

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 34030

ENTERED
Office of Proceedings
February 6, 2025
Part of
Public Record

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

**UNION PACIFIC’S REPLY TO WESKAN GRAIN’S SUPPLEMENT TO
PETITION TO REOPEN AND PARTIALLY REVOKE EXEMPTION**

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Weskan Grain LLC’s supplemental pleading filed January 17, 2025, confirms the Board should dismiss Weskan’s petition while allowing Weskan to pursue a rate reasonableness challenge to the rates established by Kansas & Oklahoma Railroad, LLC.

Weskan has now had an opportunity to confirm K&O’s interchange commitment does not preclude K&O from establishing rates to interchange Weskan’s traffic with a carrier other than Union Pacific. While Weskan questions the waiver K&O obtained from Union Pacific, Weskan does not dispute that K&O established rates as requested.¹ If Weskan believes the rates are unreasonable, its remedy is a rate reasonableness challenge.

¹ See K&O Reply to Weskan at 3 (Dec. 20, 2024). If Union Pacific misunderstood K&O’s waiver request, or if Weskan is now seeking transportation under different terms, Union Pacific would grant K&O a similar waiver in response to a new or clarified request.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of February, 2025, I caused a copy of the foregoing document to be served electronically on counsel for Weskan Grain LLC and Kansas & Oklahoma Railroad, LLC.

/s/ Michael L. Rosenthal