

An additional responsibility of the carriers to the public was outlined in a recent proceeding where the carrier had stated it would continue a passenger train if permitted to consummate a proposed merger and subsequently filed to discontinue that train. In No. Pac. Co. Discont. -- Fargo to Seattle-Tacoma, 333 I. C. C. 15, 39, Division 3 of the Commission stated:

Here, we think the record clearly establishes that this service is being heavily patronized, that the number of passengers has been increasing, and that a public need exists for its continuance. We conclude that continued operation is required by the public convenience and necessity. Unquestionably the trains should be maintained if any carrier can be found which is financially able to maintain them. Such a carrier is the Northern Pacific. But, ignoring the Northern Pacific for the moment, one carrier both willing and able is Burlington Northern, Inc., the product of the successful application in the Merger proceedings. Although it is not yet in existence, we know that the new carrier will begin life in a strong financial condition and that in its bid for merger approval, it expressed willingness, even eagerness, to maintain both the Mainstreeter and the North Coast Limited. These and similar unusually specific pledges about continued and improved service unquestionably contributed to the public support the merger received and helped to dissolve the opposition. The promises were carefully stated under oath in the record in the merger proceeding; and we have every confidence that these promises will be honored as a covenant with the public whose support they, in effect, purchased.

Despite the heavy emphasis placed on the discontinuance of passenger service by many railroads and the overall decline of that service, railroads still retain the fundamental obligation "to provide service if the public