

June 22, 2022

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

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Docket No. WB_22_33

RE: Request for 2019 Confidential Waybill Sample Data

Dear Dr. Brennan:

Under 49 C.F.R. § 1244.9(c) & (e), I am requesting access to the unmasked confidential Carload Waybill Sample (CWS) for the year 2019 and covering the United States. I am an economist and retired university faculty and transportation research institute member conducting transportation research on behalf of the Association of American Railroads. I have served as a Research Associate Professor of Economics at the University of Tennessee and Director of Transportation Economics at its Center for Transportation Research. I was also a faculty member at Marshall University and a member of its Appalachian Transportation Institute. I am researching the overall safety, climate, highway infrastructure, and other societal impacts that might result from a modal shift of freight transportation from rail to truck, via the advancement of automated truck operations and other related U.S. Department of Transportation (DOT) policies and regulations.

Modal shift in freight transportation is becoming an important question in public policy circles for a variety of reasons, not the least of which include safety, environmental, congestion, and infrastructure impacts of moving more freight by truck, instead of rail. I require access to the confidential CWS in order to accurately evaluate and quantify the impacts of freight shifting from rail to truck (or from truck to rail). As regulators and other policymakers consider changes that may impact such modal shifts in freight movement, it will be important for them to consider what those impacts mean for safety, the environment, congestion, and infrastructure needs. In particular, I plan to evaluate specific commodity flows and routing data necessary to estimate the future impact of automated trucking operations on rail traffic levels, to include within the context of current and planned DOT regulations.

Unfortunately, other publicly available datasets lack the data and detail necessary to inform my research. I am aware the confidential CWS contains sensitive data and will abide by the confidentiality guidelines set by the Surface Transportation Board in § 1244.9. I will provide all research to the Office of Economics for compliance review prior to any release or publication of results. Also, while I am conducting this research on behalf of AAR, I will not share the confidential CWS data with anyone at AAR, except my research that has first undergone a compliance review by the Office of Economics.

Please contact me if you have any questions about the research I am conducting. Thank you for your consideration of my request.

Respectfully,

/s/Mark Burton

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