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Public Record

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VIA E-Filing

July 24, 2026

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20016

Re: FD 36447, *Lake Providence Port Commission – Feeder Line
Application – Line of Delta Southern Railroad Located in East
Carroll and Madison Parishes, LA*

Dear Chief of Case Administration:

In its July 21, 2026 letter (“July 21 Letter”), Delta Southern Railroad, Inc. (“DSRR”) acknowledges the Board’s rule prohibiting replies to replies but brazenly violates it – again – as it has repeatedly done before in this proceeding, most recently on July 10, 2026. DSRR does not bother to explain why the Board should grant leave to file yet another reply to the original reply filed by Lake Providence Port Commission (“LPPC”) on July 8, 2026.

Even if the Board somehow construes DSRR’s July 21 letter as something other than another reply to a reply that justifies the Board’s consideration of DSRR’s latest reply to LPPC’s prior filings, the Board should disregard the DSRR’s vituperative comments for three basic reasons.

One, the issue before the Board pertains to DSRR’s July 6, 2026 motion to reopen discovery. While DSRR claims (at 5) that it would have pursued additional deposition questions based on what it now understands, elsewhere in its letter (at 3), DSRR acknowledges that the current Executive Director of the Lake Providence Port, Bryant Killen, did testify about what DSRR now understands the facts to be.

Two, LPPC already showed in its July 1, July 8, and July 10 filings herein that LPPC will collect 100 percent, not ten percent, of the revenues for railcar storage on its own tracks that are located on real property that LPPC owns. DSRR’s entire argument is based on its contrived interpretation that LPPC will only collect 10% of those revenues. But as Exhibit 6 to LPPC’s bond application, which was made an exhibit to Mr. Killen’s deposition, and which

we provided to the Board in LPPC's July 8, 2026 letter shows, LPPC will collect 100 percent of those revenues earned from storing railcars on its tracks in the same manner as NL&A will earn 100 percent of revenues that it earns from storing railcars on its tracks.¹

Three, in any event, DSRR has deposed Messrs. Gilfoil, Killen, and Robbins about their agreements. Indeed, as Mr. Killen explained, LPPD will collect 100 percent of the revenues for storage of rail cars. Hence, there is no reason to re-depose the same witnesses when DSRR is unquestionably aware of their position. DSRR can make whatever assertions it wishes to make. However, it is respectfully submitted that DSRR's contention that LPPC and NL&A lack the authority to modify their lease agreement is baseless and should be summarily rejected at this time by the Board.

Accordingly, the Board should declare discovery of Lake Providence Port Commission ("LPPC"), North Louisiana & Arkansas Railroad, Inc. ("NL&A"), and Southeast Arkansas Economic Development District ("SEAEDD") to be closed and deny DSRR's motion to reopen that discovery. It should then promptly issue a procedural schedule after denying DSRR's appeal of ALJ Soulikias' July 2, 2026 decision and order.

Respectfully submitted,

/s/Richard H. Streeter

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¹ DSRR's letter is not focused on the ALJ's decision or on any legally legitimate issue. Instead, it is based on the unsupportable claim that LPPC and the North Louisiana & Arkansas Railroad are inextricably bound to the financial terms of a lease agreement that will not become effective until after the Board issues a final decision. The undersigned are not aware of any Board precedent that has deprived parties of the right to modify the terms of a lease agreement that they reached years before the lease became effective, which in this proceeding will not happen until the Board authorizes LPPC to acquire the segment of the Line that is owned by DSRR's shareholders. LPPC and NL&A should not be deprived of the right to agree to a modification of the terms to which they initially agreed, especially when DSRR, despite its protestations, will not be impacted in any manner by that change.

CERTIFICATE OF SERVICE

I, Richard H. Streeter, do hereby certify that, on July 24, 2026, a true copy of the foregoing was served on the following Parties of Record, via email:

ALJ Jenifer Soulikias:
alj.soulikias.inbox@stb.gov

Delta Southern Railroad, Inc. c/o John M. Scheib scheib@gentrylocke.com

Noah P. Sullivan
NSullivan@gentrylocke.com

William L. Spotswood Spotswood@gentrylocke.com

Timothy Crowley at tim@lepeabody.com

Thomas D. Crowley at tc@lepeabody.com

In addition, true copies were served, consistent with 49 C.F.R. § 1152.1(a) on the following:

(1) All rail patrons who originated and/or received traffic on the line during the 12-month period preceding the month in which the amended Application was filed:

mark.marionneaux@keanmiller.com bryant.bremer@keanmiller.com

Counsel for Helena Chemical/South Delta Fertilizer:

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(2) The designated State agency of the State where the property is located:

Louisiana Department of Transportation and Development
andrew.barry@la.gov sanettria.pleasant2@la.gov 2

(3) County governments where the line is located:

East Carroll Parish Police Jury Kendall Thompson, President
Ecpj400@att.net

Madison Parish Police Jury Jane Sanders, President
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Richard H. Streeter /s/

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Arkansas Railroad Company