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SEC

SERVICE DATE – LATE RELEASE JUNE 9, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42095

KANSAS CITY POWER & LIGHT COMPANY

v.

UNION PACIFIC RAILROAD COMPANY

Decided: June 9, 2008

Kansas City Power & Light Company (KCPL) challenged the reasonableness of rates charged by Union Pacific Railroad Company (UP) for the movement of coal from origins in the Powder River Basin of Wyoming to KCPL's Montrose Generating Station, near Ladue, MO. By decision served on May 19, 2008, the Board found that the rates for all challenged movements exceed 180% of the variable cost of providing service. Pursuant to a stipulation between the parties, a maximum reasonable rate limit of the 180% of variable cost was prescribed and reparations (with interest) were ordered. KCPL's unreasonable practice claim was denied.

On June 6, 2008, UP filed a request for an extension of time until June 16, 2008, to file a petition to correct technical or computational errors. UP states that it has not yet completed its review of the Board's workpapers underlying the decision and that KCPL does not oppose the extension. UP also asks for expedited consideration of its request.

The request is reasonable and will be granted. Petitions to correct technical or computational errors will be due by June 16, 2008.

It is ordered:

1. UP's request for an extension of time is granted and therefore petitions to correct technical or computational errors are due by June 16, 2008.
2. This decision is effective on the date of service.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan
Acting Secretary