

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

Office of Economics

April 14, 2021

Re: WB20-38, WB20-45, WB21-29, FD32760, BNSF Railway Company – Terminal Trackage Rights – Kansas City Southern Railway Company and Union Pacific Railroad Company

To the parties in Docket No. FD32760:

BNSF, KCS, and UP have all requested and have been granted confidential Carload Waybill Sample (CCWS) access for use in this proceeding.

BNSF and UP (once the agreement letter on behalf of UP has been signed) have access to the same data. This data included four datasets. First, the 1994-2013 unmasked costed waybill samples for UP, SP, BNSF, ATSF, and KCSR. Second, the 2014-2019 unmasked costed waybill samples for all traffic pertaining to UP, KCSR, and BNSF. Third, the 1996-2016 unmasked costed waybill samples for all terminations and originations in Lake Charles (1995 BEA #86). Fourth, a limited subset of 2017-2019 data for the entire waybill sample as shown in Attachment A of WB20-45.

KCS has access to almost the same data, minus the 1994-1995 unmasked CCWS for all terminations and originations in Lake Charles, BEA #86.

In order to facilitate the exchange of CCWS contained in pleadings and workpapers in this proceeding, I am expanding KCS access under its existing agreement cover the same data as BNSF/UP. As a result, parties may now exchange pleadings and other materials that contain CCWS data (to which they all have access) consistent with paragraph 4 of their access agreements. However, the CCWS data contained in pleadings or workpapers may not be released to any individual who has not signed a waybill access letter.

Sincerely,

William Brennan

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