

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

Office of Economics

October 31, 2022

Dr. Simon Fuchs
Assistant Adviser and Research Economist
Federal Reserve Bank of Atlanta
1000 Peachtree St NE
Atlanta GA 30309

Re: Waybill Request WB22-60

Dear Dr. Fuchs:

The Surface Transportation Board (STB or Board) has approved your request to extend your access to the STB Carload Waybill Samples with unmasked revenues for 1984-2019 originally obtained in WB20-41 and later extended in WB21-65. This data may only be used for the purposes outlined in your request and may not be used for any other purpose such as private, commercial consulting. ***This approval becomes effective when signed agreements from the individuals listed below are received by the STB:***

- a) *Dr. Simon Fuchs – Federal Reserve Bank of Atlanta*
- b) *Mr. Benjamin Delgado – Federal Reserve Bank of Atlanta*
- c) *Dr. Woan Foong Wong – University of Oregon*

The expiration date for this agreement is November 30, 2023. Unless you seek and obtain a renewal from the STB, this agreement upon expiration obligates you to return or destroy all copies of the data (see item 6 of the agreement). Any request for renewal will need to provide a detailed explanation for why continued access to the data is necessary and demonstrate that you are continuing to actively use the data for the originally requested purpose.

Several aspects of the CCWS limit the conclusions that may be drawn from analysis of the CCWS: 1) the CCWS is a sample, and 2) the CCWS is based on terminating shipments from relatively large carriers. Only those railroads with more than 4,500 annual terminating carloads are included in the sample. The limited sampling of small railroads may have a substantial effect on studies covering areas served predominately by non-sampled railroads. For additional information on the CCWS, see *Reference Guide* @ <https://www.stb.gov/reports-data/waybill/> on the Board's website.

The rules for release of waybill data are codified at 49 C.F.R. § 1244.9. The CCWS contains confidential shipper and railroad data. As a result, the CCWS is commercially sensitive and has the potential to cause competitive harm to shippers and railroads if disclosed. Therefore, the following agreement must be signed, and a copy of the signature pages returned to the STB, before any waybill data can be used.

Your signature acknowledges your agreement to comply with the following:

1. You will use the CCWS data released to you solely for the purpose requested.
2. Absent permission from the STB, you shall make the information contained in the CCWS (including work product and analyses derived from the CCWS) available only to the individuals identified above. The STB may approve access for additional individuals within your entity working on the particular project or study requiring the waybill data. Each such additional individual must review and sign this agreement, and return a copy of the signature page to the STB.
3. You will not release any CCWS data (including work product and analyses derived from the CCWS) to anyone who has not signed this agreement and been approved for access by the STB until the STB has had the opportunity to review the materials proposed for disclosure to ensure confidentiality.
4. You acknowledge that, in addition to the restrictions described in paragraphs 1 and 2 above, you are bound by the STB's rules governing use and disclosure of CCWS data. These include the confidentiality provisions of 49 C.F.R. §§ 1244.9(f)(1)-(3), which require that "[a]ny shipper data obtained from the Waybill Sample shall not be publicly released unless the data are aggregated to include at least three shippers." In addition, you agree not to disclose CCWS data that permits identification of an individual railroad.
5. You will refer any requests for CCWS data in your possession (including work product and analyses derived from the CCWS) to the STB for processing and will inform the requesting party of such referral to the STB. If you are compelled by law or order of a governmental or judicial body to release CCWS data, you shall notify the Board in writing within three days of any determination that CCWS data must be released, and in no event later than five days before the CCWS data is scheduled to be released.
6. In order to retain access to the CCWS beyond the expiration date specified above, you must submit a written request for an annual extension of the agreement no later than thirty days prior to the expiration date and the renewal request must be approved by the Office of Economics. **If an annual agreement is not signed and approved, you must certify by no later than the expiration date that all CCWS data (including all work product and analyses derived from the CCWS) obtained under this agreement has been destroyed or returned to the STB.**

Waybill Agreement WB22-60

7. Failure to request an extension (if necessary), or destroy or return CCWS data when required, may prevent any future release of CCWS data to you. Violations of this agreement may subject you to sanctions by the Board.

After all parties have signed and returned this agreement, the extension is granted

Sincerely,

William Brennan

William Brennan, PhD
Chief Economist & Director
Office of Economics

Waybill Agreement WB22-60

I have read and understand the conditions for release of the CCWS data. I agree to comply fully with these conditions and the provisions of this confidentiality agreement. No later than thirty days before the agreement expires, I will request an extension of this agreement, if necessary. If no extension is requested, I will return or destroy all CCWS data and certify that I have done so. I have the authority to sign this agreement.

By: Dr. Simon Fuchs

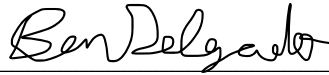


Signature

Waybill Agreement WB22-60

I have read and understand the conditions for release of the CCWS data. I agree to comply fully with these conditions and the provisions of this confidentiality agreement. No later than thirty days before the agreement expires, I will request an extension of this agreement, if necessary. If no extension is requested, I will return or destroy all CCWS data and certify that I have done so. I have the authority to sign this agreement.

By: Benjamin Delgado

A handwritten signature in black ink that reads "Ben Delgado". The signature is written in a cursive, flowing style. The "B" is large and loops around the "en". The "Delgado" is written in a similar cursive style, with the "d" and "a" having loops.

Signature

I have read and understand the conditions for release of the CCWS data. I agree to comply fully with these conditions and the provisions of this confidentiality agreement. No later than thirty days before the agreement expires, I will request an extension of this agreement, if necessary. If no extension is requested, I will return or destroy all CCWS data and certify that I have done so. I have the authority to sign this agreement.

By: Dr. Woan Foong Wong



Signature

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



October 26, 2022

RE: Extension Request for Waybill Access and Addition of Research Assistant

Dear Director Brennan:

Please consider this request to extend our access to the Confidential Carload Waybill Samples from 1984-2019. This request will make possible the continued academic research on the importance of multimodal transportation for freight movements and economic activity within the US conducted by Simon Fuchs, Assistant Adviser and Research Economist at the Federal Reserve Bank of Atlanta, and Woan Foong Wong, Assistant Professor at the Department of Economics at the University of Oregon.

The Confidential Carload Waybill Samples (CCWS) are the best data available to enable our academic research on this topic, and it is, to our knowledge, impossible for us to collect these data from other sources. We want to note that we are requesting an extension of access to the entirety of the unmasked waybill sample. In this letter we will provide the reason for which extension of access is needed, and justification of why we would like to add one research assistant to this project.

I. Reason for extension of access

The COVID-19 crisis continue to significantly slow down our ability to work on the project because of the disruption that both researchers faced in their work conditions and personal lives. In particular, the pandemic has resulted in severe disruptions in childcare which has affected Woan Foong Wong's productivity. These factors impeded progress on our project from what we anticipated and the time delays we encountered have exceeded the time for which access is granted.

II. Access to the Waybill Data

We request data from 1984-present. Access to the waybill data will be currently provided to Simon Fuchs and Woan Foong Wong, and Benjamin Delgado who is a Research Assistant helping us on this project. We will collectively study and prepare the data and generate output from the data to be included in a research report that is to be published both in academic journals and in the policy publication at the Federal Reserve Bank of Atlanta (<https://www.frbatlanta.org/research/publications/policy-hub>). The requestors will request a confidentiality review for these purposes.

III. Confidentiality Representations

Requestors agree to adhere to all the confidentiality requirements set forth at 49 C.F.R. §§ 1244.9(b)(4) and (f) and to execute the usual Confidentiality Agreement associated with release of the CCWS.

Sincerely,



Simon Fuchs
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