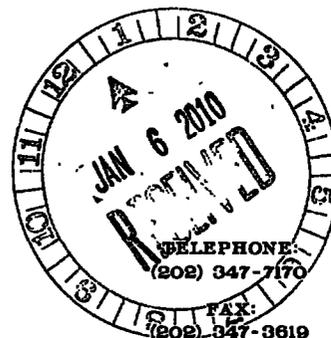


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WRITER'S E-MAIL:

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January 6, 2010

VIA HAND DELIVERY

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
JAN - 6 2010
Part of
Public Record

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

Dear Secretary Quinlan:

Enclosed for filing in the referenced proceeding, please find an original and 20 copies of the parties' joint Statement of 2008 Reparations.

An additional copy of the Statement also is enclosed. Kindly indicate receipt and filing by time-stamping this extra copy and returning it to the bearer of this letter. Thank you for your attention to this matter.

Sincerely,

Kelvin J. Dowd
An Attorney for Kansas City Power & Light
Company

cc: Counsel for Defendant

226259

BEFORE THE
SURFACE TRANSPORTATION BOARD

KANSAS CITY POWER & LIGHT
COMPANY

Complainant,

v.

UNION PACIFIC RAILROAD COMPANY

Defendant.

Docket No. 42095

ENTERED
Office of Proceedings
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STATEMENT OF 2008 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.

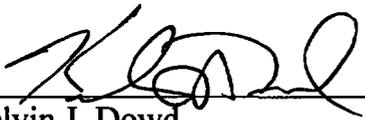
Effective July 18, 2008, UP established new rates in compliance with the Board's Decision. KCPL and UP previously cooperated to identify the traffic entitled to reparations for calendar years 2006 and 2007, and in Statements

filed on August 21, 2008 and January 22, 2009, respectively, set forth their calculations of reparations and interest thereon in compliance with 49 C.F.R. Part 1133.2. KCPL and UP now have identified the remainder of the traffic eligible for reparations under the Decision; *i.e.* traffic moving between January 1, 2008 and July 17, 2008.¹

In accordance with the applicable regulations, the parties are submitting this Statement of Reparations for shipments during the period January 1, 2008 through July 17, 2008. The reparations (including interest) as calculated by the parties total \$7,574.72 as of December 21, 2009, which is the date on which UP tendered payment.

Attachment No. 1 hereto is the certification required by 49 C.F.R. Part 1133.2.

¹ KCPL and UP have entered into a separate agreement intended to govern the establishment of rates in compliance with the Decision for periods subsequent to July 18, 2008.



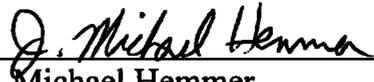
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Dated: January 6, 2010

Respectfully submitted,

 by 

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Attorneys for Union Pacific
Company

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 period January 1, 2008 through July 17, 2008 only, on December 21, 2009.



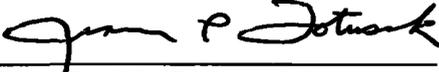
Kansas City Power & Light Company

By: William E. Blunk
Supply Planning Manager
1200 Main St.
Kansas City, Missouri 64105-2122

Date: 12/23, 2009

Christy L. Davis
"NOTARY SEAL"
Christy L. Davis, Notary Public
Jackson County, State of Missouri
My Commission Expires 2/4/2011
Commission Number 07415583

Total amount of reparations and interest for traffic moving during the period January 1, 2008 through July 17, 2008 equals \$7,574.72. The undersigned hereby certifies that the total amount of reparations and interest for such traffic through December 21, 2009 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: January 4, 2010