

SLOVER & LOFTUS

ATTORNEYS AT LAW

1224 SEVENTEENTH STREET, N. W.
WASHINGTON, D. C. 20036-3003

WILLIAM L. SLOVER
C. MICHAEL LOFTUS
JOHN H. LE SEUR
KELVIN J. DOWD
ROBERT D. ROSENBERG
CHRISTOPHER A. MILLS
FRANK J. PERGOLIZZI
ANDREW B. KOLESAR III
PETER A. PFOHL
DANIEL M. JAFFE
STEPHANIE M. PISANELLI

OF COUNSEL
DONALD G. AVERY

TELEPHONE:
(202) 347-7170

FAX:
(202) 347-3619

WRITER'S E-MAIL:
cam@sloverandloftus.com

April 18, 2007

BY E-FILING

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board - Case Control Unit
1925 K Street, N.W.
Washington, D. C. 20423

Re: Docket No. 42095
Kansas City Power & Light Company
v. Union Pacific Railroad Company

Dear Secretary Williams:

Enclosed for filing pursuant to the Board's electronic filing procedure is the Joint Stipulation and Procedural Schedule of the parties in response to the Board's order in this proceeding served March 29, 2007.

Sincerely,



Christopher A. Mills
An Attorney for Complainant Kansas
City Power & Light Company

CAM:lad
Enclosure

cc: Michael L Rosenthal (counsel for Defendant)

)
)
)
)
)
)
)
)
)
)

)

)

)

)

)

costs, properly calculated. UP also waives its right to contest whether there is qualitative evidence of effective competition from other carriers or modes of transportation for the transportation to which the rates apply because UP could not prevail on that issue under the standards currently being applied by the Board.

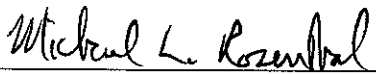
2. KCPL believes that the revenue-to-variable cost ratios, properly calculated, produced by the challenged rates exceed the Board's jurisdictional threshold of 180 percent. KCPL also believes that the results of a proper SAC analysis would produce SAC rates for the issue movements lower than the Board's jurisdictional threshold. Subject to these counter-statements of belief, KCPL joins in UP's stipulation as set forth in Paragraph 1.

3. The parties jointly request that the Board adopt the following revised procedural schedule in this case:

<u>Due Date</u>	<u>Event</u>
May 18, 2007	Staff-supervised discovery conference.
July 13, 2007	Complainant and Defendant file opening evidence on variable cost issues.
August 10, 2007	Staff-supervised technical conference, if necessary.
September 7, 2007	Complainant and defendant file reply evidence to opponent's opening evidence.
October 12, 2007	Complainant and defendant file rebuttal evidence to opponent's reply evidence.

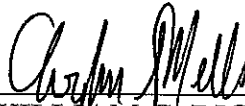
In making this Joint Stipulation, each party reserves the right (i) to request that the Board change the due dates referenced above, (ii) to request that the Board order briefs to be filed after the completion of the evidentiary record; and (iii) to oppose any requests referenced in (i) and (ii), above.

Respectfully submitted,


J. MICHAEL HEMMER *cm*
LOUISE A. RINN
GABRIEL S. MEYER
Union Pacific Railroad Company
1400 Douglas Street
Omaha, Nebraska 68179
Telephone: (402) 544-3309
Facsimile: (402) 501-0129

LINDA J. MORGAN
MICHAEL L. ROSENTHAL
Covington & Burling LLP
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20044
Telephone: (202) 662-6000
Facsimile: (202) 662-6291

*Attorneys for Union Pacific Railroad
Company*


WILLIAM G. RIGGINS
General Counsel
Kansas City Power & Light Company
1201 Walnut
Post Office Box 418679
Kansas City, Missouri 64141

KELVIN J. DOWD
CHRISTOPHER A. MILLS
Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, D.C. 20036
Telephone: (202) 347-7170

*Attorneys for Kansas City
Power & Light Company*

April 18, 2007