

SURFACE TRANSPORTATION BOARD QUARTERLY REPORT OF RATE COMPLAINT CASES Q3 2026

Docket No:	NOR 42185
Case Name:	Weskan Grain LLC v. Kansas & Oklahoma Railroad, LLC
Commodities:	Sorghum, Wheat, and Corn

Rate Review Type (SAC, SSAC, 3-Benchmark, or Other):	SAC
Origin(s):	Weskan Grain LLC's Scott City East facility, Scott City, Kansas
Destination(s):	Weskan Grain LLC's Stockton Facility at MP 752.5 on line of Colorado Pacific Railroad

Procedural Schedule:*	
Date on Which Proceeding Began:	August 21, 2026
Discovery Ends:	January 18, 2027
Opening Evidence Due:	March 19, 2027
Reply Evidence Due:	May 18, 2027
Rebuttal Evidence Due:	June 22, 2027
Closing Briefs Due:	July 22, 2027

**Italics indicate dates of future events based on the default procedural schedule at 49 C.F.R. § 1111.9 and are subject to change.*

Merits Decision:	December 19, 2027
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Brief Description of the Final Decision:	
	TBD

WESKAN GRAIN LLC v. KANSAS & OKLAHOMA RAILROAD, LLC, Docket No. NOR 42185

Complete Timeline (Significant Filings and Decisions Only)

12/17/2025	Weskan Notice of Intent to Initiate Case
4/17/2026	Weskan Petition for Waiver of Pre-Filing Notice Requirement and Complaint ¹
5/4/2026	K&O Reply to Weskan Petition
6/17/2026	K&O Motion to Reject Complaint or for Expedited Determination of Jurisdiction and Bifurcation of Proceeding
7/9/2026	STB Decision Granting in Part and Denying in Part Weskan Petition for Waiver
7/15/2026	Weskan Reply to K&O Motion to Reject Complaint or for Expedited Determination of Jurisdiction and Bifurcation of Proceeding
8/21/2026	Weskan Complaint
9/9/2026	K&O Answer
9/15/2026	K&O Petition for Issuance of Subpoenas
9/25/2026	Joint Motion to Hold Proceeding in Abeyance
9/28/2026	STB Decision Holding Proceeding in Abeyance for 60 Days

¹ Rates and terms subject to challenge were modified after Weskan's 12/17/25 Notice of Intent was filed.

Rail Rate Reasonableness Cases Before the Surface Transportation Board

(1996 to Present) - Last Reviewed 9/30/2026

Docket No.	Case Name	Commodity	Guidelines Used	Date of Decision	Decision
41191	West Texas v. BNSF	Coal	SAC	5/3/1996	Rates Unreasonable
37809	McCarty Farms v. BN	Grain	SAC	8/20/1997	Rates Reasonable
41185	APS v. ATSF	Coal	SAC	4/17/1998	Rates Unreasonable
41989	Pepco v. CSX	Coal	SAC	6/18/1998	Settlement
42012	Sierra Pacific v. UP	Coal	SAC	7/17/1998	Settlement
41670	Shell Chemical v. NS	Chemical	Simplified	3/12/1999	Settlement
41295	PPL v. Conrail	Coal	SAC	5/13/1999	Settlement
42034	PSI Energy v. Soo	Coal	SAC	5/13/1999	Settlement
42022	FMC v. UP	Minerals	SAC	5/12/2000	Rates Unreasonable
42038	MN Power v. DMIR	Coal	Stipulated R/VC	1/5/2001	Settlement
42051	WPL v. UP	Coal	SAC	5/14/2002	Rates Unreasonable
42054	PPL v. BNSF	Coal	SAC	8/20/2002	Rates Reasonable
42059	Northern States v. UP	Coal	Stipulated R/VC	8/7/2003	Settlement
42077	APS v. BNSF	Coal	SAC	12/31/2003	Withdrawn
42056	TMPA v. BNSF	Coal	SAC	9/27/2004	Rates Unreasonable
42069	Duke v. NS	Coal	SAC	10/20/2004	Rates Reasonable
42070	Duke v. CSXT	Coal	SAC	10/20/2004	Rates Reasonable
42072	Carolina Power v. NS	Coal	SAC	10/20/2004	Rates Reasonable
42057	Xcel v. BNSF	Coal	SAC	12/14/2004	Rates Unreasonable
42058	AEPCO v. BNSF	Coal	SAC	3/15/2005	Rates Reasonable
42093	BP Amoco v. NS	Chemical	Simplified	6/28/2005	Settlement
42071	Otter Tail v. BNSF	Coal	SAC	1/27/2006	Rates Reasonable
42091	APS v. BNSF	Coal	SAC	2/10/2006	Settlement
42097	Albemarle v. LNW	Chemical	SAC	11/14/2006	Settlement
42098	Williams Olefins v. GTC	Chemical	Simplified	2/15/2007	Settlement
42095	KCPL v. UP	Coal	Stipulated R/VC	5/19/2008	Rates Unreasonable
42088	Western Fuels v. BNSF	Coal	SAC	2/18/2009	Rates Unreasonable
42112	E.I. Dupont v. CSX	Chemical	SAC	5/11/2009	Settlement
41191 (S1)	AEP Texas v. BNSF	Coal	SAC	5/15/2009	Rates Reasonable
42111	Oklahoma Gas v. UP	Coal	Stipulated R/VC	7/24/2009	Rates Unreasonable
42099	DuPont v. CSXT	Chemical	Three-Benchmark	9/1/2009	Settlement
42100	DuPont v. CSXT	Chemical	Three-Benchmark	9/1/2009	Settlement
42101	DuPont v. CSXT	Chemical	Three-Benchmark	9/1/2009	Settlement
42114	U.S. Magnesium v. UP	Chemical	Three-Benchmark	1/28/2010	Rates Unreasonable
42115	U.S. Magnesium v. UP	Chemical	Simplified SAC	4/2/2010	Settlement
42116	U.S. Magnesium v. UP	Chemical	Simplified SAC	4/2/2010	Settlement
42122	NRG v. CSXT	Coal	SAC	7/8/2010	Settlement
42110	Seminole Electric v. CSXT	Coal	SAC	9/27/2010	Settlement
42113 (S1)	AEPCO v. UP	Coal	SAC	4/15/2011	Settlement
42128	SMEPA v. NS	Coal	SAC	8/31/2011	Settlement
41191 (S1)	AEP Texas v. BNSF	Coal	SAC-Remand	10/26/2011	Settlement
42113	AEPCO v. BNSF & UP	Coal	SAC	11/22/2011	Rates Unreasonable
42132	Canexus v. BNSF	Chemical	Three-Benchmark	7/20/2012	Settlement
42127	IPA v. UP	Coal	SAC	11/2/2012	Withdrawn
42123	M&G Polymers v. CSXT	Chemical	SAC	1/7/2013	Settlement
42125	DuPont v. NS	Chemical	SAC	3/24/2014	Rates Reasonable
42130	SunBelt v. NS	Chemical	SAC	6/20/2014	Rates Reasonable
42136	IPA v. UP	Coal	SAC	10/8/2014	Settlement
42088	Western Fuels v. BNSF	Coal	SAC	6/15/2015	Settlement
42121	TPI v. CSXT	Chemical	SAC	9/14/2016	Rates Reasonable
42142	Consumers v. CSXT	Coal	SAC & Revenue Adequacy	2/7/2019	Settlement
42173	OPPD v. UP	Coal	SAC & Revenue Adequacy	11/22/2023	Settlement
Pending before the STB					
Docket No.	Case Name	Commodity	Guidelines Used	Date of Decision	Decision
42185	Weskan v. K&O	Grain	SAC	TBD	TBD

Notes to Table:

1. SAC = Stand-Alone Cost Methodology Applied for a Hypothetical Railroad.

2. Simplified = Using a Simplified, Rather than Full-SAC, Methodology for Determining the Reasonableness of Rates as Set Forth in Coal Rate Guidelines, Nationwide, 1 I.C.C.2d 520 (1985) (Guidelines).

3. Stipulated R/VC = Parties Agreed to Use Revenue to Variable Cost (R/VC) Ratios @ 180% Level, in Lieu of Using SAC.

4. Three-Benchmark Methodology = Methodology of Seeking Relief Pursuant to the Revised Simplified Procedures as Set Forth in Simplified Standards for Rail Rate Cases, STB Ex Parte No. 646 (Sub-No. 1) (STB served Sept. 5, 2007) and any additional Sub-No. decisions.

5. Revenue Adequacy = Revenue Adequacy Constraint, as Described in Guidelines.