

The low level of patronage and availability of other means of transportation for intercity travel often minimize the public need factor under section 13a.³⁵ Air, bus, and private automobile all compete successfully with the intercity train. Unlike the many commuters who have no practical or economical alternatives to rail commutation, the bulk of intercity travelers usually are not dependent on rail service. In fact, the majority of them have already completely forsaken the railroads for reasons of speed, cost, convenience, or mobility.

The recognition of the necessity for maintaining commuter service has generated increased public and governmental concern. That concern has been translated into various types of assistance to ease the railroads' burden of providing a deficit service. In realization of the need for commuter service and the possibility of public aid, the Commission has required the continuance of heavy-deficit operations.³⁶

The intercity train has few regular patrons. It serves points which share neither a community of interests nor have the appropriate governmental

³⁵ Southern R. Co. v. North Carolina, 376 U. S. 93 (1964).

³⁶ See Hearings Before the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency on the Effect of Railroad Mergers on Commuter Transportation, 90th Cong., 2nd Sess., at 223 (1968).