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Office of Chief Counsel
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Part of
Public Record

By E-Filing

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

**Re: Docket No. FD 36849, *Kansas & Oklahoma R.R., LLC—
Lease and Operation Exemption with Interchange
Commitment—Union Pacific R.R.***

Dear Chief of Case Administration:

On January 26, 2026, Weskan submitted a Motion for Leave to File Surrebuttal in response to Union Pacific's Response to Weskan's Reply, which was filed January 20, 2026. The Board should deny Weskan's motion because the proposed surrebuttal would be an impermissible reply to a reply. Further, Weskan's claim that Union Pacific's filing contained "new and inconsistent representations regarding UP's 'waiver' proposal" is incorrect. In its Response, Union Pacific stated that it had waived the Asset Use Fee "for the remainder of the lease." That statement is not substantively different from Union Pacific's statement in its Comment, which was filed December 4, 2025, that it would waive the Asset Use Fee "for the duration of the current lease."

Please contact me if you have any questions.

Sincerely,

/s/ Michael L. Rosenthal

Michael L. Rosenthal
*Attorney for Union Pacific
Railroad Company*

cc: All Parties of Record
ALJ Soulikias