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By E-Filing

January 5, 2026

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

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Office of Chief Counsel
January 5, 2026
Part of
Public Record

**Re: Docket No. FD 36873, *Union Pacific Corp., et al. -
Control - Norfolk Southern Corp., et al.***

Dear Chief of Case Administration:

Pursuant to the Board's Decision No. 8 in the referenced matter, Union Pacific Corporation, Union Pacific Railroad Company, Norfolk Southern Corporation, and Norfolk Southern Railway Company (collectively, Applicants), are filing this letter and accompanying materials relating to replacement and additional workpapers that Applicants made available to the Board and parties in this proceeding on December 23, 24, and 29.

As indicated on the enclosed table, the workpapers at issue involve materials supporting three parts of the Application filed December 19, 2025.

First, Applicants provided a collection of files containing intermediate datasets related to the Verified Statement of Dr. Elizabeth M. Bailey. Applicants had produced the underlying data and code used to create the intermediate datasets on December 19, 2025, in the workpapers accompanying the Application, but they agreed to provide copies of the datasets as an accommodation to a party that requested them. Applicants also re-produced three of Dr. Bailey's workpapers because a party reported they were corrupted, but Applicants subsequently determined that any issue must have arisen after the files were uploaded.

Second, Applicants re-produced several files related to the Joint Verified Statement of David Hunt and Matthew Schabas. As indicated on the accompanying table, in the vast majority of cases, Applicants re-produced files because they were included in the same sub-folder as the files with issues. In other cases, Applicants re-produced files that were apparently corrupted in the production process. Applicants also produced four files that had not been produced initially because of technical errors in the upload process, one file that was inadvertently omitted from the upload process, and twelve files containing intermediate datasets that Applicants agreed to provide as an accommodation to a requesting party.

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Third, Applicants re-produced three files related to the Operating Plan, which is presented in the Joint Verified Statement of Eric Gehringer and John F. Orr. As indicated on the accompanying table, two of the files were originally produced with an encryption key that prevented access to downloaded versions; the third was re-produced because Applicants re-produced the entire folder containing the two files, rather than just the workpapers that were corrupted.

Decision No. 8 directs Applicants to upload a separate, complete zip file of all the workpapers supporting the Application, including the replacement and new files. However, Applicants believe that the process of combining and processing the large number of files and massive amount of data contained in those files into a single zip file contributed to the file-corruption problems, and that similar problems would likely arise if they were to repeat that process. In addition, because of the amount of time required to combine all the files into a single zipped file, Applicants could not ensure they could complete the process in the timeframe established by Decision No. 8. Applicants are therefore uploading to the SFTP site three separate files containing as much related material as practicable: one containing all Dr. Bailey's workpapers (rows 40 to 46 of Applicants' workpaper index); one containing all Hunt/Schabas workpapers (rows 50 to 52 of Applicants' workpaper index), and one containing all Operating Plan workpapers (rows 53 to 160 of Applicants' workpaper index). The files have been uploaded to the Kiteworks site that Applicants used for the original workpaper submission and are located in the folder "Updated Workpaper Files (1.5.2025)."

Applicants propose that the Board schedule a technical conference between Applicants and Board staff to discuss a mechanism that would allow Applicants to reproduce all the workpapers in a single zipped file or to develop another acceptable alternative.

Please contact me with any questions.

Sincerely,

/s/ Michael L. Rosenthal

Michael L. Rosenthal
*Attorney for Union Pacific
Corporation and Union
Pacific Railroad Company*

Enclosure

cc: All Parties of Record
ALJ Soulikias