

BEFORE THE
INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO. 21851

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING ABANDONMENT
OF A PORTION OF ITS SO-CALLED BEDFORD AND
BILLERICA BRANCH IN MIDDLESEX COUNTY,
MASSACHUSETTS

RETURN TO QUESTIONNAIRE

NEAL HOLLAND
W. D. K. CROOKS, JR.

Attorneys for Applicant

150 Causeway Street
Boston 14, Massachusetts
November 21, 1961

RETURN TO QUESTIONNAIRE

1. Statement of the purpose of the application.

Applicant hereby seeks authority to abandon a portion of its line of railroad approximately 5.3 miles in length forming its line between Bedford, Massachusetts, and North Billerica, Massachusetts, known as its Bedford and Billerica Branch from Valuation Station 0+00, located in the Town of Bedford to Valuation Station 279+50, located in the Town of Bedford, all within Middlesex County, Commonwealth of Massachusetts.

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

This line was constructed for general railroad purposes by the Boston and Lowell Railroad Corporation, incorporated June 5, 1830 by Special Act of the Massachusetts Legislature. The line was opened for operation April 30, 1885,

Operation of the line was as follows:

April 30, 1885 to April 1, 1887	Boston and Lowell Railroad Corporation
April 1, 1887 to Oct. 11, 1887	Boston and Lowell Railroad Corporation, in interest of Boston and Maine Railroad
Oct. 11, 1887 to Date	Boston and Maine Railroad, first as lessee, then as owner of Boston and Lowell Railroad Corporation

3. A copy of applicant's Balance Sheet of the latest date available and a copy of applicant's Income Account for each of the last five calendar years and that portion of the current year for which the information is available.

Immediately following are:

- (1) Applicant's Balance Sheet as of September 30, 1961,
- (2) Applicant's Income Account for each of the years 1956 through 1960, inclusive, and for 9 months ended Sept. 30, 1961.

These represent the latest available financial statements as of the date of filing.

4. The present state of maintenance of the line.

The line proposed to be abandoned is in a fair state of maintenance. Prior to December 31, 1932, several passenger trains operated over the line, thus necessitating a relatively high degree of maintenance. Since that date a negligible amount of work has been required on the line proposed to be abandoned, there being no passenger trains and only occasional freight trains operating over this trackage.

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

The estimated salvage value of material to be recovered is \$10,346, comprised of the following items:

<u>Estimated salvage value</u>		
Rail 75#	698, 2 N. T. at \$31.25	\$21,819
Joints	49 N. T. at \$31.25	1,531
Bolts, Nutlocks, Spikes, etc.	30 N. T. at \$31.25	937
Frogs, Switches & Guard Rails	1, 5 N. T. at \$31.25	47
Estimated Track Salvage		<u>\$24,334</u>
Bridge #19.44	0.6 N. T. at \$20.00	
Estimated Bridge Salvage		<u>12</u>
Estimated Gross Salvage Value		\$24,346

<u>Estimated Cost to Recover</u>	
Rail	\$ 6,000
Other Track Material	7,700
Cost to Remove & Repair Crossings	200
Cost to Remove Bridge Metals	100
Estimated Cost to Recover	<u>\$14,000</u>
Estimated Net Salvage Value	\$10,346

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

Segment proposed for abandonment does not connect with any other railroad for interchange of traffic.

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

Passenger service was discontinued December 31, 1932. No industries are or have been served on the segment proposed to be abandoned. In the past this line was used by local freight serving the Lexington Branch to serve industries at Billerica and return to Boston via North Billerica. Lexington Branch now makes round trip serving industries at Billerica and North Billerica by a side trip of local freight on the main line. No regular use is made of this line. Due to the many grade crossings with stop and protect restrictions, as well as the physical characteristics of the line, it is not and would not be used as a detour route.

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

There are no stations physically located on the segment of line proposed to be abandoned. Bedford is a non-agency station under the jurisdiction of Lexington. Bedford will continue to have rail service from the so-called Lexington Branch, running from West Cambridge to Bedford. Billerica will continue to have rail service by means of a sidetrack from North Billerica. North Billerica is located on the main line track between Boston and Lowell. The proposed abandonment is located from mile post B 0.0, to mile post B 5.3. According to the 1960 Federal Census, Bedford has a population of 10,969.

The Town of Bedford is not served by any other railroad other than the applicant. Bedford is about 5.0 highway miles from Lexington. Billerica is about 3.5 highway miles from North Billerica.

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

The line proposed to be abandoned primarily serves Billerica.

Billerica's population as of the 1960 Federal Census is 17,867.

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

Not applicable since there is no passenger or freight traffic or service on the line proposed to be abandoned.

11. The nature of 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 facts concerning the most important plants served.

Not applicable. See answer to No. 10.

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 passenger stations (if the latter is applicable) and the revenues for each class.

Not applicable. See answer to No. 10.

13. The freight tonnage by the line for 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 car load freight, classified by principal commodities, and the tonnage of LCL 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 or destined to points on the line (overhead and bridge traffic).

Not applicable. See answer to No. 10.

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 on a Net Railway Operating Income of the Applicant. The statement should include each of the last two calendar years and for that part of the current year for which the information is available. Revenue for freight, passenger and other services should be shown separately.

It is estimated that the proposed abandonment will result in annual savings for maintenance-of-way and structures of \$4,770.

An annual saving of \$85 in local property taxes will be realized, along with a reduction in depreciation charges of \$429 annually.

14(2). If the applicant's line is operated as part of a system (under common control and management) a statement for the same period required in paragraph (1) showing the affect of the proposed abandonment on the Net Railway Operating Income of the system and the unit member thereof. This statement should show the revenues accruing to the system and its unit members from traffic moving to and from the line proposed to be abandoned and the costs of handling such traffic. The method of determining such costs should also be shown.

Applicant's line is not operated as a part of such a system.

15. If the volume of freight traffic or passenger traffic has decreased during recent years and any reason therefor.

See answer to No. 7.

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

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.

No effort has been made to dispose of this line as there is no traffic involved.

No transportation service will remain and no substitute service will be provided.

18. A summary of the reasons for the application.

Abandonment is sought to salvage materials, eliminate maintenance of track, bridges, highway crossings and eliminate cost of operations on a segment of line so slightly used by the public as to be no longer required to meet public necessity or convenience.

The proposed abandonment will not affect any employees of the applicant nor will it affect in any way applicant's present service to the public.

For the foregoing reasons applicant submits that the Commission should find that the present and future public convenience and necessity permit the abandonment proposed herein.

BOSTON AND MAINE RAILROAD

By _____
G. F. Glacy
Vice President-Accounting and Finance

BEFORE THE
INTERSTATE COMMERCE COMMISSION

FINANCE DOCKET NO. 21857

APPLICATION OF BOSTON AND MAINE RAILROAD
FOR CERTIFICATE AUTHORIZING ABANDONMENT
OF A PORTION OF ITS SO-CALLED BEDFORD AND
BILLERICA BRANCH IN MIDDLESEX COUNTY,
MASSACHUSETTS

Respectfully represents the applicant as follows:

- a. Its full name is Boston and Maine Railroad.
- b. It is a common carrier by railroad, subject to the Interstate Commerce Act.
- c. Applicant hereby seeks authority to abandon a portion of its line of railroad approximately 5.3 miles in length forming its line between Bedford, Massachusetts and North Billerica, Massachusetts, known as its Bedford and Billerica Branch from Valuation Station 0+00 located in the Town of Bedford to Valuation Station 279+50 located in the Town of Bedford, all within Middlesex County, Commonwealth of Massachusetts.
- d. Abandonment of the line is sought.
- e. Service and traffic at Billerica Center, Bennett Hall and near the Billerica Shops will be retained on a line other than the aforementioned.
- f. Correspondence in regard to this application may be addressed to Robert G. Bleakney, Jr., General Attorney, Boston and Maine Railroad, 150 Causeway Street, Boston 14, Massachusetts.
- g. Applicant Boston and Maine Railroad is a corporation organized under the laws of Massachusetts, Maine, New Hampshire and New York, and is authorized to do business in Vermont.

h. The making and filing of this application was authorized by vote of the Board of Directors of Applicant, passed on October 18, 1961, an attested copy of which is attached hereto.

i. The applicant is not in receivership.

j. Attached hereto is a copy of a situation map showing the line in question (as indicated in red) and nearby rail lines.

The proposed abandonment is not expected to affect any employees of the Applicant. However, the Applicant will not oppose, if considered necessary, the imposition of conditions for the protection of employees similar to those prescribed in Chicago, B. & Q. R. Company, Abandonment, 257 I.C.C. 700.

Applicant does not desire a hearing upon this application unless, because of protests or otherwise, it cannot be granted without a hearing.

WHEREFORE, Applicant prays that the Commission issue to it a certificate that the present and future public convenience and necessity permit the abandonment of said branch line of railroad with all appurtenances and the operation thereof.

BOSTON AND MAINE RAILROAD

By _____
G. F. Glacy
Vice President-Accounting and Finance

VERIFICATION

Commonwealth of Massachusetts)
) ss.
County of Suffolk)

G. F. Glacy makes oath and says that he is Vice President-Accounting and Finance of the Boston and Maine Railroad, applicant herein; that he was authorized by proper corporate action on the part of said applicant to verify and file with the Interstate Commerce Commission the foregoing application; that he has carefully examined all the statements therein and that all such statements are true and correct to the best of his knowledge, information and belief,

G. F. Glacy

Subscribed and sworn to before me,
a Notary Public in and for the Common-
wealth and County above-named,
this day of November, 1961.

Notary Public

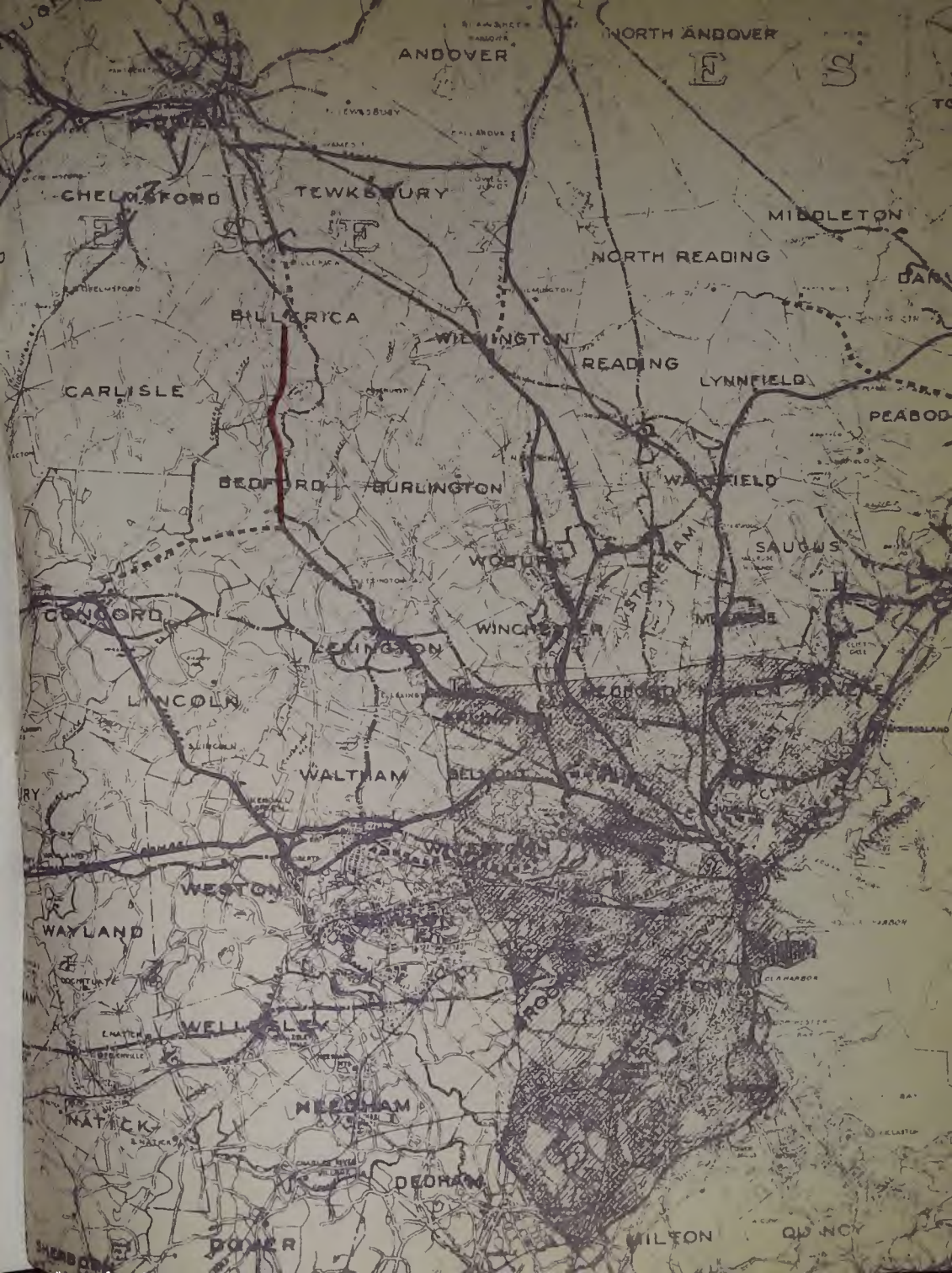
My Commission expires _____

At a Meeting of the Board of Directors of Boston and Maine Railroad, duly called, notified and held on October 18, 1961, a quorum being present, the following action was taken:

"VOTED: That the President and the Vice President-Accounting and Finance be, and they hereby are and each of them hereby is, authorized to make application to the Interstate Commerce Commission for authority from said Commission to abandon a line of railroad in its entirety approximately 5.3 miles in length forming its line between Bedford, Massachusetts and North Billerica, Massachusetts, known as its Bedford and Billerica Branch, from Valuation Station 0+00, which is located in Bedford, Massachusetts, to Valuation Station 279+50, located in Bedford, Massachusetts; and that they, and each of them, be further authorized to sign, verify and file on behalf of this Company an appropriate application to the Interstate Commerce Commission and a Return to any Questionnaire submitted by said Commission, and generally to perform all acts necessary, convenient or desirable towards accomplishing the foregoing objective."

Attest:

Maynard W. Bullis, Clerk



Bedford & Billerica Branch

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 on a Net Railway Operating Income of the applicant. The statement should include each of the last two calendar years and for that part of the current year for which the information is available. Revenue for freight, passenger and other services should be shown separately.

ANSWER

(f) It is estimated that the proposed abandonment will result in annual savings for maintenance of way and structures of \$ 4,770.

An annual savings of \$ 25. in local property taxes will be realized, along with a reduction in depreciation charges of \$ 429. annually.

Bedford & Billerica Branch

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

ANSWER:

This line was constructed for general railroad purposes by the Boston and Lowell Railroad Corporation, incorporated June 5, 1830 by special act of the Massachusetts legislature. The line was opened for operation April 30, 1885.

Operation of the line was as follows:

April 30, 1885 to April 1, 1887	Boston and Lowell Railroad Corporation
April 1, 1887 to Oct. 11, 1887	Boston and Lowell Railroad Corporation in interest of Boston and Maine Railroad
Oct. 11, 1887 to Date	Boston and Maine Railroad, first as lessee, then as owner of Boston and Lowell Railroad Corporation

Bedford & Billerica Branch

4. The present state of maintenance of the line.

ANSWER

The line proposed to be abandoned is in a fair state of maintenance. Prior to December 31, 1932, several passenger trains operated over the line, thus necessitating a relatively high degree of maintenance. Since that date a negligible amount of work has been required on the line proposed to be abandoned, there being no passenger trains and only occasional freight trains operating over the trackage.

Bedford & Billerica Branch

5. The estimated salvage value of material to be recovered is \$10,346., comprised of the following items:

ANSWER

Estimated Salvage Value

Rail 75*	698.2 N.T. @ \$31.25	\$21,819.
Joints	49 N.T. @ 31.25	1,531.
Bolts, Nutlocks, spikes, etc.	30 N.T. @ 31.25	937.
Fangs, Switches, & Guard Rails	1.5 N.T. @ 31.25	47.

Estimated Track Salvage \$24,334.

Bridge #19.44 0.6 N.T. @ \$20.00

Estimated Bridge Salvage 12.

Estimated Gross Salvage Value \$24,346.

Estimated Cost to Recover

Rail	6,000.
Other Track Material	7,700.
Cost to Remove & Repair Crossings	200.
Cost to Remove Bridge Metals	100.

Estimated Cost to Recover \$14,000.

Estimated Net Salvage Value \$10,346.

Bedford & Billerica Branch

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

ANSWER

There are no stations physically located on the segment of line proposed to be abandoned.

Bedford is the non-agency station under the jurisdiction of Lexington. Bedford is not to have service from the proposed Lexington-Boston line from West Cambridge to Bedford. Billerica will continue to have rail service by means of a sub-line from West Billerica. West Billerica is a station on the main line route between Boston and Lowell. The proposed abandonment is located from mile post F 400 to mile post B 5.3.

According to the 1960 Federal Census, Bedford has a population of 10,764.

The town of Eastford is not served by any other railroad other than the applicant. Bedford is about 5.0 highway miles from Lexington. Billerica is about 3.5 highway miles from North Billerica.

Bedford & Billerica Branch

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

ANSWER

The line proposed to be abandoned primarily serves Billerica. Billerica's population as of the 1960 Federal Census is 17,867.

Bridge	Bo. & small RR	—	water
Orpiquit	"	—	"
Yorktown	"	—	"
Wm. Ellery St	"	—	"
Duckman	"	—	"
Whiting	"	—	"
Whitman	"	—	"
Fowler	"	—	"
Rudolph	"	—	"
Fanner	"	—	"

Bedford - Bellows Title

1936	Bedford - Bellows	1930	30 days notice no termination.
1927	"	"	"
1927	"	- Hayden's Estate	"
1927	"	- Edwin Elee	"
1929	"	- Sharon Elee	"
1932	Assing	- Boston St Ry Co.	they want maintain it
1936	Bedford	- Bedford	30 day notice
1937	"	- V.A.	"
1960	"	- V.A.	"
1930	"	- Boston Gen. Car Co.	"
1913	"	- Bellows	no purchase term.
1958	"	"	30 day notice
1957	"	- M.E. Todd TLD	"

DEEDS

GR.	SEE	CLAUSES
Stiles	Boston + Lowell RR	none
Hayford	"	none
Wood	"	"
Jones	"	"
McDonough	"	"
Butge	"	"
Jordan	"	"
Smith	"	"
Davis	"	"
Brown	"	for best station purposes only
Kill	"	Render
Alexander	"	Render
Clym	"	Render

November 21, 1961

Mr. Harold D. McCoy, Secretary
Interstate Commerce Commission
Washington 25, D. C.

**Re: Finance Docket No. 21851, Application of Boston and Maine Railroad
for Certificate Authorizing Abandonment of a Portion of its So-called
Bedford and Billerica Branch in Middlesex County, Massachusetts**

Dear Sir:

**Enclosed are the originals and ten (10) copies each of an Application and
Return to Questionnaire in the above-cited matter.**

**Service upon the Governor and Department of Public Utilities of the
Commonwealth of Massachusetts will await assignment of Finance Docket number
and receipt of the usual Notice from the Commission.**

Yours very truly,

William D. K. Crooks, Jr.
Attorney

Encs.

WDKC:emj

Interstate Commerce Commission

OFFICE OF THE SECRETARY

Washington 25, D. C.

November 27, 1961

Mr. Robert G. Bleakney, Jr., G.A.,
Boston and Maine Railroad,
150 Causeway Street,
Boston 14, Massachusetts.

Dear Sir:

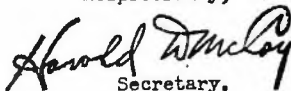
and Return to Questionnaire

The Commission is in receipt of an original and ten copies of an application on behalf of the Boston and Maine Railroad under Section 1(18) of the Interstate Commerce Act.

The application was filed on November 22, 1961, under Finance Docket No. 21851 to which reference should be made in future correspondence.

A certificate of service according to the Commission's regulations should be forwarded promptly.

Respectfully,


Secretary.

Interstate Commerce Commission

BUREAU OF FINANCE

Washington 25, D.C.

IN REPLY REFER TO:

Finance Docket No. 21851

November 28, 1961

Mr. Robert G. Bleakney, Jr.
General Attorney
Boston and Maine Railroad
150 Causeway Street
Boston 14, Mass.

Dear Mr. Bleakney:

This refers to the application of Boston and Maine Railroad in the above-numbered proceeding for permission to abandon a portion of its line as described in the enclosed form of notice.

It is requested that the notice be examined and, if it correctly describes the transaction proposed, it should be published and posted as required in section 42.5(b) of the Commission's order of November 27, 1941. If it does not describe the transaction correctly, please advise.

Very truly yours,



V. V. BAKER
Director

Enclosure

N O T I C E

BOSTON AND MAINE RAILROAD hereby gives notice that on the 22nd day of November 1961 it filed with the Interstate Commerce Commission at Washington, D. C., an application for a certificate of public convenience and necessity permitting abandonment of a portion of its Bedford and Billerica Branch extending from Valuation Station 0+00 to Valuation Station 279+50, approximately 5.3 miles, in Bedford, Middlesex County, Mass., Finance Docket No. 21851.

BOSTON AND MAINE RAILROAD

November 30, 1961

Mr. Harold D. McCoy, Secretary
Interstate Commerce Commission
Washington 25, D.C.

**Re: I.C.C. Finance Docket 21851 - Application of Boston and Maine Railroad
for Certificate authorizing abandonment of a portion of its so-called
Bedford and Billerica Branch in Middlesex County, Massachusetts**

Dear Sir:

This is to certify that I have this day served, by first class mail, upon the Governor of the Commonwealth of Massachusetts and the Chairman of the Department of Public Utilities, a conformed copy of the above described Application, together with notice that if they desire to be heard in the matter they should so advise the Commission within twenty (20) days of their interest in the proceeding.

Yours very truly,

W. D. K. Crooks, Jr.
Attorney

WDKC:emj

November 30, 1961

Mr. Roy C. Papalia, Chairman
Department of Public Utilities
State House
Boston 33, Massachusetts

Re: Finance Docket No. 21851 - Application of Boston and Maine Railroad
for Certificate authorizing abandonment of a portion of its so-called
Bedford and Billerica Branch in Middlesex County, Massachusetts

Dear Sir:

In accordance with the Rules of the Interstate Commerce Commission (49 CFR Sec. 42.5) I am serving you herewith a conformed copy of an Application and Return to Questionnaire filed by the Boston and Maine Railroad on November 22, 1961 with said Commission under Section 1(18) of the Interstate Commerce Act, seeking a certificate authorizing abandonment of its so-called Bedford and Billerica Branch in Middlesex County, Massachusetts, being approximately 5.3 miles in length.

The said rules of the Interstate Commerce Commission further require that notice be given that if you desire to be heard on this matter you should so advise the Commission within twenty (20) days of your interest in this proceeding. Kindly regard this letter as such notice.

Yours very truly,

W. D. K. Crooks, Jr.
Attorney

Enc.

WDKC:emj

November 30, 1961

The Honorable John A. Volpe
Governor
State House
Boston 33, Massachusetts

Re: Finance Docket No. 21851 - Application of Boston and Maine Railroad
for Certificate authorizing abandonment of a portion of its so-called
Bedford and Billerica Branch in Middlesex County, Massachusetts

Dear Sir:

In accordance with the Rules of the Interstate Commerce Commission (49 CFR Sec. 42.5) I am serving you herewith a conformed copy of an Application and Return to Questionnaire filed by the Boston and Maine Railroad on November 22, 1961 with said Commission under Section 1(18) of the Interstate Commerce Act, seeking a certificate authorizing abandonment of its so-called Bedford and Billerica Branch in Middlesex County, Massachusetts, being approximately 5.3 miles in length.

The said rules of the Interstate Commerce Commission further require that notice be given that if you desire to be heard on this matter you should so advise the Commission within twenty (20) days of your interest in this proceeding. Kindly regard this letter as such notice.

Yours very truly,

W. D. K. Crooks, Jr.
Attorney

Enc.

WDKC:emj

November 30, 1961

Mr. D. A. Benson:

Re: I.C.C. Finance Docket No. 21851 - Abandonment of a portion of the
so-called Bedford and Billerica Branch

Attached are four (4) copies of Notice which we have been furnished by
the Interstate Commerce Commission relative to the above proceeding.

Will you please arrange for posting in a conspicuous place in Bedford
and Billerica, as promptly as possible, and furnish me with affidavit as to proof
of such posting. Such posting should be done in the area to be abandoned.

W. D. K. Crooks, Jr.
Attorney

Enc.

WDKC:emj

November 30, 1961

Mr. G. H. Hill:

Re: I.C.C. Finance Docket No. 21851 - Abandonment of a portion of the
so-called Bedford and Billerica Branch

Attached are two (2) copies of Notice which we have received from the I.C.C. in connection with our application to abandon a portion of the Bedford and Billerica Branch.

Will you please arrange for publication of this Notice, at least once during each of three consecutive weeks, in a newspaper of general circulation in Middlesex County covering the Bedford-Billerica area. Will you also arrange to furnish me with affidavit as to proof of such publication at the earliest possible date.

W. D. K. Crooks, Jr.
Attorney

Encs.

WDKC:emj

Boston, Mass.,
December 1, 1961

Mr. F. L. Estey:-

Re: I.C.C. Finance Docket No. 21851 - Abandonment
of a portion of the so-called Bedford and
Billerica Branch.

Attached are four (4) copies of Notice furnished by the
Interstate Commerce Commission relative to the above proceeding.

Will you please arrange for posting in a conspicuous place
in Bedford and Billerica, as promptly as possible, returning two copies
of the Notice, properly attested as to date, time and place of posting
to this office for further handling.

Such posting should be done in the area to be abandoned.

D. G. Benson

Copy:- Messrs. P. J. Mullaney
C. F. Heard
S. B. Hitchings
J. W. Shepherd
W. H. Holland
W. Haynes
F. E. Spofford
C. F. Tardley
R. S. MacDonald
G. F. Glacy
G. F. Gallagher
H. L. Nelson
D. E. Glendenning
T. K. Dyer
J. F. Kerwin
R. E. Lehan
R. G. Fritch (3)
W.D.K. Crooks, Jr. ✓
R. W. Pickard
D. J. Orr
G. H. Hill
E. F. Reed
H. S. Harriman

B/L

Boston, Mass.,
December 5, 1961

Mr. W.D.K.Crooks, Jr.,

Re:-L.C.L. Finance Docket No. 21851 -
Abandonment of a portion of the so-called
Bedford and Billerica Branch

Herewith two copies of Notice, certified as to
posting, for your further handling.

D.A. Benson

Copy - Mr. F. A. Hyland

E/L

N O T I C E

BOSTON AND MAINE RAILROAD hereby gives notice that on the 22nd day of November 1961 it filed with the Interstate Commerce Commission at Washington, D. C., an application for a certificate of public convenience and necessity permitting abandonment of a portion of its Bedford and Billerica Branch extending from Valuation Station 0+00 to Valuation Station 279+50, approximately 5.3 miles, in Bedford, Middlesex County, Mass., Finance Docket No. 21851.

BOSTON AND MAINE RAILROAD

L. D. Estey
Superintendent

Posted at Bedford P.O. at 1⁰⁰ P. M. Dec. 4 1961.
Posted at Billerica P.O. at 12⁴⁵ P. M. Dec. 4 1961.

W. E. Curry
Trainmaster

Sworn to before me this 4th day of December 1961.

L. H. Ella
Notary Public
My Commission Expires
July 26, 1963

14 THE LOWELL SUN, WEDNESDAY, DECEMBER 27, 1961

NOTICE

BOSTON AND MAINE RAILROAD hereby gives notice that on the 22nd day of November 1961 it filed with the Interstate Commerce Commission at Washington, D. C., an application for a certificate of public convenience and necessity permitting abandonment of a portion of its Bedford and Billerica Branch extending from Valuation Station 0+00 to Valuation Station 279+50, approximately 5.3 miles, in Bedford, Middlesex County, Mass., Finance Docket No. 21851.

BOSTON AND MAINE
RAILROAD

AFFIDAVIT OF PUBLICATION

County of Middlesex)
) ss:
State of Massachusetts)

Elaine M. Albert of the City or Town of

Lowell and the state of Massachusetts

being duly sworn, says that he is the Legal Clerk

of the Lowell Sun, a newspaper printed

and published in the city or town aforesaid, and that the Notice of

Boston And Maine Railroad

which the annexed is a printed copy, has been regularly published in

said newspaper on the 15 day of December, 1961.

Elaine M. Albert

Subscribed and sworn to
before me this 15 day
of December, 1961.

Deirdre M. Payette
Notary Public

My Commission Expires March 1, 1963

NOTICE
BOSTON AND MAINE RAILROAD hereby gives notice that on the 22nd day of November 1961 it filed with the Interstate Commerce Commission at Washington, D. C. an application for a certificate of public convenience and necessity permitting abandonment of a portion of its Bedford and Billerica Branch extending from Valuation Station #7-00 to Valuation Station #72+50, approximately 6.3 miles, in Bedford, Middlesex County, Mass., Finance Docket No. 11601.
BOSTON AND MAINE RAILROAD



AFFIDAVIT OF PUBLICATION

County of Middlesex)
) ss:
State of Massachusetts)

M. Elaine Albert of the City or Town of

Lowell and the state of Massachusetts

being duly sworn, says that he is the Legal Clerk

of the Lowell Sun, a newspaper printed

and published in the city or town aforesaid, and that the Notice of
Boston and Maine Railroad

which the annexed is a printed copy, has been regularly published in

said newspaper on the 21st day of December, 1961.

M. Elaine Albert

Subscribed and sworn to
before me this 21st day
of December, 1961.

Cecile M. Payette
Notary Public

My Commission Expires March 1, 1963



NOTICE
BOSTON AND MAINE
RAILROAD hereby gives
notice that on the 22nd day
of November 1961 it filed with
the Interstate Commerce Commis-
sion at Washington, D. C.
an application for a certificate
of public convenience and
necessity permitting abandon-
ment of a portion of its Bed-
ford and Billerica Branch ex-
tending from Valuation Sta-
tion 0-00 to Valuation Sta-
tion 273-50, approximately
8.4 miles, in Bedford, Middle-
sex County, Mass., Finance
Docket No. 2181.
BOSTON AND MAINE
RAILROAD

AFFIDAVIT OF PUBLICATION

County of Middlesex)
)
State of Massachusetts) ss:

M. Elaine Albert of the City or Town of

Lowell and the state of Massachusetts

being duly sworn, says that he is the Legal Clerk

of the Lowell Sun, a newspaper printed

and published in the city or town aforesaid, and that the Notice of
Boston and Maine Railroad

which the annexed is a printed copy, has been regularly published in

said newspaper on the 27th day of December, 1961.

M. Elaine Albert

Subscribed and sworn to
before me this 27th day
of December, 1961.

Cecile M. Payette
Notary Public

My Commission Expires March 1, 1963

AFFIDAVIT OF PUBLICATION

County of Middlesex)
)
State of Massachusetts) ss:

M. Elaine Albert of the City or Town of

Lowell and the state of Massachusetts,

being duly sworn, says that he is the Legal Clerk

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Boston and Maine Railroad

which the annexed is a printed copy, has been regularly published in

said newspaper on the 27th day of December, 1961.

M. Elaine Albert

Subscribed and sworn to
before me this 27th day
of December, 1961.

Cecile M. Payette
Notary Public

My Commission Expires Nov. 1, 1963

REPUBLIC 7-1541

R L E A**RAILWAY LABOR EXECUTIVES' ASSOCIATION**

RAILWAY LABOR BUILDING, 400 1ST STREET, N. W., WASHINGTON 1. D. C.

December 26, 1961

Mr. Harold D. McCoy, Secretary
Interstate Commerce Commission
Washington 25, D. C.

Dear Mr. McCoy:

Please refer to application filed by the Boston and Maine Railroad to abandon portion of line approximately 5.3 miles, forming its line between Bedford, Massachusetts and North Billerica, Massachusetts, known as its Bedford and Billerica Branch from Valuation Station 0-00 located in Town of Bedford to Valuation Station 279-50 located in town of Belford, all in Middlesex County, Massachusetts, identified by the I.C.C. as Finance Docket No. 21851.

Upon investigation we find that the application, if granted, will have an adverse effect on the involved employes of the carrier. Therefore, the Railway Labor Executives' Association, composed of twenty-three of the standard railway labor organizations, representing practically all of the several classes of employes, enters its protest in opposition to this abandonment and prays that the application will be denied, and respectfully requests that the Association receive notice of hearings which may subsequently be arranged.

Very truly yours,

Executive Secretary

cc: ✓ Mr. R. G. Bleakney, Jr.
150 Causeway
Boston, Massachusetts

AFFILIATED ORGANIZATIONS: American Railway Supervisors' Association • American Train Dispatchers' Association • Brotherhood of Locomotive Engineers
Brotherhood of Locomotive Firemen and Enginemen • Brotherhood of Maintenance of Way Employes • Brotherhood of Railroad Signalmen • Brotherhood
of Railroad Trainmen • Brotherhood Railway Carmen of America • Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes
Brotherhood of Sleeping Car Porters • Hotel & Restaurant Employees and Bartenders International Union • International Association of Machinists • International
Brotherhood of Bolearmakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers • International Brotherhood of Electrical Workers • International
Brotherhood of Firemen & Oilers • International Organization Masters, Mates & Pilots of America • National Maritime Engineers' Beneficial Association • Order
of Railway Conductors and Brakemen • Railroad Yardmasters of America • Railway Employes' Department, AFL-CIO • Seafarers' International Union of
North America • Sheet Metal Workers' International Association • Switchmen's Union of North America • The Order of Railroad Telegraphers

January 2, 1962

Mr. Harold D. McCoy, Secretary
Interstate Commerce Commission
Washington 25, D. C.

Re: Finance Docket No. 21851 - Abandonment of a portion of the
so-called Bedford and Billerica Branch in Middlesex County,
Massachusetts

Dear Sir:

In accordance with the Rules of your Commission (49 CFR Sec. 42.5), enclosed herewith find copy of Notice in the above matter, duly certified as to posting, and affidavits of publication in the Lowell Sun, Lowell, Mass., once during three (3) consecutive weeks, i.e., December 15, 21, and 27, 1961.

Yours very truly,

W. D. K. Crooks, Jr.
Attorney

Encs.

WDKC:emj

Interstate Commerce Commission

BUREAU OF FINANCE

Washington 25, D.C.

IN REPLY REFER TO:

Finance Docket No. **21851**

January 11, 1962

Mr. A. E. Lyon, Executive Secretary
Railway Labor Executives' Association
400 First Street, N. W.
Washington 1, D. C.

Dear Mr. Lyon:

This will acknowledge receipt of your letter of **December 26, 1961**, relative to the application of the **Boston and Maine Railroad for permission to abandon portion of its line all in Middlesex County, Mass.**

It is noted that you enter protest in opposition to this application, pray that it be denied, and request that your association receive notice of hearings which may be subsequently arranged. As of this date no public protests have been filed. In the event that there should be no such opposition, please advise whether it might properly be assumed that your association would be satisfied with the imposition of the same conditions for the protection of employees as were prescribed in Chicago, B. & Q. R. Co. Abandonment, 257 I.C.C. 700, if the application were approved. If this assumption is not correct, the Commission should be advised not later than **February 12, 1962**. Of course it is understood that if protests are filed and public hearing is held, you may make appropriate representations at that time.

Very truly yours,

Wm. V. Baker

V. V. BAKER
Director

Cc: **Mr. R. G. Bleakney, Jr.**
150 Causeway
Boston, Massachusetts

January 18, 1963

Mr. E.J. McCarthy, Chief Engineer
Mass. Department of Public Works
100 Nashua St.
Boston 14, Mass.

Att: Mr. W.T. Hue, Highway & Structures Engr.

Dear Sir:

psb
In answer to a recent inquiry, this is to advise that the Railroad has abandoned that portion of its Bedford & Billerica Branch which formerly crossed U.S. Route 3 at grade in the Town of Billerica.

This abandonment was accomplished pursuant to Interstate Commerce Commission Finance Board No. 3 Certificate and Order dated February 1, 1962, I.C.C. Finance Docket No. 21851, which Docket and application for abandonment filed November 22, 1961 are matters of public record.

Very truly yours,

T.K. Dyer
Chief Engineer

CC- Mr. Albert S. Brown
Acting Right of Way Engineer
Mass. Department of Public Works

CC- R.G. Bleakney, Jr.
E.F. Reed

Miss Truman -
please file.

WDC
as info
1/28/63
RFB

January 24, 1963

Mr. E.J. McCarthy, Chief Engineer
Mass. Department of Public Works
100 Washua St.
Boston 14, Mass.

Att: Mr. W.T. Hue, Highway & Structures Engr.

Dear Sir:

Please refer to my letter of January 18 regarding
abandonment of the Railroad's Bedford & Billerica Branch
across U.S. Route 3 in Billerica.

This is to confirm telephone advice to your Mr.
Coburn that the Railroad has no objections to your Department
removing the rails and other appurtenances of the Railroad
in the grade crossings which have been abandoned by the
Railroad.

Very truly yours,

T.K. Dyer
Chief Engineer

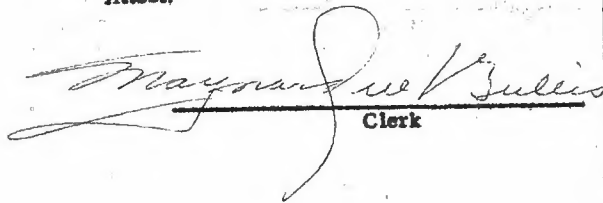
CC - Mr. Albert S. Brown
Actg Right of Way Engineer
Mass. Dept. of Public Works

CC- R.G. Bleakney, Jr.
E.F. Reed

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD, duly called, notified and held on October 18, 1961, a quorum being present, the following action was taken:

"VOTED: That the President and the Vice President-Accounting and Finance be, and they hereby are and each of them hereby is, authorized to make application to the Interstate Commerce Commission for authority from said Commission to abandon a line of railroad in its entirety approximately 3.8 miles in length forming its line between Bedford, Massachusetts and Concord, Massachusetts, known as its Reformatory Branch, from Valuation Station 649+20, which is located in Bedford, Massachusetts, to Valuation Station 849+85, located in Concord, Massachusetts; and that they, and each of them, be further authorized to sign, verify and file on behalf of this Company an appropriate application to the Interstate Commerce Commission and a Return to any Questionnaire submitted by said Commission, and generally to perform all acts necessary, convenient or desirable towards accomplishing the foregoing objective."

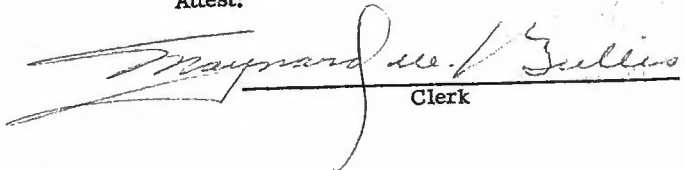
Attest:


Clerk

At a Meeting of the Board of Directors of BOSTON AND MAINE RAILROAD,
duly called, notified and held on October 18, 1961, a quorum being present, the follow-
ing action was taken:

"VOTED: That the President and the Vice President-Accounting and Finance
be, and they hereby are and each of them hereby is, authorized to make application to
the Interstate Commerce Commission for authority from said Commission to abandon
a line of railroad in its entirety approximately 5.3 miles in length forming its line
between Bedford, Massachusetts and North Billerica, Massachusetts, known as its
Bedford and Billerica Branch, from Valuation Station 0+00, which is located in Bedford,
Massachusetts, to Valuation Station 279+50, located in Bedford, Massachusetts; and
that they, and each of them, be further authorized to sign, verify and file on behalf of
this Company an appropriate application to the Interstate Commerce Commission and
a Return to any Questionnaire submitted by said Commission, and generally to perform
all acts necessary, convenient or desirable towards accomplishing the foregoing
objective."

Attest:


Clerk

Blaughey
SERVICE DATE FEBRUARY 8, 1962

CERTIFICATE AND ORDER

M. Crocker
At a Session of the INTERSTATE COMMERCE COMMISSION,
Finance Board No. 3, held at its office in
Washington, D. C., on the 1st day of February,
A. D. 1962.

Finance Docket No. 21851

BOSTON AND MAINE RAILROAD ABANDONMENT (PORTION)
BEDFORD AND BILLERICA BRANCH, MIDDLESEX, COUNTY, MASS.

Upon consideration of the application filed under
section 1(18) of the Interstate Commerce Act on November 22,
1961, as supplemented January 10, 1962, by the Boston and
Maine Railroad requesting permission to abandon a portion
of its Bedford and Billerica Branch line of railroad extending
from Valuation Station 0+00 to valuation Station 279+50,
approximately 5.3 miles, all in Middlesex County, Mass.; and

It appearing, That the interest of employees will be
protected by the imposition of appropriate conditions;
that the line serves no public need and abandonment will
permit maintenance and other savings; and that continued
operation and maintenance thereof would impose an undue
and unnecessary burden on the applicant and upon interstate
commerce;

It is hereby certified, That, subject to the same
conditions for the protection of employees as set forth
in Chicago, B. & Q. R. Co. Abandonment, 257 I. C. C. 700,
the present and future public convenience and necessity
permit the abandonment by the Boston and Maine Railroad
of that portion of line of railroad hereinbefore described;

It is ordered, That this certificate and order shall
take effect and be in force from and after 35 days from
the date hereof, and tariffs applicable to the line herein
permitted to be abandoned may be canceled upon notice to this
Commission and to the general public by not less than 10 days'
filing and posting in a manner prescribed in section 6 of the
Interstate Commerce Act;

It is further ordered, That when filing schedules
canceling tariffs applicable to said line, the applicant
shall in such schedule refer to this certificate and order
by date and docket number;

It is further ordered, That, if the authority herein granted is exercised, the applicant shall submit for the consideration and approval of this Commission two copies of the journal entries showing the retirement of the line from service; and

It is further ordered, That if the authority granted in this certificate and order is not exercised within one year from its date, it shall be of no further force or effect.

By the Commission, Finance Board No. 3.

HAROLD D. MCCOY,

Secretary.

(SEAL)

February 16, 1962

Mr. D. A. Branson
Mr. G. F. Glacy
Mr. P. J. Sullivan
Mr. E. F. Wood
Mr. T. K. Eyer
Mr. B. F. Carner
Mr. R. V. Pickard

Re: F.D. No. 21851 - Abandonment Bedford-Billerica Branch

Attached is a copy of the Order of the L.C.C.'s Finance Board No. 3, dated February 1, 1962, granting us authority to abandon a portion of the Bedford and Billerica Branch. You will note that this certificate and order is effective from and after 35 days from the date of the Order. Cancellation of applicable tariffs may be done upon not less than 10 days' notice.

R. G. Sheahy, Jr.
General Attorney

Enc.

cc: Miss R. E. Churchill

RGB:smj