

Peter W. Denton
202 429 6445
pdenton@steptoe.com

Steptoe

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoelaw.com

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Office of Chief Counsel
December 10, 2025 BNSF-7
Part of
Public Record

December 10, 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 36873, Union Pacific Corporation, et al.—
Control—Norfolk Southern Corporation, et al.**

Dear Chief of Case Administration:

Enclosed please find a letter regarding the proposed transaction in the above-referenced proceeding from the North Dakota Farm Bureau.

Respectfully submitted,

/s/ Peter W. Denton

Peter W. Denton
Attorney for BNSF Railway Company



November 21, 2025

The Honorable Patrick Fuchs
Chairman
Surface Transportation Board
395 E. Street, SW
Washington, D.C. 20423

The Honorable Michelle Schultz
Vice Chair
Surface Transportation Board
395 E. Street, SW
Washington, D.C. 20423

The Honorable Karen Helund
Member
Surface Transportation Board
395 E. Street, SW
Washington, D.C. 20423

Dear Chairman Fuchs, Vice Chairman Schutz and Member Hedlund,

On behalf of North Dakota Farm Bureau's (NDFB) 28,000 member-families and farmers and ranchers across our state, we want to express our concern about the proposed merger of Union Pacific Railroad (UP) and Norfolk Southern Railway (NS). We respectfully urge the Surface Transportation Board (STB) to consider the impact of consolidation on North Dakota's agricultural sector and overall economy.

The consolidation between UP and NS railways, if allowed, would render one entity in control of 40 percent of all rail service—placing our membership in a vulnerable position. Consolidation will decrease competition which could increase producer costs, reduce route flexibility, and limit market access for North Dakota's agricultural products. Previous rail mergers have presented challenges for agriculture, and we are concerned that the proposed merger will add to the strain on input and commodity transportation.

North Dakota agricultural producers depend on reliable and competitive transportation to move their agricultural products across the nation and the world. North Dakota's farmers already face weaker basis levels for their crops compared to our neighboring Midwest states. Farmers are dependent on rail transport to move commodities to market and processing facilities, as well as to access essential inputs for production. Current low commodity prices intensify the strain on farmers' margins. Decreased access to service and competitive pricing will exacerbate these economic challenges.

Fargo

1101 1st Ave. N. | PO Box 2064, Fargo, ND 58107-2064
Phone: 701-298-2200 | 1-800-367-9668

Bismarck

4900 Ottawa St. | PO Box 2793, Bismarck, ND 58502-2793
Phone: 701-224-0330 | 1-800-932-8869



The STB's merger rules focus on enhancing competition; we encourage you to extend this rule to continue enhanced competition of freight rail service.

We thank your board for your commitment to efficient, competitive, and economically viable surface transportation, which meets the needs of agriculture and industry. NDFB respectfully urges your board to examine the detrimental affects the proposed UP/NS merger would create for American agriculture. Thank you for your important review.

Sincerely,

A handwritten signature in blue ink, reading 'Valerie Wagner'. The signature is fluid and cursive, with the first name 'Valerie' written in a larger, more prominent script than the last name 'Wagner'.

President
North Dakota Farm Bureau

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CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing letter to be served electronically or by first-class mail, postage pre-paid, on the Secretary of Transportation, the Attorney General of the United States, Applicants' representatives, Administrative Law Judge Jenifer Soulikias, and all parties of record in this proceeding.

/s/ Onika K. Williams

Onika K. Williams
Attorney for BNSF Railway Company

December 10, 2025