

BEFORE THE
INTERSTATE COMMERCE COMMISSION

Finance Docket No. 13611

In the Matter of the Application of Los Angeles & Salt Lake Railroad Company for certificate of public convenience and necessity authorizing the abandonment of its Frisco Branch in Beaver County, 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 of the Interstate Commerce Act, as amended, for a certificate of public convenience and necessity authorizing

- (1) the former to physically abandon; and
- (2) the latter to abandon operations

over what is known as the Frisco Branch, which takes off applicants' main line at Milford, Utah, to the end of the branch at Frisco, Utah, a distance of approximately 16.42 miles, together with incidental side and spur tracks, all

located within Beaver County, Utah, which application is filed in the office of the Commission in Finance Docket No. 13611, hereby affirm that notice of the application has been published in the form prescribed by the Commission, at least once during each of three consecutive weeks in the following newspaper:

The Milford News, Milford, Utah,
beginning February 5, 1942, and
ending February 19, 1942;

that said newspaper is of general circulation in Beaver County, Utah, which constitutes the only county and state in which the line of railroad proposed to be abandoned is situated, and the newspaper clipping hereto attached as Exhibit 1 contains a true copy of the notice as published in said newspaper.

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: By this application authority is sought to abandon the remaining portion of applicants' Frisco Branch approximately 16.42 miles in length. This branch was originally 22.37 miles long, all located in Beaver County, Utah. On April 21, 1937, in Finance Docket No. 10623, reported in 221 I.C.C. 309, Division 4 of the Commission authorized abandonment of that portion of this branch between Frisco and Newhouse, a distance of approx-

imately 6 miles. At one time there were several active mining operations on the route of this branch but in recent years most of these mines have gradually closed down. The only outbound traffic moving over the branch consists of ores and concentrates, wool and sheep. Only 6 cars of sheep, 8 cars of wool in grease and 32 cars of ores and concentrates were moved out during the year 1941. Inbound traffic consisted of only one car of corn. No less-than-carload freight has been handled for several years. The former application to abandon the entire branch was opposed by certain mining interests upon the ground that abandonment of the line east of Frisco into Milford would result in stoppage of all development work and mining in the district and consequent loss of their investments. At that time they looked forward to a resumption of mining activities and based upon that expectation they urged the Commission to require continued maintenance and operation of the portion of the branch up to Frisco for two more years. This Division 4 did in its decision dated April 21, 1937, with the statement that

"a further test of operation of the line between Frisco and Milford for a period of two years should be made; and the present denial of the application as to that portion of the line will not affect the applicants' right to renew the proposal with respect thereto after the expiration of the period indicated".

While it is true that during the years 1938, 1939 and

1940 mining operations in the Frisco area were resumed on a limited scale, the point has now been reached where it seems quite certain that the one or two mines now operating in that district cannot hope to increase their output to the point where they can operate at a profit-- at least as a permanent proposition.

There is an all-weather improved highway almost parallel to this branch all the way from Frisco into Milford (the junction point with applicants' main line). Consequently whatever small amount of traffic continues to originate on the branch can well be trucked into Milford. This highway is on a descending grade the entire distance.

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

ANSWER: The Frisco Branch was constructed in 1880 by the Utah Southern Railroad Extension to provide rail transportation for the Frisco mining district and was opened for traffic June 23, 1880. Since that date it has been operated as follows:

Utah Southern Railroad Extension, June 23, 1880, to July 1, 1881. (Note: Utah Southern Railroad Extension and other companies consolidated July 1, 1881 to form Utah Central Railway Company.)

Utah Central Railway Company, July 1, 1881, to August 1, 1889. (Note: Utah Central Railway Company and others consolidated August 1, 1889 to form Oregon Short Line and Utah Northern Railway Company.)

Oregon Short Line and Utah Northern Railway Company,
August 1, 1889 to October 13, 1893.

Receivers of Oregon Short Line and Utah Northern
Railway Company, October 13, 1893 to March 1, 1897.

(Note: Line conveyed to Oregon Short Line Railroad
Company by deed March 1, 1897.)

Oregon Short Line Railroad Company, March 1, 1897
to June 18, 1903. (Note: Line conveyed to San Pedro,
Los Angeles & Salt Lake Railroad Company by deed June
18, 1903.)

San Pedro, Los Angeles & Salt Lake Railroad Com-
pany, June 18, 1903 to August 16, 1916. (Note: Name
of San Pedro, Los Angeles & Salt Lake Railroad Company
changed to Los Angeles & Salt Lake Railroad Company
August 16, 1916.)

Los Angeles & Salt Lake Railroad Company, August
16, 1916 to December 28, 1917.

United States Railroad Administration, December
28, 1917 to February 29, 1920.

Los Angeles & Salt Lake Railroad Company, February
29, 1920 to January 1, 1936.

Union Pacific Railroad Company, January 1, 1936
to date. (See Union Pacific Railroad Company Unifica-
tion, Finance Docket No. 9422, 207 I.C.C. 543)

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.

Page 6 Missing

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

ANSWER: Estimated salvage value of rail and track material, based on current market prices at Los Angeles, less freight and less cost of recovery \$14,860

Estimated Salvage value of land None

Net Salvage value of line \$14,860

The above salvage figures apply only to the track material beyond Mile Post 1.21. While authority is sought to abandon the entire branch as it now exists, it is the intention to retain in place that portion of the track between Mile Post 0 and Mile Post 1.21, for the purpose of serving a potato cellar; also for storing and cleaning stock cars. In the future this segment of the branch will be classified in the accounts as a spur or side track.

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

ANSWER: The Frisco Branch connects with only one railroad, namely that of applicants, at Milford, Utah.

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

ANSWER: There is no regular train service on this branch. The only service is the occasional demand for a train to go to Frisco, at the end of the line, to move on an average of less than a car of ore per week. Shipments of ore from Frisco are very irregular. The only other commodities moving, namely wool and sheep,

are seasonal, generally during April, May and June. No important changes have been made in train service in the past five years.

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: The names of the stations with the mileposts, beginning at Milford, are as follows: Moscow, Mile Post 2; Hickory, Mile Post 6.2; Solus, Mile Post 9.9, and Frisco at Mile Post 16.42, the end of the line. All of these are non-agency stations. There are no residents at any of these points. Applicants are informed that most of the men who work in the mines at Frisco reside at Milford. Practically all of the dwellings in the former mining town of Frisco have been removed. There is an all-weather improved highway between Frisco and Milford (the junction point with applicants' main line) over which ore and livestock can be trucked without serious inconvenience. This highway is on a descending grade the entire distance. Furthermore, an ore dock and ore loading facilities are located at Milford so that ore which is trucked in can be conveniently handled there. No other railroad serves this territory. The nearest other railroad is the Nevada Northern, a distance by highway of 151 miles from Ely, Nevada, to Milford, Utah.

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

ANSWER: The only residents in the territory served by this branch consist of a few livestock and sheep owners. As explained in answer to Question 8 above the few men who work in the mines at Frisco reside at Milford.

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: As already explained, there is an all-weather improved highway between Frisco and Milford, the highway distance being approximately equal to the rail distance, namely 16.42 miles. To applicants' knowledge, no for-hire truck or bus lines are at present operating over this highway.

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 only industries tributary to the Frisco Branch are mining and the raising of livestock and wool. These industries are of long standing and are not wholly dependent upon this branch line for transportation as the products can conveniently be trucked into Milford. No important plants are served by this branch other than the Horn Silver, Tintic Lead and Cupric mines near Frisco.

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: Passenger traffic - 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)	Year	Commodity	Cars	Tons
	1939	Water	1	52
	1940	"	2	104
	1941 (11 Mos.)	-	-	-

(b)	1939		Year 1940		11 mos. 1941	
Commodity	Cars	Tons	Cars	Tons	Cars	Tons
Corn					1	40
Cottonseed Meal & Cake	1	23	1	23		
Cattle & Calves			9	98		
Sheep & Goats	6	60	13	130	6	60
Wool in Grease	4	87	8	127	8	139
Bituminous Coal	5	207				
Lead Ore & Concentrates	27	1505	28	1429	1	38
Zinc Ore & Concentrates	7	340	2	55		
Ores & Concentrates, NOS	201	10449	158	8260	27	1581
Salt	1	22				
Total Carload Freight	252	12693	219	10122	43	1858
All LCL Freight	-	-	-	-	-	-
Total Carload & LCL	252	12693	219	10122	43	1858

(c) None

Pages 11, 12, 13 Missing

under common control or management.

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

ANSWER: There has been no passenger traffic on this branch for a number of years. The volume of freight business handled over the branch has decreased substantially during recent years, first, because the larger mines in that territory have closed down for lack of ore, and, second, because of the Taylor Grazing Act many sheep that formerly were trailed to points along the Frisco branch for loading are being trailed via other routes and now reach railheads at other points on applicants' line.

16. If the line is operated as a joint facility, and abandonment of the applicant's 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 branch 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 branch because applicant's management is satisfied that no one would be interested in acquiring it.

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

ANSWER: Applicants' management is convinced that there is no likelihood of this branch line ever developing a sufficient volume of traffic to justify its continued maintenance and operation. Moreover, the possibility is extremely remote that the one or two mines now working at Frisco will ever be able to produce and dispose of enough of their product to enable operations on a profitable basis with any degree of permanence. Consequently the branch is merely being maintained and operated in stand-by service for the convenience of these one or two mines. Certainly the railroad is not a necessity in view of the fact that presence of an improved highway between Frisco and Milford enables them to truck their ore and concentrates to Milford with a minimum of inconvenience and expense. Likewise, the 6 cars of sheep and 8 cars of wool which were moved out during 1941 could also have been trucked to Milford. In the light of these facts, applicants feel that the Commission should now give its approval to abandonment of the Frisco Branch.