

SERVICE DATE – JUNE 5, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36447

LAKE PROVIDENCE PORT COMMISSION—
FEEDER LINE APPLICATION—LINE OF DELTA SOUTHERN RAILROAD LOCATED IN
EAST CARROLL AND MADISON PARISHES, LA.

DECISION ISSUING SUBPOENAS PURSUANT
TO THE ALJ'S JUNE 3, 2026 ORDER

Decided: June 5, 2026

Discovery is before the undersigned pursuant to a ruling by the Surface Transportation Board. See Decision (Dec. 12, 2025). DSRR's Motions for Issuance of Subpoena to Applicant and a Party to this Proceeding by Delta Southern Railroad, Inc. (DSRR) sought the issuance of subpoenas for depositions to two party witnesses. Those witnesses are: 1) the Port Director of Lake Providence Port Commission (LPPC), Bryant Killen; and 2) the Executive Director of Southeast Arkansas Economic Development Director (SEAEDD), Patrecia Hargrove. (DSRR Motion 1-3.)

By Decision served June 3, 2026, the undersigned granted DSRR's Motion but limited the depositions to one day. See Decision 7-8 (June 3, 2026). The decision required the parties to confer on the logistics of the depositions, in light of the decision granting DSRR's Motion and the recent Board decision setting a discovery deadline and submit proposed subpoenas (preferably with the agreement with counsel for the deponent). See id. at 7.

DSRR submitted the proposed subpoenas, as required. According to DSRR's letter with the proposed subpoenas, counsel have agreed upon the dates, times, and locations. (DSRR Letter, June 4, 2026.) DSRR's letter states that "counsel for the parties continue to discuss potential adjustment for convenience for the parties. We ask the Board's permission to so adjust, if necessary and convenient for the parties, without further amendment of the subpoenas." (Id.)

The undersigned agrees. The parties are encouraged to confer to resolve any issues for the convenience of the parties. The parties may jointly agree to amend a subpoena by agreement of all the parties in writing. If there is any doubt, however, the subpoena issued herein will control.

A June 5, 2026 letter from LPPC and SEAEDD states that they agreed to the date, time, and location of the depositions on the subpoenas submitted by DSRR. (LPPC/SEAEDD letter,

June 5, 2026.) However, according to the June 3, 2026 Decision limiting the depositions to one day, LPPC and SEAEDD thought that the sentence was a mistake that “[t]he deposition is anticipated to be completed within one (1) day, but may be continued from time to time until completed.” (Id.) LPPC and SEAEDD requested that the sentence be deleted.

In compliance with the June 3, 2026 Decision limiting the depositions to one day, the undersigned is deleting the contested sentence that the depositions may be continued until completed on the subpoenas. The June 3, 2026 Decision expressly and explicitly limited the depositions to **one day**. The depositions will conclude in one day and will not continue until completed.

It is ordered:

1. DSRR’s subpoenas are issued as attached hereto.
2. The parties may jointly agree to amend date, time, and location of a subpoena, provided that all parties agree, and the agreement is reduced to writing.
3. This decision is effective on the date of service.

By the Board, Jenifer J. Soulikias, Administrative Law Judge.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 36447

**LAKE PROVIDENCE PORT COMMISSION – FEEDER LINE APPLICATION – LINE
OF DELTA SOUTHERN RAILROAD LOCATED IN EAST CARROLL AND MADISON
PARISHES, LOUISIANA.**

**SUBPOENA TO TESTIFY IN A DEPOSITION TO
PATRECIA HARGROVE, ON BEHALF OF
SOUTHEAST ARKANSAS ECONOMIC DEVELOPMENT DISTRICT, INC.**

To: Patrecia Hargrove, Executive Director
Southeast Arkansas Economic Development District, Inc.
315 East 8th Avenue
Pine Bluff, AR 71601

Pursuant to the rules of the Surface Transportation Board governing discovery, 49 C.F.R. § 1114, *et seq.*, and by Order of the Board:

YOU ARE HEREBY COMMANDED to appear at the Pine Bluff Main Library Board Room, 600 S. Main Street, Pine Bluff, Arkansas 71601 at 9:00 a.m. on June 16, 2026, to provide testimony by oral deposition at the request of Delta Southern Railroad, Inc., in the above-caption proceeding. Your testimony will be recorded stenographically, by an officer authorized to administer oaths, and may be used as evidence in this proceeding. The deposition will be completed within one (1) day. Specific topics for which you will be expected to provide testimony are included in Attachment A to this subpoena.

DATED: June 5, 2026

Clerk of STB Seal

**Jenifer J.
Soulikias**

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Jenifer J. Soulikias -
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ATTACHMENT A TO SUBPOENA FOR DEPOSITION TESTIMONY

Delta Southern Railroad, Inc. (“DSRR”) seeks to depose you in order to obtain relevant evidence to the Lake Providence Port Commission’s (“LPPC”) Amended Feeder Line Application to acquire the line of DSRR located in East Carroll and Madison Parishes, Louisiana, STB Docket No. FD 36447 (the “proceeding”). Specifically, DSRR seeks testimony regarding the following topics:

1. Current and anticipated demand for rail service on the portion of rail line from milepost (“MP”) 471.0 to MP 498.44 of the DSRR line that runs from Lake Providence, Louisiana (MP 471.0) to the point of interchange with the Kansas City Southern Railway Company (“KCS”) at Tallulah, Louisiana (the “Line”).
2. The 2019-2020 INFRA Grant awarded in connection with the Line.
3. Administration of the INFRA Grant, including, but not limited to, Grant expenditures, work performed to the Line in connection with the Grant, and communications with third-parties relating to allocation of Grant funds.
4. All grants SEAEDD has applied for, received, or been denied relating to the Line from 2019 to present.
5. Communications with LPPC concerning the Line, the INFRA Grant, and/or DSRR.
6. Communications with any government agency, employee or official concerning the Line, the INFRA Grant, and/or DSRR.
7. Communications with Madison Parish Port Commission regarding the Line, the INFRA Grant, and/or DSRR.
8. Communications with DSRR concerning the Line, the INFRA Grant, and/or rail service.

9. Rail service provided by DSRR.
10. Interchange of freight between DSRR and other railroads.
11. Rail service provided by North Louisiana and Arkansas Railroad, Inc. (“NLA”).
12. Communications with NLA regarding past, present, or anticipated future operation on the Line.
13. Communications with NLA regarding DSRR, the Line, and/or the INFRA Grant.
14. All contracts or agreements SEAEDD has entered into related to the Line.
15. SEAEDD’s responses to discovery requests propounded in this proceeding.

Respectfully Submitted,

/s/ John M. Scheib

John M. Scheib
Noah P. Sullivan
William L. Spotswood
Gentry Locke Attorneys
101 W. Main Street, Suite 750
Norfolk, VA 23510
757-916-3511

Attorneys for:
Delta Southern Railroad, Inc.

June 5, 2026

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 36447

**LAKE PROVIDENCE PORT COMMISSION – FEEDER LINE APPLICATION – LINE
OF DELTA SOUTHERN RAILROAD LOCATED IN EAST CARROLL AND MADISON
PARISHES, LOUISIANA.**

**SUBPOENA TO TESTIFY IN A DEPOSITION TO W. BRYANT KILLEN, ON BEHALF
OF LAKE PROVIDENCE PORT COMMISSION**

To: W. Bryant Killen, Port Director
Lake Providence Port Commission
409 Port Road
Lake Providence, Louisiana 71254

Pursuant to the rules of the Surface Transportation Board governing discovery, 49 C.F.R. § 1114, *et seq.*, and by Order of the Board:

YOU ARE HEREBY COMMANDED to appear at the East Carroll Parrish Library Conference Room, 109 Sparrow Street, Lake Providence, Louisiana 71254 at 9:30 a.m. on June 17, 2026, to provide testimony by oral deposition at the request of Delta Southern Railroad, Inc., in the above-caption proceeding. Your testimony will be recorded stenographically, by an officer authorized to administer oaths, and may be used as evidence in this proceeding. The deposition will be completed within one (1) day. Specific topics for which you will be expected to provide testimony are included in Attachment A to this subpoena.

DATED: June 5, 2026

Clerk of STB Seal

Jenifer J. Digitally signed
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ATTACHMENT A TO SUBPOENA FOR DEPOSITION TESTIMONY

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1. Current and anticipated demand for rail service on the portion of rail line from milepost (“MP”) 471.0 to MP 498.44 of the DSRR line that runs from Lake Providence, Louisiana (MP 471.0) to the point of interchange with the Kansas City Southern Railway Company (“KCS”) at Tallulah, Louisiana (the “Line”).
2. LPPC’s financial position from 2023 to present, including, but not limited to, its assets, debts, liabilities, and income from any source.
3. LPPC’s ability to purchase the Line.
4. LPPC’s plans to finance purchase of the Line and to operate the Line for three years.
5. All bond applications submitted on behalf of LPPC in connection with the Line and communications related thereto.
6. All grant applications submitted in connection with or on behalf of LPPC relating to the Line.
7. LPPC’s plans for operating the Line.
8. The 2019-2020 INFRA Grant awarded in connection with the Line.
9. Communications with the Southeast Arkansas Economic Development District (“SEAEDD”) regarding the Line, the INFRA Grant, and/or DSRR.

10. Communications with any government agency or official concerning the Line, the INFRA Grant, and/or DSRR.
11. Communications with Madison Parish Port Commission regarding the Line, the INFRA Grant, and/or DSRR.
12. Rail service provided by North Louisiana and Arkansas Railroad, Inc. (“NLA”).
13. Communications with NLA regarding past, present, or anticipated future operation on the Line.
14. All contracts or agreements LPPC has entered into related to the Line.
15. Rail service provided by DSRR.
16. Interchange of freight between DSRR and other railroads.
17. Communications with DSRR regarding the INFRA Grant, the Line, and/or rail service.
18. LPPC’s relationship to the Northeast Louisiana Multimodal District or the Northeast Louisiana Railroad Development District.
19. LPPC’s responses to discovery requests propounded in this proceeding.

Respectfully Submitted,

/s/ John M. Scheib

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William L. Spotswood
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Attorneys for:
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June 5, 2026