

And five months after that, the Commission approved the report and recommended order of the hearing examiner in Finance Docket No. 23756 which required the continuance of the Shasta Daylight after protestants had shown with "unmistakable clarity that the carrier had discouraged passenger traffic."

Section 13a deals primarily with the elimination of existing trains. However, the quality of passenger service is another matter of growing public concern. In section 13a cases, the quality of service has been a relevant factor to be considered only with respect to whether a carrier should be permitted to eliminate a train. Whether the Commission has the authority to impose minimum standards of passenger service is now being litigated. Section 13a does not confer such power on the Commission, but the issue has been placed before the Commission in docket No. 34733, Adequacies - Passenger Service - Southern Pacific Company Between California and Louisiana. While the recommended report and order of the hearing examiner, issued on April 22, 1968, did find we have such authority, the parties to this proceeding are still filing replies, and it would be inappropriate to comment further on this pending matter. Once this case is ready for Commission action, we will give it our full and expedited consideration.