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January 9, 2009

VIA HAND DELIVERY

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings
JAN 9 2009
Part of
Public Record



**Re: STB Docket NOR 42111, *Oklahoma Gas & Electric Company*
*v. Union Pacific Railroad Company***

Dear Ms. Quinlan

Enclosed for filing in the above-captioned case please find the Joint Submission of URCS Phase III Operating Characteristics of Oklahoma Gas & Electric Company ("OG&E") and the Union Pacific Railroad Company ("UP"). The original and ten (10) copies are enclosed. An additional copy is included for date-stamping and return via our messenger.

Please note that the attachments to the Joint Submission contain Confidential Information which is redacted from the Public Version. Therefore, the parties are also filing, under seal and pursuant to the Protective Order in effect for this proceeding, the original and ten (10) copies of the Confidential Version. An additional copy of the Confidential Version is also enclosed for date-stamping and return via our messenger.

Please feel free to contact me with any questions.

Sincerely,

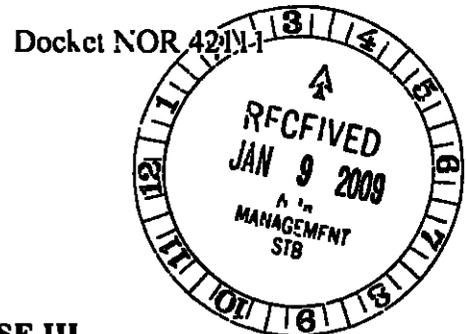
Thomas W. Wilcox

Enclosure

cc Michael L. Rosenthal, Esq. (counsel for Defendant)
Patrick D. Shore, Esq.
Allen F. Gould

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

_____)
OKLAHOMA GAS & ELECTRIC COMPANY)
)
Complainant,)
)
v)
)
UNION PACIFIC RAILROAD COMPANY)
)
Defendant)
-----)



**JOINT SUBMISSION OF URCS PHASE III
OPERATING CHARACTERISTICS**

Complainant Oklahoma Gas & Electric Company (“OG&E”) and Defendant Union Pacific Railroad Company (“UP”) hereby jointly submit operating characteristics pursuant to the decision the Surface Transportation Board (“Board” or “STB”) issued on December 3, 2008 in this case. The nine (9) operating characteristic inputs to the Uniform Rail Costing System (“URCS”) for each of the movements covered by the Complaint¹ are attached as Attachments 1 and 2.

The nine inputs cover the one-year time period from November 1, 2007 through October 31, 2008 and will be used by the parties in this case to calculate the variable costs and jurisdictional threshold for each of the movements covered by the Complaint pursuant to the Joint Stipulation filed on November 21, 2008. The inputs reflect actual movement characteristics for transportation from the Wyoming Southern Powder River Basin mines from which UP transported coal to the Muskogee Station during the data period, and average

¹ See letter dated January 6, 2009 from OG&E counsel to Anne Quinlan, Acting STB Secretary, filed in this docket on January 6, 2009

movement characteristics for UP-served mines from which OG&E did not purchase coal during the data period. Due to the agreement between the parties on these operating characteristics, the parties do not believe it is necessary to hold a discovery conference supervised by Board staff. Both OG&E and UP are making this joint submission without prejudice to their positions in this case.

The parties respectfully request that the Board adopt the nine inputs for each subject movement for use in the URCS Phase III calculations in this case.

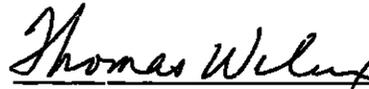
Respectfully submitted,



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January 9, 2009

ATTACHMENTS

REDACTED