

***Surface Transportation Board
Washington, D.C. 20423-0001***

Office of Economics

March 1, 2022

Mr. Jacob Lefler
PhD Student
Department of Agricultural and Resource Economics
University of California, Berkeley
UC Berkeley
Berkeley, CA 94720

Re: Waybill Request WB22-14

Dear Mr. Lefler:

This letter responds to your request under 49 C.F.R. § 1244.9(c) of January 31, 2021 for access to the unmasked Confidential Carload Waybill Sample (CCWS) for the years 1984-2019. You requested the data in order “[t]o explore how railroads and rates adjust to changes in demand for service along particular rail lines, and, further, how these adjustments affect US railroad customers,” particularly with respect to “demand shocks.” Notice of your request was published in the Federal Register on February 9, 2022 (87 Fed. Reg. 7,522), and no objections were received.

The CCWS contains data that both shippers and railroads consider highly confidential. Unmasked revenue data, for example, are among the most commercially sensitive information that railroads possess. The Board has, under appropriate circumstances, granted access to the CCWS for academic research purposes to academic professionals (and the students associated with their research) where the proposed research project is adequately defined and the request makes clear why the data requested are necessary and how the data will be used in the analysis. The Board’s regulations require both a detailed explanation of the purpose for which the data are requested and a detailed justification for why the specific data requested are needed. See 49 C.F.R. § 1244.9(e)(1)(i-iii). Based on the limited information provided in your letter, I am not able to discern the contours of your research project, how the requested data would be used in your analysis, and whether the request is limited to data actually needed for the proposed research. I am therefore denying your request.

To resubmit your request with the additional information discussed above, please follow the procedure detailed in 49 C.F.R. §§ 1244.9(c) and (e). In addition, pursuant to 49 C.F.R. § 1244.9 (d)(4)(iii), you may appeal this determination within 10 days of the date of this letter. Under the Board’s regulations, “[a]ppeals are not favored and will be granted only in exceptional circumstances to correct a clear error of judgment or to prevent manifest injustice.” 49 C.F.R. § 1011.6(b). Replies must be filed within 10 days after the due date for appeals.

Waybill Request WB22-14

Sincerely,

William Brennan

William Brennan, PhD
Chief Economist & Director,
Office of Economics