



Surface Transportation Board
Washington, D.C. 20423-0001

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January 6, 2026

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Office of Chief Counsel
January 6, 2026
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The Honorable Sylvia R. Garcia
2419 Rayburn House Office Building
Washington, DC 20515-4329

Dear Representative Garcia,

Thank you for your recent letter regarding the proposed merger of Union Pacific (UP) and Norfolk Southern (NS) (collectively, Applicants). We appreciate hearing your views on the role freight rail plays in Harris County's economy, as well as your concerns about the proposed transaction's potential impacts on communities within your district, shipper and passenger rail experiences, and competition. We want to assure you that the Surface Transportation Board (Board) will conduct a rigorous and comprehensive review of the transaction as required by law.

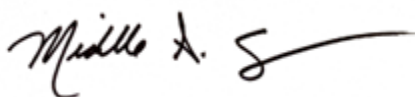
In considering whether a major merger transaction is in the public interest, the Board considers various goals, including effective competition, carrier safety and efficiency, adequate service for shippers, environmental safeguards, and fair working conditions for employees. The Board must ensure that any approved transaction would promote a competitive, efficient, and reliable national rail system. 49 C.F.R. § 1180.1(b). Applicants are required to submit to the Board an operating plan demonstrating how the proposed transaction would affect regional and national rail operations; a Safety Integration Plan, prepared in consultation with the Federal Railroad Administration, to ensure that safe operations would be maintained throughout the merger implementation process; and information on what measures the Applicants plan to take to address potentially blocked crossings as a result of merger-related changes in operations or increases in rail traffic. 49 C.F.R. § 1180.8(a). Applicants must also submit a Service Assurance Plan, which describes how operating plan efficiencies would translate into present and future benefits for the shipping public, and includes, among other things, a description of how the Applicants would ensure effective communications with passenger rail passenger operators to minimize any potential transaction-related negative impacts. 49 C.F.R. § 1180.10(b).

As you know, on December 19, 2025, UP and NS filed their major merger application. The Board is reviewing the application and will make a determination on its completeness—whether the application contains the information required in 49 C.F.R. part 1180—within 30 days. Comments on the merits of the proposed transaction will be sought at a later stage of the proceeding, should the Board accept the application.

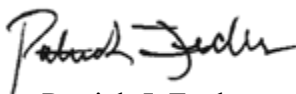
Because this is a pending matter, we cannot comment further; however, please be assured that the Board will conduct a thorough and fair review of the evidence and argument and consider

whether the transaction serves the public interest, consistent with applicable law. The Board's review process will include opportunities for public participation and comment. A copy of your letter and this reply has been placed in the public docket. If you or your staff have any questions, please contact Ms. Janie Sheng, Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,



Michelle A. Schultz
Vice Chairman



Patrick J. Fuchs
Chairman



Karen J. Hedlund
Member