

SUPPORTING STATEMENT - WAGE FORM A & B

**A. Justification:**

1. Why the collection is necessary. The Surface Transportation Board (Board) has broad statutory authority to provide economic regulatory oversight of railroads, addressing such matters as rates, service, the construction, acquisition and abandonment of rail lines, carrier mergers, and interchange of traffic among carriers (49 U.S.C. §§ 10101-11908). For each reporting railroad, the annual and quarterly Wage Forms A & B, which are required to be filed by Class 1 railroads pursuant to 49 U.S.C. § 11145 and 49 C.F.R. § 1245, show the number of employees, service hours, and compensation by employee group (executive, professional, maintenance-of-way, maintenance-of-equipment, transportation(train and engineer), and transportation (other than train and engineer)). This information is collected on the same form (Wage Form A & B) in two phases: the Quarterly Report of Railroad Employees and the Annual Report of Railroad Employees.

2. How the collection will be used. Information from this form is used by the Board to forecast labor costs, to measure the efficiency of the reporting railroads, and to evaluate proposed regulated transactions under 49 U.S.C. §§ 10902-03 and 11326 that may impact rail employees: mergers, acquisitions of control, purchases, and abandonments. Other Federal agencies and industry groups, including the Railroad Retirement Board, Bureau of Labor Statistics, and Association of American Railroads, depend on the information contained in these reports to monitor railroad operations.

3. Extent of automated information collection. Generally, no improved technology has been identified by the Board to reduce the burden of these collections. For many years, the respondent carriers have each maintained this form in a computerized format. Each railroad enters its data on its own computerized version of the form and submits a fax or emailed pdf of the required signed form to the Board. The Board facilitates timely filing by permitting responders to fax or email the required data. The Board has considered electronic filing, but determined that because the data is maintained in different electronic formats by the respondent carriers, electronic filing would not be useful to the Board. In addition, any requirement for this report to be filed in a specific electronic format would necessarily impose a greater cost burden on the respondents.

4. Identification of duplication. The Board is the primary Federal agency having jurisdiction over the railroad industry and its holding companies. No other Federal agency collects the information in this report, and there will be no duplication of information.

5. Effects on small business. No small entities will be affected by the collection of this information. This reporting requirement applies only to Amtrak and to Class I railroads, which have operating revenues in excess of \$250 million (1991 dollars) adjusted for inflation. The Board has adopted an indexing methodology which will ensure that regulated carriers are classified based on real business expansion, rather than the effects of inflation.

6. Impact of less frequent collections. The agency collects the quarterly and annual reports primarily for public consumption. Collecting both the quarterly and annual reports provides more utility to those members of the public who are interested in specific quarterly data, as well as those who work only with annual data. Therefore, the utility of the data would be diminished if collected less frequently.

7. Special circumstances. No special circumstances described in question 7 apply to this collection.

8. Compliance with 5 C.F.R. § 1320.8. The Board published a notice in the Federal Register, providing a 60-day comments period regarding this collection. See 77 Fed. Reg. 2129-01 (Jan. 13, 2012). No comments were submitted. As required, the Board has published a notice providing a 30-day comment period, with comments to be sent to OMB. See 77 Fed. Reg. 27540.

9. Payments or gifts to respondents. The Board does not provide any payment or gift to respondents.

10. Assurance of confidentiality. All information collected through this report is available to the public.

11. Justification for collection of sensitive information. This collection contains no information of a sensitive nature.

12. Estimation of burden hours for respondents. The following information pertains to the estimate of burden hours associated with this collection:

(1) Number of respondents: 8.

(2) Frequency of response: quarterly and annually

(3) Annual hour burden per respondent: Based on information provided by the railroad industry, we estimate a per-respondent-railroad burden of not more than 160 hours, which includes the time needed to gather the information, edit, review, complete, and submit the quarterly and annual report. It is estimated that each of the eight railroad respondents requires no more than 30 hours for each of the four quarterly reports and no more than 40 hours for the annual report. The total annual burden hours on the industry is estimated to be not more than 1280 hours.

13. Other costs to respondents: (a) Continuing this existing information collection will impose no start-up costs on respondents. (b) No non-hour costs for the operation, maintenance, or purchase of service associated with this collection have been identified. These forms are submitted electronically.

14. Estimated costs to the Board: We estimate that it takes three hours annually to compile (GS 13/1 hourly rate with benefits of \$52.90) and one hour post (GS 14/10 hourly rate with benefits of \$81.26) this report (Wage Statistics of Class I Railroads) on our website, resulting in a cost of \$240.

15. Changes in burden hours. No change in burden hours is requested.

16. Plans for tabulation and publication: The Board prepares the Annual Compilation of Wage Statistics of Class 1 Railroads, which is published on the Board's website, [www.stb.dot.gov](http://www.stb.dot.gov).

17. Display of expiration date for OMB approval. No exception is sought. The control number and expiration date for this collection appear on the form.

18. Exceptions to Certification Statement. Not applicable

**B. Collections of Information Employing Statistical Methods:**

Not applicable