

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 34030

ENTERED
Office of Proceedings
December 6, 2024
Part of
Public Record

KANSAS & OKLAHOMA RAILROAD, INC.—ACQUISITION EXEMPTION—
CENTRAL KANSAS RAILWAY, LLC

**UNION PACIFIC’S REPLY TO WESKAN GRAIN LLC’S MOTION FOR
DISCLOSURE OF LEASE CONTAINING INTERCHANGE COMMITMENTS**

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December 6, 2024

**UNION PACIFIC’S REPLY TO WESKAN GRAIN LLC’S MOTION FOR
DISCLOSURE OF LEASE CONTAINING INTERCHANGE COMMITMENTS**

Union Pacific Railroad Company opposes Weskan Grain LLC’s motion served November 27, 2024, to the extent it seeks an order directing Union Pacific to provide Weskan a copy of the lease governing Kansas & Oklahoma Railroad Company’s use Union Pacific tracks in Colorado and Kansas. Weskan invokes 49 C.F.R. § 1114.30(d), which allows a party to a proceeding involving the reasonableness of an interchange commitment in a rail carrier lease to obtain a copy of the lease in appropriate circumstances. Weskan served Union Pacific with its motion, but Union Pacific is not a party to this or any other proceeding involving an interchange commitment with K&O. Weskan thus has no lawful basis to obtain the lease from Union Pacific. Union Pacific takes no position on Weskan’s request that the Board direct K&O to provide Weskan a copy of the lease and related documents, so long as those materials are designated as “Highly Confidential” pursuant to Weskan’s proposed protective order.

Respectfully submitted,

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December 6, 2024

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of December, 2024, I caused a copy of the foregoing document to be served electronically on counsel for Weskan Grain LLC and Kansas & Oklahoma Railroad, Inc.

/s/ Michael L. Rosenthal