

Edgar Filing: KANSAS CITY SOUTHERN - Form NT 11-K

KANSAS CITY SOUTHERN
Form NT 11-K
June 29, 2004

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

SEC FILE NUMBER
CUSIP NUMBER -----

FORM 12B-25

NOTIFICATION OF LATE FILING

(CHECK ONE): FORM 10-K FORM 20-F FORM 11-K
 FORM 10-Q FORM N-SAR

FOR PERIOD ENDED: DECEMBER 31, 2003
 TRANSITION REPORT ON FORM 10-K
 TRANSITION REPORT ON FORM 20-F
 TRANSITION REPORT ON FORM 11-K
 TRANSITION REPORT ON FORM 10-Q
 TRANSITION REPORT ON FORM N-SAR

FOR THE TRANSITION PERIOD ENDED: _____

READ INSTRUCTIONS (ON PAGE 3) BEFORE PREPARING FORM. PLEASE PRINT OR TYPE

NOTHING IN THIS FORM SHALL BE CONSTRUED TO IMPLY THAT THE COMMISSION
HAS VERIFIED ANY INFORMATION CONTAINED HEREIN.

IF THE NOTIFICATION RELATES TO A PORTION OF THE FILING CHECKED ABOVE, IDENTIFY
THE ITEM(S) TO WHICH THE NOTIFICATION RELATES:

PART I - REGISTRANT INFORMATION

FULL NAME OF REGISTRANT

THE KANSAS CITY SOUTHERN RAILWAY COMPANY UNION 401(K) PLAN

FORMER NAME IF APPLICABLE

ADDRESS OF PRINCIPAL EXECUTIVE OFFICE (STREET AND NUMBER)

427 WEST 12TH STREET

CITY, STATE AND ZIP CODE

KANSAS CITY, MISSOURI 64105-1804

PART II - RULES 12b-25(b) AND (c)

If the subject report could not be filed without unreasonable effort or expense
and the registrant seeks relief pursuant to Rule 12b-25(b), the following should

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be completed. (Check box if appropriate)

- (a) The reasons described in detail in Part III of this form could not be eliminated without unreasonable effort or expense;
- [X] (b) The subject annual report, semi-annual report, transition report on Form 10-K, Form 20-F, 11-K, Form N-SAR, or portion thereof, will be filed on or before the fifteenth calendar day following the prescribed due date; or the subject quarterly report of transition report on Form 10-Q, or portion thereof will be filed on or before the fifth calendar day following the prescribed due date; and
- (c) The accountant's statement or other exhibit required by Rule 12b-25(c) has been attached if applicable.

PART III - NARRATIVE

State below in reasonable detail the reasons why the Form 10-K and Form 10-KSB, 20-F, 11-K, 10-Q and 10-QSB, N-SAR, or the transition report or portion thereof, could not be filed within the prescribed time period.

The Form 11-K was prepared and filed at 5:24 p.m. on the due date, however, it was erroneously filed with an incorrect CIK/CCC. The error was caught and the Form 11-K was refiled with the correct CIK/CCC at 5:40 p.m., however, it could not be filed within the prescribed time period.

PART IV - OTHER INFORMATION

(1) Name and telephone number of person to contact in regard to this notification:

| | | |
|----------------|-------------|--------------------|
| Eric Freestone | 816 | 983-1568 |
| ----- | --- | ----- |
| (Name) | (Area Code) | (Telephone Number) |

(2) Have all other periodic reports required under Section 13 or 15(d) of the Securities Exchange Act of 1934 or Section 30 of the Investment Company Act of 1940 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports) been filed? If answer is no, identify report(s). [X] Yes [] No

(3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal year will be reflected by the earnings statements to be included in the subject report or portion hereof? [] Yes [X] No

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state the reasons why a reasonable estimate of the results cannot be made.

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The Kansas City Southern Railway Company Union 401(k) Plan

(Name of Registrant as Specified in Charter)

has caused this notification to be signed on its behalf by the undersigned hereunto duly authorized.

Date: June 29, 2004

By: /s/ Eric Freestone

Eric Freestone

INSTRUCTION: The form may be signed by an executive officer of the registrant or by any other fully authorized representative. The name and title of the person signing the form shall be typed or printed beneath the signature. If the statement is signed on behalf of the registrant by an authorized representative (other than an executive officer), evidence of the representative's authority to sign on behalf of the registrant shall be filed with the form.