

# **Kansas Administrative Regulations**

## **Kansas Corporation Commission**

### **Article 9.—Railroad Rates**

#### **82-9-19. Commission decision upon review of contract.**

(a) Within 30 days after the date a proceeding is begun to review a contract upon the grounds specified in 82-9-17(b), the commission shall decide whether the contract violates the provisions of 49 U.S.C. Sec. 10713, as in effect on September 23, 1983. If the commission finds that a violation exists, it shall:

(1) disapprove the contract;

(2) in the case of agricultural contracts where the commission finds unreasonable discrimination by a carrier, order the carrier to provide rates and services substantially similar to the contract at issue with any differences in terms and conditions that are justified by the evidence; or

(3) allow the carrier to cancel the contract.

(b) Approval date of contract. Each contract shall be approved on the 30th day after the filing date of that contract. If the commission does not institute a proceeding to review the contract, the contract shall be considered "expressly approved" by the commission.

(c) If the commission institutes a proceeding to review a contract, that contract shall be approved:

(1) on the date the commission approves the contract, if the date of approval is 30 or more days after the filing date of the contract;

(2) on the 30th day after the filing date of the contract, if the commission approves the contract prior to the 30th day after the filing date of the contract; or

(3) on the 60th day after the filing date of a contract, if the commission fails to disapprove the contract.

(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 \*\*\*\*\*