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ENTERED  
Office of Chief Counsel  
November 20, 2025  
Part of  
Public Record

November 20, 2025

**VIA E-FILING**

Chief of Case Administration  
Office of Chief Counsel  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Re: **STB Docket No. FD 36854, Union Pacific Railroad Company—  
Construction and Operation Exemption—In Matagorda County,  
Texas**

Dear Chief of Case Administration:

BNSF Railway Company (“BNSF”) submits this letter in response to the Petition for Exemption filed by Union Pacific Railroad Company (“Union Pacific”) on September 24, 2025 in the above-referenced proceeding.

In the Petition, Union Pacific asserts: “The joint track segments are governed by joint facility agreements between Union Pacific’s and BNSF’s predecessors. One of those agreements contemplates the construction of the new west wye connection track described in this paragraph. Union Pacific has had preliminary discussions with BNSF regarding the proposed project.” (Petition 3-4 n.2.) It is not clear to BNSF what Union Pacific means by “preliminary discussions.” In fact, Union Pacific has not responded to a BNSF inquiry regarding this matter.

BNSF intends to participate in any proceeding that the Surface Transportation Board (“Board”) institutes related to the Petition. If the Board institutes a proceeding to consider the Petition, BNSF requests that the Board establish a deadline for the submission of replies to the Petition.

Please contact me with any questions.

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Respectfully submitted,

/s/ Peter W. Denton

Peter W. Denton

*Attorney for BNSF Railway Company*

## CERTIFICATE OF SERVICE

I hereby certify that I have caused this Letter in Docket No. FD 36854 to be served electronically or by first class mail, postage pre-paid, on all parties of record in this proceeding.

/s/ Sally Mordi

Sally Mordi

*Attorney for BNSF Railway Company*

November 20, 2025