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Office of Chief Counsel
September 17, 2025
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VIA E-FILING

Anika S. Cooper
Chief Counsel, Office of the Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: Docket No. FD 36447-*Lake Providence Port Commission- Feeder Application—Line of Delta Southern Railroad in East Carroll and Madison Parishes, Louisiana*

| Dear Chief Counsel:

The so-called “Status Report” filed by Delta Southern Railroad (“DSRR”) and entered of record on September 16, 2025 is an obvious effort to submit an impermissible surreply to previously submitted filings by the Lake Providence Port Commission (“LPPC”). DSRR is well-aware that the Board has recently repeatedly made clear its determination to enforce the rule against “replies to the reply.” Accordingly, we will not respond to most of the comments and arguments set forth therein. Instead, the Board should strike the letter as an impermissible filing.

If the Board does not strike the so-called “Status Report” or otherwise disregard it, LPPC seeks leave to submit this limited reply to make clear a few critical facts that DSRR wishes to bury. One such fact is, as the Board should be aware from prior pleadings and other communications, on June 11, 2025, the Governor of Louisiana signed SB146, which was thereby enacted as Act No. 334, and became effective by its terms on June 11, 2025.¹ That bill passed without any opposition in the Louisiana Legislature and provides LPPC with clear authority to acquire property outside East Carroll Parish.

¹ The Board should note that the letter, dated June 5, 2025, to Louisiana Governor Jeff Landry, from Donald Frazier, President, Madison Parish Port Commission, which is attached to DSRR’s status report, was previously attached as Exhibit E to DSRR’s June 20, 2025, *Rebuttal to Lake Providence Port Commission’s Substantive Reply filed June 18, 2025*. This just further demonstrates the impermissible nature of DSRR’s so-called “Status Report.”

Plainly, therefore, the enactment of ACT No. 334 has made moot any state court determination construing LPPC's statutory authority as preventing it from acquiring property outside East Carroll Parish. Hence, the information set forth in DSRR's Status Report regarding a pending DSRR motion for contempt in state court – which is opposed by LPPC and has not been decided – has no bearing on the pending feeder line application before the Board.

Moreover, as DSRR knows, the feeder line process is designed to address the past failures of a railroad to provide adequate service to a majority of shippers that wish to transport traffic over a particular line of railroad. In 2022, when Patriot Rail decided to acquire ownership of DSRR and submitted the requisite Notice to the Board, it was well aware of the ongoing feeder application and DSRR's projected costs of restoring the entire segment to FRA Class 2 standards so that all shippers could once again utilize the track after it is fully restored. As the Board is aware from previous pleadings, but which is another fact that DSRR also would prefer to bury, with the exception of the Schnable Car that moved on September 7, 2022, no interchange traffic has moved over the Lake Providence line since 2017.

We have submitted this letter promptly so as not to cause any delay in the Board taking action in this proceeding in September 2025, as it has indicated it intends to do.

Respectfully submitted,

Respectfully submitted,

Richard H. Streeter

Michael F. McBride

/s/ Richard H. Streeter

/s/ Michael F. McBride

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September 17, 2025

Certificate of Service

I, Richard H. Streeter, hereby certify that on this 17th day of September, 2025, a true copy of the foregoing letter was served via email on the following:

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