

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

Office of Economics

June 20, 2023

Mr. William G. Secor
Assistant Professor
Department of Agricultural and Applied Economics
University of Georgia
Atlanta, GA 30602

Re: Waybill Request WB23-23

Dear Mr. Secor:

The Surface Transportation Board (STB) has received your request under 49 C.F.R. § 1244.9(c) of March 27, 2023 for permission to access the unmasked 2008-2020 confidential Carload Waybill Sample (CCWS) for select commodities. Your request explained that the requested data would be used to complete the objectives of a cooperative research agreement with the U.S. Department of Agriculture (USDA). The objective of your work is to assess grain flows into the southeastern portion of the United States (Southeast) principally used to feed livestock. This includes measuring modal shares and the drivers of flows into the Southeast. This study would inform policymakers of the magnitude of grain flow into the Southeast, the importance of each transportation mode in meeting the Southeast's grain and oilseed demand, and significant factors that affect these agricultural product flows. Your request explained that the Unmasked CCWS data is necessary to estimate this rail demand. Notice of your request was published in the Federal Register on May 18, 2023, and no objections were received.

Based on the complete and sufficiently detailed explanations and justifications contained in your request, you will be authorized to access the requested data. Specifically, you will have access to the 2008-2020 unmasked waybills for all records and fields for the commodities specified in your request. Although, it is the Board's practice to generally limit disclosure to masked revenue data, unmasked revenues are being released because your request explains with particularity how revenue data will be used and the need to conduct your academic research with actual revenue data. This data may only be used for the purpose detailed in your request and may not be used for any other purpose such as private, commercial consulting. The collaborators from the United State Department of Agricultural have already been granted access to the CCWS and have already returned signed agreements for this dataset. ***This approval becomes effective when signed agreements from the individuals listed below are received by the STB:***

- a) *William G. Secor – University of Georgia – Assistant Professor*
- b) *Jungkeon Jo – University of Georgia – Graduate Research Assistant*

The expiration date for this agreement is June 30, 2024. 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

Waybill Agreement WB23-23

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.**
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, please contact Mr. Dusenberry (202) 245-0319 to make the necessary arrangements to have a copy of the data sent to you. The STB will provide the data by email through file transfer protocol. Prior payment of processing and mailing cost of **\$120 (\$60 per confidentiality agreement)** is required. Payment can be made through the Board's electronic payment system, Pay.gov. Your payment through Pay.gov will generate a unique Pay.gov transaction number, which you will need to provide with your signed agreement. Pay.gov accepts payment through bank accounts, credit cards, debit cards with a MasterCard or Visa logo, and digital wallet.

Sincerely,

William Brennan

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

Waybill Agreement WB23-23

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: William G. Secor


Signature

Waybill Agreement WB23-23

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: Jungkeon Jo

Jungkeon Jo 
Signature

March 27, 2023

William Brennan, PhD
Chief Economist & Director
Office of Economics
Surface Transportation Bureau
395 E Street SW
Washington, DC 20423

Dear Dr. Brennan,

Please consider this request to obtain access to the unmasked Carload Waybill Sample (CWS) for years 2008 – 2020 for corn, soybean, and soybean meal shipments (STCCs 01132, 01144, and 20923). This request is made in support of completing the work set forth in a cooperative agreement (#21-TMTSD-GA-0009) with the U.S. Department of Agriculture's – Agricultural Marketing Service (USDA-AMS). I (Assistant Professor at the University of Georgia) am the Principal Investigator working with Jungkeon Jo (graduate research assistant at the University of Georgia) and collaborators at USDA-AMS (Peter Caffarelli, Jesse Gastelle, and Adam Sparger). In support of this project, I ask that access be granted to Jungkeon Jo, the USDA collaborators, and me. I request that this access be granted through March 31, 2024 to facilitate the completion of this project and publish findings from this research in an academic journal.

The cooperative research assesses grain flows into the southeastern portion of the United States (the Southeast) principally used to feed livestock. This includes measuring modal shares and the drivers of flows into the Southeast. This study is unique in its focus on movements of agricultural products for a major domestic end use. This study informs policymakers of the magnitude of grain flow into the Southeast, the importance of each transportation mode in meeting the Southeast's grain and oilseed demand, and significant factors that affect these agricultural product flows.

The major transportation method to move agricultural products used as components for livestock feed to the Southeast is rail. Therefore, using rail data is essential. In order to adequately assess the significant factors affecting these movements, shipment-level rate data is necessary as rail rates have been shown to be a significant variable when estimating rail demand. To the requestor's knowledge, these shipment-level rate data are not available from other sources. As a result, unmasked CWS data is necessary to estimate this rail demand.

The enclosure to this letter lists the desired variables from the unmasked CWS. I request access to all shipments with the STCC codes mentioned in the first paragraph (STCC 01132, 01144, and 20923). This is required to assess if the factors impacting rail demand for shipment to the Southeast is different compared to that out of more export-focused areas, such as the Pacific Northwest. However, to avoid any special programming on STB's part, it is worth noting we have experience working with the complete waybill file.

We fully understand and will abide by the confidentiality requirements specified in 49 CFR § 1244.9. We will also submit any research products created using this data for review by the Director of Economics for any confidentiality concerns.

Please let me know if you have any questions, comments, or concerns regarding this request. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'William G. Secor', with a stylized, cursive script.

William G. Secor
Assistant Professor
Department of Agricultural and Applied Economics
University of Georgia
Athens, GA 30602
wsecor@uga.edu
(706) 542-3577