

2140-0033
December 2023
Expires 1/31/24

**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 for the Board's collection in **Rail Service Data** (OMB Control Number 2140-0033).

A. Justification:

1. Why the collection is necessary. By statute, the Board is responsible for economic regulation of common carrier railroads operating in the United States. The shipping public and the Nation's economy as a whole depend upon reliable, consistent, and efficient freight rail service. Due to on-going changes in the industry, the Board requires railroads to provide a set of performance data that allows the Board to monitor current service conditions in the industry and improve the agency's ability to identify and help resolve future regional or national service disruptions more quickly, should they occur. See 49 C.F.R. Part 1250. Specifically, the Board's rules require railroads to report certain railroad service performance metrics on a weekly basis and certain other information on a semiannual and occasional basis, as outlined below:

- i. Weekly Reporting. The collection of rail service performance data on a weekly basis allows the Board to monitor rail service in near real-time, to detect emerging service problems, and to work proactively with industry to mitigate service issues before they grow into severe regional or national crises. The collection of weekly data from each Class I railroad and the CTCO allows the Board to quickly identify aberrations from service norms, such as a sudden spike in the number of trains holding at origin, which typically indicate problems affecting vital industries. Weekly data allow the Board to observe long-term trends, tracking improvement or decline in a given railroad's service over time. Additionally, the weekly data allow rail shippers and other interested stakeholders, including Federal agencies and Congress, to monitor rail performance. The publicly reported data is useful to rail shippers in making operational and logistics decisions.
- ii. Semiannual Reporting. The semiannual reporting requires railroads to report on major rail infrastructure projects on March 1 of each year, followed by a six-month update. Railroads are instructed to report in narrative fashion, briefly describing each project and its purpose and location. Reporting of this information facilitates the Board's awareness of significant network investments by Class I carriers, and its ability to monitor rail service at these locations.

iii. Occasional Reporting. The occasional reporting requires Class I railroads (through CTCO) to report to the Board instances when the “Alert Level” for the Chicago gateway is changed. “Alert Levels,” which were established through the cooperation of railroads serving the Chicago gateway, require railroads to implement operational contingency measures to proactively counteract congestion, such as by diverting trains to alternate interchanges. Reporting this information on an occasional basis enhances the Board’s visibility into the status of a critical component of the nation’s rail network.

2. Use of Data Collected. The Board will use this information to monitor Class I railroad performance, identify and assess service issues as they arise, and, when necessary, address issues as quickly and efficiently as possible.

3. Reduction through Improved Technology. Respondents (seven) email their responses to the Board.

4. Identification of duplication. The Board is the only agency tasked with economic regulation of freight railroads. This information is not duplicated by any other agency.

5. Effects on small business. No small entities will be affected by the collection of this information. This reporting requirement applies only to Class I railroads, which, under the Board’s regulations, have annual carrier operating revenues of \$250 million or more in 1991 dollars (the revenue threshold for a Class I rail carrier is \$489,935,956 when adjusted for inflation using 2018 data). The Board has adopted an indexing methodology to ensure that regulated carriers are classified based on real business expansion, rather than the effects of inflation.

6. Consequences if collection not conducted or conducted less frequently. Less frequent collection would fail to provide as near real-time information about rail service issues and thus would hinder the Board’s ability to address these issues in a manner timely enough to make a difference. Less frequent collection would also deprive the Board of insight into variations in performance, so that potential problems may be addressed. Indeed, the entire purpose of this collection is to obtain more frequent data on freight rail service, data that is collected in a manner that is consistent with the respondent railroad’s current operations. (In fact, some respondents, if not all of them, could provide the data daily without significant burden.)

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

8. Compliance with 5 C.F.R. § 1320.8. As required, the Board published a notice providing a 60-day comment period regarding this collection. See 88 Fed. Reg. 73389 (Oct. 25, 2023). No comments were received. A 30-day notice was published concurrently with this submission to Office of Management and Budget (OMB). 88 Fed. Reg. [REDACTED] (December [REDACTED], 2023).

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

10. Assurance of confidentiality. Generally, the information collected through this report is available to the public. The Board recognizes that some of the submitted information may be commercially sensitive and would be protected where appropriate.

11. Justification for collection of sensitive information. No sensitive information of a personal nature is requested.

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

Number of Respondents: Seven

Estimated Time per Response: The collection seeks three related responses, as indicated in the table below.

Table – Estimated Time per Response

<u>Type of Responses</u>	<u>Estimated Time per Response</u>
Weekly	1.5 hours
Semi-annually	7 hours
On occasion	7 hours

Frequency: The frequencies of the three related collections are set forth in the table below.

Table – Frequency of Responses

<u>Type of Responses</u>	<u>Frequency of Responses</u>
Weekly	52/year
Semi-annually	2/year
On occasion	1/year

Total Burden Hours (annually including all respondents): The recurring burden hours are estimated to be no more than 651 hours per year, as derived in the table below.

Table – Total Burden Hours (per Year)

<u>Type of Responses</u>	<u>Number of Respondents</u>	<u>Estimated Time per Response</u>	<u>Frequency of Responses</u>	<u>Total Yearly Burden Hours</u>

Weekly	7	1.5 hours	52/year	546 hours
Semi-annually	7	7 hours	2/year	98 hours
On occasion	1	7 hours	1/year	7 hours
Total				651 hours

13. Estimated total annual cost to respondents. There are no non-hourly burdens for respondents. The data will be submitted electronically by email.

14. Estimated costs to the Board: Board staff spends time gathering, processing, and evaluating the collection of rail service performance data letters from seven Class I railroads. The estimated cost to the Board is approximately 0.25 FTEs as “processing” time for the service performance data, including receipt, review/quality control, troubleshooting, and posting.

15. Changes in burden hours. The Board’s staff made two changes in its estimates. First, there is no quarterly response. Rather, it is semi-annual. That reduction, from four to two responses annually for that traffic category, has been integrated into this collection. Second, staff estimates that the semi-annual and annual responses will require more time per response.

16. Plans for tabulation and publication. The collected data will be posted on the Board’s website.

17. Display of expiration date for OMB approval. The control number and expiration date for this collection will appear on the form.

18. Exceptions to certification statement. No exceptions are sought.

B. Collections of Information Employing Statistical Methods:

Not applicable.