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SERVICE DATE – NOVEMBER 14, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36849

KANSAS & OKLAHOMA RAILROAD, LLC—
LEASE AND OPERATION EXEMPTION WITH INTERCHANGE COMMITMENT—
UNION PACIFIC RAILROAD COMPANY

Decided: November 14, 2025

On August 8, 2025, the Board issued an order (August 2025 Order) setting an amended procedural schedule in this proceeding. However, on October 1, 2025, the Board issued in Docket No. EP 751 an order tolling all deadlines for submission of pleadings, filings, comments, and other material in all proceedings until further notice following a lapse in the Board's appropriations. Materials Due to Be Submitted during the Federal Government Shutdown, EP 751 (STB served Oct. 1, 2025). During the lapse in appropriations, two of the submission deadlines set by the August 2025 Order passed. Therefore, the Board is amending the procedural schedule in this proceeding as follows:

- Colorado Pacific Railroad LLC (CXR), BNSF Railway Company (BNSF), and shippers located on the Lines may submit comments by November 20, 2025.
- Kansas & Oklahoma Railroad, LLC (K&O) is directed to file a verified supplement addressing the information described in the decision served on June 25, 2025 (June 2025 Order) in this proceeding by December 4, 2025. Union Pacific Railroad Company (UP) is encouraged to participate by either filing its own comment or filing jointly with K&O.
- Weskan Grain LLC may submit evidence and argument in reply by January 5, 2026.
- K&O may submit responsive argument and evidence by January 19, 2026. UP is encouraged to participate by either filing its own comment or filing jointly with K&O.

Due to the statutory deadline established by 49 U.S.C. § 10502 for a Board decision on the merits of K&O's petition, further requests to extend the procedural schedule will be disfavored.

It is ordered:

1. The procedural schedule is amended as outlined above.

2. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Chief Counsel, Office of Chief Counsel.