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Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0111

ENTERED
Office of Proceedings
September 13, 2012
Part of
Public Record

Re: Petition for Rulemaking to Adopt Revised Competitive Switching Rules,
Docket No. Ex Parte 711
**Notice of Intent to Participate and Notice to Request Access from the
Confidential Carload Waybill Sample**

Dear Ms. Brown:

My name is John Legieza. I am an officer of The Tom O'Connor Group, LLC and am writing this letter on behalf of and at the request of Mr. O'Connor who is on travel.

Pursuant to the Board's decision in the above-referenced proceeding (Decision), this letter constitutes notice to request access to the Confidential Carload Waybill Sample.

Our petition is based on the request of our client, who has engaged our services to assist them in determining the economic implications resulting from any proposed switching rule changes. To meet the filing dates we would appreciate expedited consideration of this request.

The actual economic implications in the above referenced proceeding can only be determined by a thorough analysis of the STB Confidential Waybill Sample for the most recent year. The Tom O'Connor Group is very familiar with accessing and analyzing data that is provided in the Confidential Carload Waybill Sample. We are long standing transportation economics practitioners and have participated in numerous proceedings before the Board.

We acknowledge and agree that use of this information is limited to this proceeding and we agree to the usual confidentiality protective conditions. The data provided will be accessed only by Tom O'Connor, John Legieza and assigned staff, all of whom will be the individuals of record working with our client for purposes of this proceeding.

Any questions please advise immediately. I can be reached at 703 989 2272 or John@TomOConnorGroup.com.

Respectfully submitted,

John Legieza

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