

EP 761
EP 755

September 30, 2020

301132

Dr. William Brennan
Director
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

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Office of Proceedings
September 30, 2020
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Re: WB17-44 & WB19-48; Extension Request

Dear Director Brennan:

We are seeking an extension to September 30, 2021, of confidential Carload Waybill Sample (CCWS) access granted under WB17-44 and WB19-48.

On April 17, 2018, the Office of Economics granted in part Waybill Request WB17-44 to allow Thompson Hine LLP, Economists, Inc., and L.E. Peabody & Associates, Inc. (collectively "Requestors")¹ limited access to the CCWS for the purpose of developing, evaluating, and proposing alternatives to the Board's Stand-Alone Cost (SAC) standard.² On September 30, 2019, the Office of Economics granted in part Waybill Request WB19-48 to allow Requestors to access data provided under WB17-44 for use in connection with Surface Transportation Board proceedings in EP 755 and EP 761; combined WB17-44 and WB19-48; and set the expiration date for WB17-44 and WB19-48 to September 30, 2020.

The requested extension is necessary to enable Requestors to continue to develop, evaluate, and propose an alternative to SAC. Specifically, Requestors are using the CCWS to develop an econometric model on behalf of the American Chemistry Council (ACC) as part of a rate benchmarking standard that could become an alternative to SAC. ACC presented this model in EP 755, which is an active proceeding in which there may be additional opportunities to present the model. Also, ACC presented this model in EP 761, which involved revenue adequacy, and may have more opportunities to present the model to the Board as a revenue-adequacy methodology. Without continued access to the CCWS, Requestors will not be able to continue to advocate for use of the model and refine it as necessary.

¹ On September 10, 2018, Requestors submitted new Undertakings for individuals who had relocated from Economists, Inc. to EconOne Research. Therefore, all references to "Requestors" in this letter substitute EconOne for Economists, Inc.

² On March 26, 2019, the Office of Economics extended WB17-44 to April 30, 2020.

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For the foregoing reasons, Requestors respectfully request an extension of Waybill Agreement WB17-44 and WB19-48 to September 30, 2021.

Very truly yours,

/s/Jason D. Tutrone
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