

Even though railroad service is often provided at a financial loss to the carriers involved, the Commission is very mindful of the heavy economic and social costs that discontinuance of essential trains, particularly commuter trains, could entail on the localities where such service is provided. In this regard, the Supreme Court in Southern R. Co. v. North Carolina, 376 U. S. 93, 105 (1964), has stated that where the communities directly affected would suffer serious injury while continued operation would impose a relatively light burden on a prosperous carrier,

[S]uch as those involving vital commuter service in large metropolitan areas where the demands of the public convenience and necessity are large, it is, of course, obvious that the Commission would err if it did not give great weight to the ability of the carrier to absorb large deficits resulting from such services.

Since the inception of section 13a, the Commission has received 267 interstate discontinuance cases and 51 intrastate cases as a result of which the release in whole or in part of 913 trains was obtained.²⁵ Appendix I Table 1 indicates that for 267 notices filed, 585 trains were discontinued, 388 trains were required to be continued and 244 trains were involved in dismissed or withdrawn notices for interstate service involving section 13a(1). Table 2 shows that under 13a(2) (intrastate) proceedings, 51 petitions have been filed, 328 trains discontinued, 38 trains continued and 83 trains involved in dismissed or withdrawn proceedings. On June 1, 1968, there were 43 intercity trains pending

²⁵ Based on cases decided before June 1, 1968.