

***Surface Transportation Board
Washington, D.C. 20423-0001
Office of Economics***

November 6, 2024

Ferdinando Guerra
Senior Global Economist/Port Planner
Port of Long Beach
415 W. Ocean Blvd
Long Beach, CA 90802

Re: Waybill Request WB24-46

Dear Mr. Guerra:

This letter responds to your request under 49 C.F.R. § 1244.9(c) of September 4, 2024 for access to the unmasked Confidential Carload Waybill Sample (CCWS) for the most current year, which is 2022. You requested the data in order “to facilitate an Economic Impact Study to be completed by EBP US.” There is no geographic limitation in your request. Notice of your request was published in the Federal Register on October 7, 2024 (89 Fed. Reg. 194, 81131), and no objections were received.

The CCWS contains data that is highly confidential to both rail shippers and railroads. Unmasked revenue data, for example, are among the most commercially sensitive information that railroads possess. The Board has, under appropriate circumstances, granted access to the CCWS to an “Other User” when the purpose of the data request is adequately defined, and the request makes clear why the data requested are necessary and how the data will be used in the analysis. The Board’s regulations require both a complete and detailed explanation of the purpose for which the data are requested and a detailed justification for why the specific data requested are needed. See 49 C.F.R. § 1244.9(e)(1)(i-iii). Although you have provided some limited information in your letter about how you would use the unmasked CCWS data, there is not enough information for me to fully evaluate your stated need for the unmasked data nor discern the methodology for how these data would be used in the Economic Impact Study. Further, you have not explained why your study of the Port of Long Beach requires the entire CCWS, rather than a geographically-limited subset. I am therefore denying your request.

Your first stated purpose is to “make use of the SPLC codes to support the exact identification of on dock rail cargo with enough detail that we can better understand the hinterlands movement of goods” and “[i]mprove on the estimation of trucking versus rail hinterlands distribution.” This description does not provide sufficient information about what you are measuring (for example, tonnage by commodity, or any other measure). Further, because the term “on dock rail cargo” is not defined, it is unclear what you intend to analyze and why unmasked data would be required.

Your second stated purpose is to “support a more realistic estimate of the impact on transportation (transport margin) by leveraging the reported revenue for the specific goods in the unmasked data as opposed to trying to estimate it using national margins.” This description does not explain how transportation revenue, including rail unmasked revenue, would be used in your model and why other revenue estimation means would not be adequate.

To resubmit your request with the additional information discussed above, please follow the procedure detailed in 49 C.F.R. §§ 1244.9(c) and (e). In addition, pursuant to 49 C.F.R. § 1244.9(d)(4)(iii), you may appeal this determination within 10 days of the date of this letter. Under the Board’s regulations, “[a]ppeals are not favored and will be granted only in exceptional circumstances to correct a

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clear error of judgment or to prevent manifest injustice.” 49 C.F.R. § 1011.6(b). Replies must be filed within 10 days after the due date for appeals.

Sincerely,

**KRISTEN
MONACO**

Digitally signed by
KRISTEN MONACO
Date: 2024.11.06
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Kristen Monaco, PhD
Director
Office of Economics



Port of
LONG BEACH
THE PORT OF CHOICE

September 4, 2024

Mr. Alexander Dusenberry
Surface Transportation Board
395 E. Street SW
Washington, DC 20423

Subject: Railroad Waybill Data for calendar year 2023

Dear Mr. Dusenberry,

In order to facilitate an Economic Impact Study to be completed by *EBP US*, the Port of Long Beach is in need of Railroad Waybill data for the most current year (ideally 2023 if available). Mr. Derek Cutler, the Chief Economist/Principal at *EBP US* is requesting this data in order to complete this project. On behalf of Mr. Cutler, the Port of Long Beach would like to request **unmasked data** in order to utilize the data in two ways:

- 1) To make use of the SPLC codes to support the exact identification of on dock rail cargo with enough detail that we can better understand the hinterlands movement of goods
 - a. Improve on the estimation of trucking versus rail hinterlands distribution
- 2) To support a more realistic estimate of the impact on transportation (transport margin) by leveraging the reported revenue for the specific goods in the unmasked data as opposed to trying to estimate it using national margins

We would be in need of the following specific data subsets:

- SPLC Origin/Termination
- Origin/Destination County
- HS Commodity Code
- Expanded Tons /Carloads /Container
- Container Type
- Revenue

Respectfully,

Ferdinando Guerra
Senior Global Economist/Port Planner
Port of Long Beach