

2140-0026  
February 2020  
Expires 3/31/2020

**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 of annual certifications for tariffs by regulated water carriers.

**A. Justification:**

1. Need for Information in Collection. Congress has directed the Board to regulate some aspects of water carrier transportation of freight in the noncontiguous domestic trade—i.e., domestic (as opposed to international) shipments moving to or from Alaska, Hawaii, or U.S. territories or possessions (Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Northern Mariana Islands). 49 U.S.C. § 13102(17). For common carriage service by water in noncontiguous domestic trade, water carriers are required to publish their rates in tariffs and file annual certifications at the STB. 49 U.S.C. § 13702(b); 49 C.F.R. § 1312. (A tariff provides a list of prices and fees that the carrier charges to the shipping public.)

2. Use of Data Collected. Information in this collection is used by the public to learn about prices and fees charged by water carriers that provide freight transportation in noncontiguous domestic trade. Historically, the agency has maintained tariffs in a Tariff Library at the STB headquarters. Recently, the Board began posting the annual certifications for tariffs on its website, located at <https://prod.stb.gov/reports-data/water-carrier-annual-certifications/> (or go to <https://prod.stb.gov/>, select “Reports and Data,” and then select “Water Carrier Annual Certifications” from the dropdown).

3. Reduction through Improved Technology. This collection may be submitted electronically.

4. Identification of Duplication. The Board is required by statute to administer this collection. No other Federal agency collects the information reported in water carrier tariffs.

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.

6. Consequences if Collection not Conducted or Less Frequent. Failure of non-contiguous domestic water carriers to file these tariffs as required would negatively impact (1) public access to information about water carrier tariffs and (2) the ability of the Board to fulfill its statutory mandate.

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 84 Fed. Reg. 67991 (Dec. 12, 2020). No comments were received. A 30-day notice was published concurrently with this submission to Office of Management and Budget (OMB). See 85 Fed. Reg. 1142 (Feb. 27, 2020).

9. Payments or Gifts. The Board does not provide any payment or gift 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 20
- (2) Frequency of response: Annual certification
- (3) Annual hour burden per respondent: 80 hours (20 annual filings X 4 hour estimated time per filing).

13. Estimated Total Annual Cost to Respondents: No non-hour costs have been identified for this collection.

14. Annualized Cost to the Federal Government: There will be no cost beyond the normal labor costs for Board staff.

15. Explanation of Program Changes or Adjustments. This is an existing collection, which is being adjusted to update the burdens and costs because the Board has moved to require the filing of annual certifications rather than all tariffs, which carriers post in the ordinary course of business.

16. Publication of Data and/or Results: This information is posted on the Board's website (as linked above).

17. Display of expiration date for OMB approval. No exception is sought. The required content for a water carrier tariff is specified in the relevant statutory and regulatory provisions. See 49 U.S.C. § 13702(b); 49 C.F.R. § 1312. There is no form or other applicable instructions. The control number and expiration date for this collection will be published 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