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ENTERED
Office of Chief Counsel
February 10, 2026
Part of
Public Record

VIA E-FILING

February 10, 2026

Administrative Law Judge Jenifer Soulikias

Re: STB Docket No. 36447; *Lake Providence Port Commission – Feeder Line Application – Line of Delta Southern Railroad Located in East Carroll and Madison Parishes, LA.*

Dear Judge Soulikias:

On Monday, February 9, 2026, Delta Southern Railroad, Inc. (“DSR”) filed Motions in the above-referenced proceeding for issuance, inter alia, of (1) a “subpoena duces tecum to Complex Chemical Company, Inc. (‘Complex’) to produce documents” [sic], to be issued “c/o Mr. Jerry Melton, President of Complex” in Tallulah, LA, (2) a subpoena duces tecum to Mr. Sam E. Angel, II on behalf of Epstein Gin Co. d/b/a as Epstein Transloading, and (3) a subpoena duces tecum to Mr. Blake Livingston of Livingston Pecan & Metal, Inc. (There are other subpoenas being sought for depositions of other witnesses which are not anticipated to be opposed.)

The subpoena to Complex seeks only that Mr. Melton, a non-party witness herein, and Complex, produce documents by February 23, 2026, but **not** that Mr. Melton appear for a deposition herein (unlike other non-party shipper witnesses).

The Motions for subpoenas duces tecum to Messrs. Angel and Livingston provide for depositions, but the deposition subpoena ostensibly for Mr. Angel is actually addressed to Mr. Neil Morton, Vice President of Terral RiverService, and is proposed for February 23, 2026 in Lake Providence, LA, not February 25, 2026 (see Omnibus Brief at 3) in Lake Village, AR where he does business. The subpoena duces tecum for Mr. Livingston seeks a deposition of Mr. Livingston in Lake Village, AR on February 26, 2026.

This is to advise Your Honor that Complex and Applicant Lake Providence Port Commission intend to file a reply or replies to the Motion for a subpoena to Complex, including to the supporting Omnibus Brief, as soon as

possible. We expect that we could file such reply(ices) by Friday, February 13, 2026 but will file sooner if possible.

Mr. William Mencer, counsel for both Epstein and Livingston, has authorized us to say that, if the obvious error in the subpoena for Mr. Angel of Epstein is corrected, he will not be filing a reply on behalf of his clients Mr. Angel of Epstein and Mr. Livingston. Complex's counsel, Mr. Russell, has also authorized us to file this letter.

Awaiting such replies will not delay this proceeding because there is, as yet, no procedural schedule and because, unlike the other non-party shipper witnesses, DSR has not sought to depose Mr. Melton or another witness from Complex.

We appreciate Your Honor's assistance in this proceeding.

Respectfully submitted,

Richard H. Streeter

Michael F. McBride

It is certified that a true copy of this letter has been filed this date via email on all parties of record and on the non-party shipper witnesses.

Richard H. Streeter