

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

Office of Economics

October 10, 2019

Mr. Stephen S. Yoon
Southern California Association of Governments
Senior Regional Planner
900 Wilshire Blvd
Ste. 1700
Los Angeles, CA 90017

Re: Waybill Request WB19-44

Dear Mr. Yoon:

This letter responds to your request under 49 C.F.R. § 1244.9(c) of September 4, 2019 on behalf of the Southern California Association of Governments (SCAG) seeking permission to access to the full confidential Carload Waybill Sample (CCWS) for 2017. You requested the data to “upgrade and improve [y]our regional travel demand model components to reflect multiple transportation modes and systems,” and indicated the model would be used in connection with a study concerning funding strategies for capacity and operational improvements.

Having carefully considered your letter, I am denying your request. First, you have not adequately explained why the specific data you requested is necessary and the purpose for which it would be used as required by 49 C.F.R § 1244.9 (e)(1)(i-iii). Specifically, your request does not demonstrate why you need data for geographic areas outside of California or unmasked revenues. In response to your similar request for 2016 waybill data, in WB18-11, I denied your request for nationwide, unmasked data for lack of an adequate basis, but your current request asks for the same data for 2017 without offering additional justification.

Second, you have failed to comply with paragraph 6 of the waybill access agreement you signed in WB18-11. That paragraph requires that you request an extension to continue using 2016 waybill data or certify, by April 30, 2019, that all confidential waybill data (including all work product and analyses derived from the CCWS) was destroyed or returned to the STB. The Board has received neither an extension request nor a certification. Pursuant to paragraph 7 of your waybill access agreement, I will not release further waybill data to you until you have either been granted an extension with respect to the 2016 data or destroyed or returned that data and submitted a valid certification.

Once you have resolved the outstanding compliance issues, if you wish to submit a modified request, the STB will re-initiate the waybill release procedures of 49 C.F.R. § 1244.9(c). This would include, but not be limited to, notice of the modified request in the Federal Register.

Waybill Request WB19-44

Sincerely,

A handwritten signature in black ink that reads "William Brennan". The script is cursive and fluid, with a long horizontal flourish extending from the end of the name.

William Brennan
Director
Office of Economics