



ASSOCIATION OF AMERICAN RAILROADS
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ENTERED
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Via E-mail

Dr. William Brennan
Director
Office of Economics
U.S. Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Waybill Data Request 20-13

Dear Dr. Brennan:

In a letter dated March 26, 2020, the Mid-America Regional Council (MARC) requested access to Carload Waybill Sample portions of the confidential 2018 Surface Transportation Board Carload Waybill Sample (CWS) for five states: Illinois, Iowa, Kansas, Missouri, and Nebraska. Notice of this request was published in the *Federal Register* on June 8, 2020. The request seeks access to waybill data because “Mid-America Regional Council is leading a multi-state study under FHWA’s Megaregions and National Economic Partnerships grant ... [that is] sponsored by [a] consortium of Kansas City, MO Civic Council, seven metropolitan planning agencies (MPOs) and five state Departments of Transportation....” Letter from Darryl E. Fields, Senior Transportation Planner, MARC, to Dr. William Brennan, Director, Office of Economics, at 1 (March 26, 2020) (MARC Letter). For the plan, MARC only requests specific “[p]ortions of [d]ata” including “SPLC origins and destinations, carriers and connections, car types and intermodal flags, commodities and volumes” and explains that “[s]hipper identities and railroad revenues are not needed.” MARC Letter at 1. The specific need for the data is “to understand how our food-producing rural areas are served by rail, capturing a granular level of geography and an accurate picture of the national markets and gateways we must reach with today’s and tomorrow’s technologies.” MARC Letter at 1.

By this letter, the Association of American Railroads (“AAR”), on behalf of its freight railroad members, makes a limited objection to the release of waybill data pursuant to this request. AAR appreciates that this request is limited in nature and does not seek revenue related data. AAR requests that the data released to the States comply

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with 49 C.F.R. 1244.9(b)(3) and only include traffic “originated, terminated, interchanged in, or that passed through” the five states, namely Illinois, Iowa, Kansas, Missouri, and Nebraska. Because this clarification was not specifically stated in the request – though likely implied – AAR makes this limited objection to the requested release. AAR also suggests that MARC could receive the rebill flag so that the States would know whether each waybill is an entire move or part of an interline move.

Thank you for considering the views of the AAR and its members.

Sincerely,

A handwritten signature in blue ink, appearing to be 'JFM', with a stylized, cursive flourish extending to the right.

J. Frederick Miller Jr.
(admitted in Maryland)
Counsel for the Association
of American Railroads