

Kansas Administrative Regulations

Kansas Corporation Commission

Article 9.—Railroad Rates

82-9-23. Exempt transportation.

(a) The commission may exempt a person, class of person, transaction or service from further rail regulation by the commission when it finds that:

(1) further regulation is not necessary to carry out state and national transportation policy; and

(2) either the transaction or service is of limited scope, or further regulation is not needed to protect shippers from the abuse of market power.

(b) The commission may, on its own initiative, or on application by any interested party, begin a proceeding to exempt rail carrier transportation.

(c) The commission may specify the period of time during which the exemption granted is effective.

(d) The commission may revoke, in whole or in part, an exemption if it determines that a revocation is necessary to carry out state and national transportation policy.

(e) When the interstate commerce commission concludes that a particular category of interstate traffic is exempted, this commission will adopt it as a standard for intrastate traffic.

(Authorized by K.S.A. 66-106; implementing K.S.A. 66-146; effective May 1, 1984; amended May 1, 1985.)

***** Authenticated Kansas Administrative Regulation *****