

PUBLIC VERSION

BEFORE THE
SURFACE TRANSPORTATION BOARD

223340

KANSAS CITY POWER & LIGHT
COMPANY

Complainant,

v.

UNION PACIFIC RAILROAD COMPANY

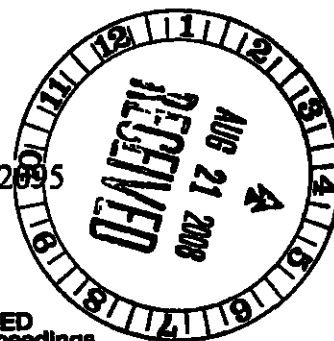
Defendant.

Docket No. 42695

ENTERED
Office of Proceedings

AUG 21 2008

Part of
Public Record



STATEMENT OF REPARATIONS

In its Decision served May 19, 2008, the Board found that the rates charged by Defendant Union Pacific Railroad Company ("UP") for coal transportation service from mines in the Southern Powder River Basin to the Montrose Generating Station near Ladue, Missouri, owned and operated by Complainant Kansas City Power & Light Company ("KCPL"), exceeded maximum reasonable levels. The Board directed UP to establish and maintain rates no higher than 180% of the variable cost of the subject service, and to pay reparations to KCPL, plus applicable interest, for shipments made under the challenged rates from and after January 1, 2006. See Decision at 11.

Effective July 18, 2008, UP established new rates in compliance with the Board's Decision. KCPL and UP cooperated to identify the traffic entitled to reparations for calendar year 2006, and calculate reparations and interest thereon in compliance with 49 C.F.R. Part 1133.2. KCPL and UP also have agreed upon procedures to calculate reparations and interest on traffic moving during calendar year 2007, and between

January 1 and July 17, 2008, once the data necessary to determine the maximum reasonable rates for those time periods under the Board's Decision become available.

In accordance with the applicable regulations, the parties are submitting a statement of reparations for each mine that originated traffic covered by the Board's Decision during calendar year 2006. The reparations (including interest) as calculated by the parties for 2006 totals \$3,058,231.61 through July 18, 2008, plus interest of \$156.43 per day from July 19, 2008 through the date of payment, and are summarized on Attachment No. 1 hereto. The parties will prepare and submit similar statements for 2007 and January 1 – July 17, 2008, promptly upon the completion of calculations for those time periods.

Attachment No. 2 hereto is the certification required by 49 C.F.R.

Part 1133.2.

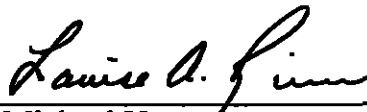
Respectfully submitted,



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Attorneys for Union Pacific Railroad

Company

Company

Dated: August 21, 2008

Attachment No. 1
Redacted

CERTIFICATION

Kansas City Power & Light Company ("KCPL") hereby certifies that this Statement includes claims only on shipments covered by the findings in the above-captioned Docket, and contains no claim for reparations previously filed with the Board by or on behalf of KCPL or, so far as KCPL knows, by or on behalf of any person, in any proceeding.

KCPL received UP's payment described below in satisfaction of the reparations and interest award pursuant to the May 19, 2008 Decision for traffic moving during the 2006 calendar year only, on August 12, 2008.


Kansas City Power & Light Company

By: David L. Laffere
Manager of Fuels
1201 Walnut
P.O. Box 418679
Kansas City, Missouri 64141

Date: August 20, 2008

The total amount of reparations and interest for traffic moving during the 2006 calendar year equals \$3,062,142.36. The undersigned hereby certifies that the total amount of reparations and interest for such traffic through August 12, 2008 has been checked against the records of Union Pacific Railroad Company and found correct.



Union Pacific Railroad Company

By: Jeffrey P. Totusek
Vice-President - Controller and Chief Accounting Officer

Date: August 12, 2008