

ORIGINAL

LAW OFFICES
GORDON P. MACDOUGALL
1025 CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20036

July 20, 2006

Vernon A. Williams
Secretary
Surface Transportation Board
Washington DC 20423



217097

Re: Finance Docket No. 34830, Kansas City Transportation Company
LLC--Lease and Assignment of Lease Exemption--Kansas City
Terminal Railway Company and Kaw River Railroad, Inc.

Dear Mr. Williams:

This is a petition for leave to file the attached Supplemental Verified Statement of William J. Martin, which was due yesterday, July 19, in accordance with the Board's May 30, 2006 order in the entitled proceeding.

The attached statement had not arrived from Kansas City when the Brotherhood of Locomotive Engineers & Trainmen (BLET) submission was filed at 4:50PM, due to unforeseen transmission difficulties.

The Board's receipt of the attached will not prejudice any party to the proceeding, and it may prove helpful to a resolution of the issues.

Very truly yours,

Atty. for Brotherhood of Locomotive
Engineers and Trainmen.

cc: All counsel of record

ENTERED
Office of Proceedings
JUL 20 2006
Part of
Public Record

SUPPLEMENTAL VERIFIED
STATEMENT OF WILLIAM J. MARTIN

My name is William J. Martin. I am employed as a locomotive engineer by Kansas City Southern-ICE Joint Facility, an affiliate of The Kansas City Southern Railway Company (KCS). I have been employed by KCS-ICE, or its various predecessors, for the past 34 years. I reside in Lenexa, KS.

I am a member of the Brotherhood of Locomotive Engineers and Trainmen, a Division of the Rail Conference, International Brotherhood of Teamsters (BLET). I presently serve as Local Chairman for BLET's Division 527. For about 15 years, I was president of Division 930.

I submitted two verified statements (August 2, and September 28, 2004) in the Kaw River Railroad, Inc. (KRR) proceeding, Finance Docket No. 34509. On February 27, 2006, I submitted a verified statement in the instant Finance Docket No. 34830, jointly with the related Finance Docket No. 34831.

I am fully familiar with KCS operations in the Kansas City area, and with KRR. I have read the filings in the KRR proceeding, as well as the notices of exemption in Finance Docket Nos. 34830 and 34831, together with the filings in these later proceedings.

I have carefully reviewed the June 28, 2006 three-page letter filed with the STB by counsel for Kansas City Transportation Company LLC (KCTL), with his attached 25-page "Switching and Maintenance Services Agreement," dated as of March 1, 2006, executed by KCTL and KRR, together with various exhibits attached to the 25-page agreement. The KCTL letter and KCTL/KRR agreement

are stated to be filed in response to the STB's May 30, 2006 decision in this proceeding.

The facts have not substantially changed since March 1, 2006, when KCTL says it became responsible for switching in place of KRR. Whomever their employer, the persons performing the switching work today are for the most part very the same persons who replaced our KCS personnel in the name of KRR in mid-2004.

Kansas City Terminal Railroad Company (KCT) is owned by various line-haul rail carriers. But KCT in recent years has not been an operating carrier. KCT owns tracks. It has no train and engine employees, and performs no train or switching service. This has been true for the entire period of the Finance Docket Nos. 34509, 34830, and 34831 proceedings, and well before 2004. The railroads serving the Kansas City area operate over the KCT tracks in their own names. For example, the arrangement in the Finance Docket No. 34509 proceeding beginning in June 2004, was for various KCS trackage, and KCT trackage, both operated by KCS with KCS personnel, to be changed from KCS operation to KRR operation.

The basic function of KCT in mid-2004, and today, is to perform dispatching in the Kansas City Terminal for the trains of other rail operators. The KCT tracks are maintained by BNSF Railway.

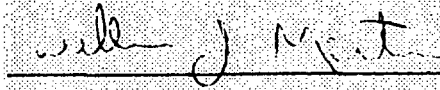
KCTL, which began in March 2006, is not an operating carrier. It has no operating employees, and performs no train or switching services. It has no equipment of which I am aware. The address shown on the KCTL tariffs, which tariffs show the KCT logo, is 4501 Kansas Avenue, which is the KCT office.

KCT has trackage in the Kansas City area other than the KCT trackage included with KCS in the KCTL/KRR agreement. The involved trackage in the KCTL/KRR agreement is shown in Appendix A to the KCTL/KRR agreement. I have reviewed the color-coded sketches of Appendix A, which are identical with those described in my February 27, 2006 verified statement. The only change in the KRR operation since March 1, 2006, has been certain work performed east of KC Star, which I anticipated in my February 27 verified statement.

VERIFICATION

STATE OF KANSAS)
COUNTY OF JOHNSON:)

Under the penalties of perjury, I affirm the foregoing
verified statement is true and correct as stated.



WILLIAM J. MARTIN

Dated at
Lenexa, KS
July 14, 2006