

**SUPPORTING STATEMENT
FOR REQUEST OF OMB APPROVAL
UNDER THE PAPERWORK REDUCTION ACT AND 5 C.F.R. 1320**

The Surface Transportation Board (STB or Board) requests a three-year extension of approval of the regulations governing the filing by regulated rail carriers of Agricultural Contract Summaries.

A. Justification:

1. Need for Information in Collection. The Surface Transportation Board (Board or STB) has statutory authority to provide economic regulatory oversight of railroads, addressing such matters as rates, service, and the construction, acquisition and abandonment of rail lines, as well as carrier mergers and the interchange of traffic among carriers (49 U.S.C. §§ 10101-11908). Under 49 U.S.C. § 10709(d), railroads are required to file with the Board a summary of the nonconfidential terms of any contract for the transportation of agricultural products, even though the actual terms of a rail transportation contract are treated as confidential.

2. Use of Data Collected. Information in this collection is used by the public to obtain nonconfidential information about the terms of contracts between rail carriers and shippers of agricultural products. The information is available on the Board's website <https://www.stb.dot.gov> (select "INDUSTRY DATA" tab then select "Agricultural Contract Summaries" from the dropdown).

3. Reduction through Improved Technology. This collection may be filed electronically, either by email or via the E-file option on the Board's website.

4. Identification of Duplication. The Board has exclusive jurisdiction over the economic regulation of freight railroads and has a statutory duty to collect Agricultural Contract Summaries. 49 U.S.C. § 10709(d). No other Federal agency collects this information, nor is the collected information available from any other source.

5. Minimizing Burden for Small Businesses. The Board concludes that this collection does not have a significant economic effect on a substantial number of small entities. In recent years, for example, only two of the ten rail carriers filing these summaries were small entities.

6. Consequences if Collection not Conducted or Conducted Less Frequently. This collection is required by statute. Thus, failure to collect this information would impede the ability of the agency to fulfill its statutory duty. It would also affect the public's access to timely information about contracts between shippers of agricultural commodities and rail carriers.

7. Special Circumstances. No special circumstances apply to this collection.

8. Consultation with Outside Agency. As required, the Board published a notice providing a 60-day comment period regarding this collection. See 81 Fed. Reg. 26,302 (May 2, 2016). No comments were received. A 30-day notice was published concurrently with this submission to the Office of Management and Budget (OMB). See 81 Fed. Reg. 51,959 (Aug. 5, 2016).

9. Payments or Gifts. The Board does not provide any payment or gifts for this collection.

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

11. Sensitive Information. This collection contains no information of a sensitive nature.

12. Estimated Burden Hours. The following information pertains to the estimate of burden hours associated with this collection:

(1) Number of respondents. Approximately 10.

(2) Frequency of response. On occasion. Over the last three years, respondents have filed an average of 161 agricultural contract summaries per year. The same number of filings is expected during each of the next 3 years.

(3) Annual hour burden per respondent and total for all respondents. 40.25 hours (161 submissions X .25 hours estimated per submission). Over the last three years, respondents have filed an average of 161 agricultural contract summaries per year. The same number of filings is expected during each of the next 3 years.

13. Estimated Total Annual Cost to Respondents. There are no non-hourly costs associated with this collection.

14. Annualized Cost to the Federal Government. The Board performs periodic cost studies to determine the cost to the Board of various Board functions. These costs determine the various fees set by the Board, including the fees for filing agricultural contract summaries. The fee study shows the total annual cost to the Board for the collection of agricultural contract summaries is \$4,256.84.

15. Explanation of Program Changes or Adjustments. This is an existing collection, which is being adjusted to update the burdens and costs based on the actual number of agriculture contracts filed at the Board since the last approval of this collection by OMB in 2013. Since then, the number of contracts submitted to the Board increased slightly, the number of respondents' burden hours decreased, and the cost to the federal government decreased due to technology improvements.

16. Publication of Data and/or Results. This collection is posted on the Board's website located at <https://www.stb.dot.gov> (select "INDUSTRY DATA" tab then select "Agricultural Contract Summaries" from the dropdown).

17. Display of expiration date for OMB approval. There is no form associated with this collection. Once approved, the control number and expiration date for this collection will be published in a separate notice in the Federal Register as provided in 5 C.F.R. § 1320.3(f)(3).

18. Exceptions to Certification Statement. Not applicable

B. Collections of Information Employing Statistical Methods:

Not applicable