

Mr. SKUBITZ. I am glad to hear you say that. I hope you judge this case on that basis and not on what the figures are that they placed here.

Mr. TIERNEY. I would like to add, sir, that the list of criteria which you read in the *Santa Fe* case are the criteria we use in all the cases.

Mr. SKUBITZ. I heard someone talk about the use of the railroads. I have ridden the Santa Fe Railroad and their service is excellent. In fact, 2 weeks ago I rode their train. It was right on the minute from Wichita to Emporia, and from Kansas City back the other way. I had no problem at all. But I rode the Kansas City Southern. They were talking about people not using the train. I happen to have here a list of their trains. This says Kansas City Southern passenger train passes through North Yard Station, Pittsburg, Kans., December 1, 1967, to January 21, 1968; train 60 was, for 60 days, late over 30 minutes, and 1 hour late on 25 occasions.

Who can use the train on that basis? Do you fellows look into this sort of thing and see whether or not they are actually giving service in determining whether or not passengers are using their trains?

Mr. TIERNEY. We consider that in a train discontinuance case. In fact, there have been cases where we have not permitted discontinuance because we felt the evidence justified the conclusion of a deliberate downgrading in service.

Mr. SKUBITZ. Let me ask you one other question, getting on these mail contracts.

This seems to be the straw that breaks the camel's back in these hearings. Have you ever consulted the Commission or the Department of Transportation, or ever talked with the Post Office Department and visited with them with respect to the effect the cancellation of these contracts would have upon the railroads?

Mr. TIERNEY. I haven't personally, but some of my predecessors have.

Mr. SKUBITZ. Have they ever contacted you as Chairman of this Commission?

Mr. TIERNEY. I have been over there and they have discussed generally what their objectives have been in these areas. That is what I indicated at the outset, of whether it is, in fact, the effect of a business decision of the Post Office Department.

Mr. SKUBITZ. Have you tried to point out to them that, if you take these mail contracts away from the trains, you will wreck a transportation system? Have you ever talked to them about that?

Mr. TIERNEY. Not specifically, sir, no. I think this is an area where, of course, we have no power whatsoever under those circumstances. This is an area, I think, if it is a policy, if Congress determines it their policy, or that this should be changed, that is one thing.

Mr. SKUBITZ. In my State, we are old-fashioned enough to think that we have one Government in Washington, not 25 or 100, and that one department ought to visit with the other about mutual problems. It seems to me that this is an area that either the Interstate Commerce Commission or the Department of Transportation ought to be looking into, the effect these cancellations are having upon our whole transportation system.

I don't want the railroads to go on operating at a loss. I know that some of them had to be taken off. But I think we ought to be lending our efforts in trying to maintain a decent transportation system in this country.