

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0111
March 5, 2013

233918
ENTERED
Office of Proceedings
March 7, 2013
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 Request For Access to the
Confidential Carload Waybill Sample**

Dear Ms. Brown:

My name is John Legieza. I am a principal of the Tom O'Connor Group, LLC. Pursuant to the Board's decision in the above-referenced proceeding (Decision), this letter requests access to the Surface Transportation Board (STB) 2011 Confidential Carload Waybill Sample, the most recent year available .

We have already been granted access to the 2010 Confidential Carload Waybill Sample. This request for access to the most recent 2011 Confidential Carload Waybill Sample is on behalf of our client, Glacial Lakes Energy, LLC based in Watertown, SD. Glacial Lakes Energy has requested our services to help in determining the economic implications resulting from any proposed switching rule changes.

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 years (2010 and 2011). The Tom O'Connor Group is thoroughly experienced with accessing and analyzing data provided in the STB Confidential Carload Waybill Sample. We are transportation economists 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 on behalf of our client for purposes of this proceeding.

Respectfully submitted,

John Legieza

Electronically signed
The Tom O'Connor Group, LLC
13222 Point Pleasant Drive
Fairfax, VA 22033