

COVINGTON

BEIJING BOSTON BRUSSELS DUBAI FRANKFURT
JOHANNESBURG LONDON LOS ANGELES NEW YORK
PALO ALTO SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

Michael L. Rosenthal
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
T +1 202 662 5448
mrosenthal@cov.com

By E-Filing

February 6, 2026

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

**Re: Docket No. FD 36500 (Sub-No. 6), Canadian Pacific
Railway Limited, et al.—Control—Kansas City Southern,
et al. (General Oversight)**

Dear Chief of Case Administration:

This letter is being submitted on behalf of Union Pacific Railroad Company to update the Board on the ongoing Meridian Speedway service issue.

In seeking approval of the transaction that created Canadian Pacific Kansas City Limited, Applicants stated that the merged railroad would “continue to maintain efficient operations serving existing gateways wherever traffic levels warrant—in terms of both the through train services to and from the gateways as well as the operational capabilities and infrastructure necessary to carry out the efficient interchange.” (App., Vol. 1, V.S. Brooks, ¶ 45.)

CPKC has not been meeting that commitment. As described in the attached Verified Statement of Joseph N. Davis, Union Pacific’s Director – Network Surveillance, Union Pacific historically delivered intermodal trains of up to 11,000 feet in length to Kansas City Southern Railway at Shreveport, Louisiana, for movement to Norfolk Southern at Meridian, Mississippi, via the Meridian Speedway. However, CPKC has twice imposed an 8,500-foot length limit on the trains it will accept at Shreveport, without providing the resources necessary to move the larger number of trains required because of the length restriction, which requires Union Pacific to cut trains in two before they move over the Speedway.

CPKC’s failures have caused Union Pacific and its customers to suffer significant delays. As described in the enclosed verified statement, after CPKC initially imposed the 8,500-foot restriction on August 25, Union Pacific train dwell times increased from 3.5 hours to 12.5 hours. CPKC lifted the restriction on September 27, and dwell times returned to normal. However, CPKC reimposed the restriction on November 17, and Union Pacific’s train dwell has once again increased to an average of 5.2 hours, with train dwell for the second train averaging 8.4 hours.

COVINGTON

Chief of Case Administration
February 6, 2026
Page 2

The increased train dwell indicates that service over the Speedway has deteriorated substantially. However, only a Board investigation can establish the full extent and cause of the CPKC service deterioration.

Union Pacific respectfully requests that the Board investigate CPKC's deteriorated service over the Meridian Speedway and enforce the commitments CPKC made during the merger approval process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael L. Rosenthal".

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

Enclosure

cc: All Parties of Record

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. FD 36500 (SUB-NO. 6)

**CANADIAN PACIFIC RAILWAY LIMITED, ET AL.
– CONTROL –
KANSAS CITY SOUTHERN, ET AL.
(GENERAL OVERSIGHT)**

**VERIFIED STATEMENT OF
JOSEPH N. DAVIS**

My name is Joseph N. Davis. I am Director – Network Surveillance, Network Planning & Operations, Operations Department, for Union Pacific Railroad Company. I joined Union Pacific in 2014 and have held my current position since June 2022. I am responsible for ensuring that our operating partners in the field adhere to established transportation plans. Specifically, my team reviews transportation plan exceptions and either approves or declines exception requests. My team also tracks problematic train performance over the entire network.

Historically, Union Pacific has delivered eastbound premium intermodal trains, which we call Z-trains, of up to 11,000 feet in length to Kansas City Southern Railway at Shreveport, Louisiana, for movement to Norfolk Southern Railway at Meridian, Mississippi. On August 25, 2025, CPKC unilaterally adopted a rule limiting the trains it would accept from Union Pacific to 8,500 feet. Union Pacific began immediately cutting trains in two (including trains already en route) to comply with the new length restriction. Union Pacific took that action with the understanding that CPKC would provide the crew resources necessary to move the increased number of trains that would result from the length restriction.

However, CPKC has not provided the necessary crew resources, and service has suffered. Union Pacific delivers its trains to CPKC in Shreveport at Hollywood Yard. From January 2, 2025,

to August 24, 2025, average dwell times for these trains in Hollywood Yard—that is, the time the trains spend between AEI reader 1441 (South of the Yard) and AEI reader 1442 (North of the Yard)—averaged 3.5 hours. But while the new length restriction was in place from August 25, 2025, through September 27, 2025, train dwell time increased to an average of 12.5 hours. On September 28, after complaints by both Union Pacific and Norfolk Southern, CPKC lifted the train restriction and advised that it would not again restrict train length until it had adequate crew resources in place to accommodate the additional trains created by its application of a length restriction.

From September 28, 2025, through November 16, 2025, traffic flows returned to normal. Union Pacific's train dwell average dropped back down to 3.6 hours. However, on November 17, 2025, CPKC reimposed an 8,500-foot train length restriction. As a result, between November 17, 2025, and January 20, 2026, Union Pacific's train dwell has once again increased to an average of 5.2 hours, with the dwell for the second train created by cutting trains in two averaging 8.4 hours.

VERIFICATION

I, Joseph N. Davis, declare under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on this 6th day of February, 2026.

/s/ Joseph N. Davis