

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

June 10, 2024

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Re: Waybill Request WB24-20

Dear Mr. Zhang:

This letter responds to your request under 49 C.F.R. § 1244.9(c) of April 30, 2024 for access to the unmasked Confidential Carload Waybill Sample (CCWS) for the years 1984-2022. You requested the data in order “[t]o model intermodal logistical decision for system planning and dynamic scheduling to address emission, energy, time, resiliency, and cost issues up to the year 2050.” Notice of your request was published in the Federal Register on May 13, 2024 (89 Fed. Reg. 93, 41483), and no objections were received.

The CCWS contains data that is highly confidential to both rail shippers and railroads. 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 professionals who are working on a research project where the proposed 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 complete and 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). Although you have provided some limited information in your letter that you would use the CCWS to “calibrate and validate” certain model results, there is not enough information for me to fully evaluate your stated need for the unmasked revenues nor discern how these data would be used in your research project. For example, your letter does not identify how the unmasked revenue information will be used in your underlying model or calibration. Additionally, your proposal indicates that the Public Use Waybill Sample would not “well support” your needs because the data are “stratifiedly sampled.” It is important to note, however, that the underlying sample is not different between the public use and confidential data. 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.

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Waybill Request WB24-20

Sincerely,

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Kristen Monaco, PhD
Director
Office of Economics