the basis of the estimate.

ANSWER: Estimated salvage value of the line is

as follows:

Rail - relayer 75#	24.6 mi.	2899.5	GT	@	\$ 28.00	\$ 81,186
Rail - scrap		172.1	GT	@	19.00	3,270
Rail joints		2867.8	Cwt	@	2.70	7,743
Switches		14	Ea	@	175.00	2,450
Frogs		14	Ea	@	90.00	1,260
Guard rails		28	Ea	@	18.00	504
Switch stands		17	Ea	@	25.00	425
Tie plates		9127	Cwt	@	1.50	13,690
Scrap spikes, bolts, etc.		94.2	GT	@	20.50	1,931
C.I. pipe		23.623	NT	@	15.50	366
						\$112,825
Less estimated cost of recovery						<u>13,032</u>
						\$ 99,793
Estimated salvage value of land						<u>198</u>
						\$ 99,991

6. The names of all railroads with which the line connects for interchange of traffic and the points of such interchange.

ANSWER: None, other than Union Pacific at Cutler.

7. A brief description of the present train service on the line, and of important changes made in the past five years.

ANSWER: A local train is operated from Salt Lake City on Thursday of each week. Irregular service during the months of April and May caused by movement of sheep and wool out of Fairfield, which resulted in two extra trains during April and May. Trackage on this branch from Five Mile Pass to Topliff, 6.14 miles, was retired and removed September 30, 1938, due to USSR&M and AS&R abandoning use of lime rock quarries at Topliff. Prior to abandonment of the line from Five Mile Pass to Topliff the service on this branch was on Tuesdays and Fridays.

8. The names of all stations on the line, stated in order with milepost numbers, with the approximate population of each, and the authority for the information, showing for each place the names of all other railroads by which it is served, or its distance by highway from the nearest other railroad. Distinguish non-agency stations.

ANSWER: Cutler, the initial terminal, has a population of approximately 150. Roberts, spur track, MP 2.6, no population and is used for placing water cars for stockmen during sheep shearing period April and May. Clinton, no population, MP 4.9, with a spur 8210 feet serving the Utah Fire Clay Company where fire clay is loaded. Dahl, no population, MP 12.7. This is a spur track 353 feet in length used during the months of April and May to spur out water cars for watering sheep. Cedar Fort, MP 15.2, no population, no service performed. Fairfield, MP 20.3 no permanent population, small village located about three miles from railroad with population of about 100, farming community. Occasionally receive car of ore from this point trucked in from Ophir mining district. No other service performed. Spur track located at MP 21, 392 feet long. During the shearing season in the months of April and May there are loaded approximately 10 to 15 cars of wool and in addition there are handled from 6 to 15 cars of water for watering sheep. Five Mile Pass, MP 23.6, end of branch line. Here, there are two ore loading tracks of 6 car capacity used by the Tri-State Brick Company and Utah Fire Clay Company, located at Salt Lake City, for loading brick clay. This business amounts to from 12 to 15 cars of brick clay per month. No permanent population and no other source of revenue. All stations on this branch line are

non-agency and all business is handled from Lehi.

The highway distances from stations on the branch line are approximately the same as the rail distances.

The foregoing information was furnished by applicants' operating and maintenance officials having personal knowledge of the facts.

9. The approximate population of the territory served by the line, explaining how the limits of this territory are defined.

ANSWER: The approximate population of the territory within a radius of ten miles of the line sought to be abandoned does not exceed 500 people. This line was originally constructed to serve the mining community at Fairfield and Mercur during boom days when the population at Fairfield was around 3,000.

10. A detailed statement of the location and nature of the highways available for movement of the traffic now handled by the line, and of the common-carrier truck and bus service on such highways, if any.

ANSWER: There are no established motor truck or bus line carriers serving this branch. The nearest points are Lehi and Cutler which are served by Utah Central Truck Line, intrastate carriers; the same points are also served by the following interstate lines operating on Highway 91: Arrowhead Freight Lines, Garrett Freightways and Pacific Intermountain Express. However, while points on the Fairfield branch have been served by private motor carriers in the past, the effect of ODT Order No. 3, applying to private carriers would restrict service to these points to common motor carriers operating off their established route. There is one unimproved dirt highway between Cutler and Five Mile

Pass.

11. The nature of the industries in the tributary territory (such as farming, mining, lumbering, manufacturing, etc.) how long established, and the extent to which each is dependent upon the line for transportation. State location and other facts concerning the most important plants served.

ANSWER: The territory served by the line sought to be abandoned is used to a limited extent for farming, stock raising and some mining. As stated under Question No. 8 above, there are received from ten to fifteen cars of wool during the shearing season from spur located at MP 21, and clay for bricks, tile, etc., is secured from Clinton and Five Mile Pass and is shipped to the Tri-State Brick Company and Utah Fire Clay Company, makers of tile and brick products at Salt Lake City.

12. The passenger traffic handled on the line in each of the last two calendar years, and for that part of the current year for which the information is available, giving separately the number of local and connecting-line passengers (if the latter designation is applicable) and the revenue from each class.

ANSWER: None.

13. The freight tonnage handled by the line for each of the last two calendar years, and for that part of the current year for which the information is available, showing the number of cars and the tonnage of carload freight, classified by principal commodities, and the tonnage of less-than-carload freight. Show in separate statements (a) local freight originated at and destined to points on the line, (b) freight moved between points on the line and points beyond it, and (c) freight neither originated at nor destined to points on the line (overhead or bridge traffic).

ANSWER: (a) Exhibit 5 shows the cars and tons of carload revenue freight, by commodities, and tons of

1.c.l. freight originated at or destined to points on the Fairfield Branch, Cutler to Five Mile Pass, for the years 1940 and 1941, and for the three months ended March 31, 1942.

(b) Exhibit 6 shows the cars and tons of carload revenue freight, by commodities, and tons of l.c.l. revenue freight, originated at and destined to points on the Fairfield Branch, Cutler to Five Mile Pass and points beyond for the years 1940, 1941, and for the three months ended March 31, 1942.

(c) None.

14. (1) If the line to be abandoned is less than the entire mileage operated by the applicant, a statement showing the effect of the proposed abandonment of the net railway operating income on the applicant. The statement should include for each of the last two calendar years and for that part of the current year for which the information is available.

ANSWER: The line to be abandoned is less than the entire mileage operated by the applicants.

(a) The applicant's railway operating revenue from traffic handled locally between points on the line proposed to be abandoned.

ANSWER: The applicants' railway operating revenue from traffic handled locally between points on the line proposed to be abandoned is shown on lines 2, 6 and 7 of Exhibit 7, column (a).

(b) The applicants' railway operating revenue from traffic originating on or destined to points on the line proposed to be abandoned and also handled on other parts of the applicant's lines of railroad.

ANSWER: The applicants' railway operating revenue from traffic originating on or destined to points on the line proposed to be abandoned and also handled on other parts of

the applicants' lines of railroad is shown on lines 3 and 4 of Exhibit 7, column (c).

- (c) An estimate in detail of the total operating revenue that should be assigned to the line proposed to be abandoned and a statement of the reasons for such assignment.

ANSWER: An estimate in detail of the total operating revenue that should be assigned to the line proposed to be abandoned is shown on lines 2, 3, 4, 6 and 7 of Exhibit 7, column (a).

The branch proportion of freight revenue from traffic moving from and to the branch was determined by applying to the applicants' revenue from each shipment or group of shipments having the same movement, the percentages that the distance moved on the branch was of the total distance moved on applicants' lines. All other revenues are actual.

- (d) The expense of operating the line proposed to be abandoned, stated by appropriate primary accounts, actual so far as possible and otherwise approximated, with a full statement of the method used.

ANSWER: Exhibit 8 consisting of two sheets shows the expenses of operating the line proposed to be abandoned for the years 1940 and 1941 and for the three months ended March 31, 1942, stated by appropriate primary accounts. An explanation of the method of determination is shown on page 2 of said exhibit.

- (e) Railway tax accruals with method of apportionment.

ANSWER:

	<u>Property Taxes</u>	<u>Payroll Taxes</u>	<u>Total</u>
Year 1940	\$1,685	\$ 265	\$1,950
Year 1941	2,372	305	2,677
3 Months of Year 1942	593	90	683

Property taxes were determined from application of local tax rates to the direct assessed valuations, exclusive of rolling stock, as to which, according to statutory requirements all rolling stock allocated to State by Tax Commission is segregated between taxing districts on basis of relative track mileage and thereafter subjected to local tax rates.

Payroll taxes for Unemployment Insurance and Railroad Retirement Taxes were based upon 3% for each, or a total of 6% applied to payroll charges applicable to the branch

Note: The amounts shown for property taxes exclude the assessments on equipment for the reason that there will be no saving in taxes on rolling stock in the State of Utah if this branch is abandoned.

(f). Other items entering into the applicants' income account and assignable to the line proposed to be abandoned, with methods of assignment.

ANSWER: Other items entering into the applicants' income account and assignable to the line proposed to be abandoned, with methods of assignment, are shown on lines 8 and 15 of Exhibit 7, column (a). These amounts are actual to the line proposed to be abandoned and cover rental received

for use of right of way and payments to foreign lines for use of freight cars.

- (g) The costs of moving the traffic on the line proposed to be abandoned beyond the limits of said line on other parts of the applicants' lines, with method of determination.

ANSWER: The cost of moving the traffic on the line proposed to be abandoned beyond the limits of said line on other parts of the applicants' lines, with method of determination are shown on line 17 of Exhibit 7, column (b).

14. (2) If the applicants' line is operated as part of a system under common control and management, a statement for the same period as required in paragraph (1) showing the effect of the proposed abandonment on the net railway operating income of the system and the unit members thereof.

ANSWER: The line for which abandonment authority is sought herein is not operated as a part of a system under common control or management and, therefore, the question is not applicable to this case.

15. If the volume of freight or passenger traffic of the line has decreased during recent years, any reasons therefor.

ANSWER: No passenger traffic has been handled on this branch for a number of years. The freight traffic has decreased during recent years due to discontinuance of mining operations in the territory served by the line.

16. If the line is operated as a joint facility, and abandonment of the applicants' operation only is proposed, state fully the facts as to operation by others, and the extent to which it will supply the place of the operation it is proposed to abandon.

ANSWER: This line is not operated as a joint facility.

17. State what effort has been made to dispose of the line so as to insure its continued operation, and what, if any, transportation service will remain or may be substituted for that proposed to be discontinued.

ANSWER: No effort has been made to dispose of this line to insure its continued operation because no one would be interested in acquiring it.

18. A summary statement of the reasons for the application.

ANSWER: The present and anticipated public use of this branch indicates its continued operation is unwarranted and there is no possibility that it can be operated in the future without incurring deficits as has been the situation in the past.

There is an acute demand for war purposes of the materials which would be released through the abandonment of this branch and in addition thereto the war situation requires that manpower and equipment should not be used in deficit railroad operations and should be devoted to essential service in connection with the war demands. The present operation requires a train and engine crew consisting of five men, operating over the branch once a week to handle the business. If this branch is retired these men could be used on the main line in essential transportation service. The time consumed in making repairs to the engine as the result of this operation requires the use of a machinist and helper four hours per week and the time of these men can be better devoted to maintaining locomotives that are engaged in main line service. At the present time the railroad is confronted with a shortage

of competent machinists and this situation will become more acute as the war progresses. The service of these men should be confined to caring for and repairing locomotives and cars in main line service which is largely devoted to the handling of troops and government materials. A 6,000 ton class engine is used in making the weekly trip between Salt Lake City and Five Mile Pass and this engine could be better utilized in switching or other service. There is no sound reason for expecting any increase in freight traffic and the continuance of the line in operation can only result in further losses to the applicants and in the imposition of an undue and unwarranted burden on interstate commerce. The abandonment of the line will result in no serious inconvenience to anyone.

The foregoing is a summary of the reasons which the applicants consider fully justify the abandonment of the line.

STATE OF NEBRASKA )  
                          ) SS.  
COUNTY OF DOUGLAS )

W. M. JEFFERS, makes oath and says that he is the President of Los Angeles & Salt Lake Railroad Company and Union Pacific Railroad Company, applicants herein; that he has been authorized by proper corporate action on the part of said applicants to verify and file with the Interstate Commerce Commission the foregoing Return to Questionnaire of said Commission in respect of the application in Finance Docket No. 13762; that he has carefully examined all of the statements referred to in said return and the exhibits attached thereto and made a part thereof; that he has knowledge of the matters set forth in such return and that all statements made and the matters set forth therein are true and correct to the best of his knowledge, information and belief.

(Sgd) W. M. Jeffers

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Subscribed and sworn to before me this 25th  
day of June, 1942.

(Sgd) Louis Scholnick

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Notary Public

My Commission Expires May 9, 1948.

(SEAL)

LOS ANGELES & SALT LAKE RAILROAD COMPANY  
 UNION PACIFIC RAILROAD COMPANY (LESSEE)

Cars and Tons of Carload Revenue Freight, by Commodities, and Tons of Less-Than-Carload Revenue Freight, Originated at and Destined to Points on the Fairfield Branch, Cutler to Five Mile Pass, Utah, for the Years 1940, 1941 and for the 3 Months Ended March 31, 1942.

Line		Year				3 Months of 1942	
		1940		1941		Cars	Tons
		Cars	Tons	Cars	Tons		
1	Water	6	300	8	400	-	-
2	Total Carload Freight	6	300	8	400	-	-
3	All L.C.L. Freight	-	-	-	-	-	-
4	Total Carload and L.C.L.	6	300	8	400	-	-

LOS ANGELES & SALT LAKE RAILROAD COMPANY  
 UNION PACIFIC RAILROAD COMPANY (LESSEE)

Cars and Tons of Carload Revenue Freight, by Commodities, and Tons of Less-Than-Carload Revenue Freight, Moved between Points on the Fairfield Branch, Cutler to Five Mile Pass, Utah and Points Beyond it, for the Years 1940, 1941 and for the 3 Months Ended March 31, 1942.

Line		Year				3 Months of 1942	
		1940		1941		Cars	Tons
		Cars	Tons	Cars	Tons		
1	Sheep & Goats, Single Deck			1	6		
2	Sheep & Goats, Double Deck	6	60	12	120		
3	Wool	5	66				
4	Bituminous Coal	1	33	4	189		
5	Copper Ore & Concentrates			1	50		
6	Zinc Ore & Concentrates			3	150		
7	Ores & Concentrates NOS	4	243	16	872		
8	Salt	9	450				
9	Products of Mines NOS	291	16 800	287	16 301	56	3 098
10	Manufactures & Miscellaneous	1	11				
11	Total Carload Freight	317	17 663	324	17 688	56	3 098
12	All L.C.L. Freight	-	-	-	-	-	-
13	Total Carload and L.C.L.	317	17 663	324	17 688	56	3 098

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LOS ANGELES & SALT LAKE RAILROAD COMPANY  
UNION PACIFIC RAILROAD COMPANY (LESSEE)

Cars and tons of carload revenue freight, by commodities, and tons of less-than-carload revenue freight moved between points on the Fairfield Branch, Cutler to 5 Mile Pass, Utah, and points beyond it, for the years 1937 to 1941, inclusive, and for the five months ended May 31, 1942.

L i n e	Commodity	Year										5 Months	
		1937		1938		1939		1940		1941		of 1942	
		Cars	Tons	Cars	Tons								
1	Sheep and goats, single-deck			1	6								
2	Sheep and goats, double-deck	18	207	42	446	37	378	6	60	12	120		
3	Wool	8	140	11	156	8	133	5	66	9	126	10	132
4	Bituminous coal	2	108	1	39	1	47	1	33	2	89		
5	Ores and concentrates, NCS	71	4 080	9	451	6	344	4	243	22	1 171	1	66
6	Stone, broken, ground or crushed	1	63										
7	Asphalt (natural, by-product, or petroleum)					1	25						
8	Salt	12	600	10	500			9	450				
9	Sulphur (brimstone)	13	698	16	1 007								
10	Products of mines, NCS	309	18 353	282	16 088	300	17 186	291	16 800	305	17 216	107	5 925
11	Iron, pig	1	58										
12	Cement, natural or Portland (building)	2	95										
13	Lime, common (quick or slacked)	1	31										
14	Canned food products, NCS	1	20										
15	Scrap iron and scrap steel	1	24										
16	Manufactures and miscellaneous, NCS							1	11				
17	Total Carload Traffic	440	24 477	372	18 693	353	18 113	317	17 663	351	18 728	118	6 123
18	All L.C.L. freight	-	16	-	3	-	1	-	-	-	-	-	-
19	Total Carload and L.C.L.	440	24 493	372	18 696	353	18 114	317	17 663	351	18 728	118	6 123