

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 36652

GREEN EAGLE RAILROAD, LLC—CONSTRUCTION AND OPERATION
EXEMPTION—IN MAVERICK COUNTY, TEX.

**UNION PACIFIC'S SUPPLEMENTAL COMMENTS ON THE TRANSPORTATION
MERITS OF GREEN EAGLE RAILROAD, LLC'S PETITION FOR EXEMPTION**

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February 13, 2026

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In accordance with the Board’s order served January 30, 2026, Union Pacific Railroad Company (Union Pacific) submits these supplemental comments regarding the Green Eagle Railroad, LLC’s (GER) petition for exemption to construct and operate a new rail line in Maverick County, Texas (the Line).

I. Negotiations Have Not Resolved Union Pacific’s Concerns with GER’s Proposal.¹

Union Pacific’s initial comments on GER’s proposal demonstrated that GER does not appear to have a viable plan for operating its proposed line without harming existing service offered by Union Pacific and BNSF Railway Company (BNSF). In replying to Union Pacific, GER confirmed that its proposal simply assumes there would be no Union Pacific or BNSF service to harm—that is, “GER’s proposal assumes that both UP and BNSF would transition cross-border traffic to the Proposed Line.”² However, as explained in its initial comments, Union Pacific has no intent to discontinue using its border crossing at Eagle Pass.

The Board’s order asks about the status of any negotiations or discussions between GER and Union Pacific. After a sustained period in which there had been no discussions, GER recently

¹ The factual statements in these supplemental comments are verified by Richard L. Lichtas, Union Pacific’s Assistant Vice President, Network and Capital Planning.

² GER’s Reply to Union Pacific’s Comments at 2 (Sep. 15, 2025).

reached out to Union Pacific to discuss GER's proposed project. That recent discussion did not resolve Union Pacific's concerns. Union Pacific remains willing to discuss how GER could reconfigure the proposed Line to avoid harming services offered by Union Pacific.

II. Union Pacific Is Continuing to Enhance Operations at Eagle Pass.

Union Pacific's initial comments described the railroad's plans to improve operations and support growth of cross-border traffic at Eagle Pass by (1) shifting cross-border crew changes from the International Railway Bridge to Clark's Park Yard; (2) constructing a new lead at the yard's north end; and (3) extending the lead track at the yard's south end to complete a second main line to the border.³

Union Pacific began using international crews on November 20, 2025, which allowed it to shift most crew changes from the bridge to Clark's Park Yard. The shift in crew change locations has substantially reduced the time trains are stopped on the bridge, which has improved security, service, and capacity.

Union Pacific's plan to construct a new lead at the north end of Clark's Park Yard is also progressing. Union Pacific is currently soliciting construction bids, and it continues to anticipate that construction will begin this year.

Finally, Union Pacific continues to anticipate that construction of a second main line from the border will begin as early as 2028.

³ GER claimed in its response to Union Pacific's comments that its petition for exemption prompted Union Pacific to consider the infrastructure and operational upgrades described in Union Pacific comments. *See* GER Reply at 14–15. GER's claim is untrue. Union Pacific's plans were in place before GER filed its petition.

III. Ferromex’s Line to the International Railway Bridge at Eagle Pass Has Ample Capacity to Support Cross-Border Operations.

The Board’s order asks GER to describe the current physical track on the Mexican side of the border connecting Ferromex to the International Railway Bridge. Ferromex uses two yards to support cross-border train operations at Eagle Pass—Piedras Negras South and Piedras Negras North. Those yards have a mix of receiving, departure, and classification tracks. Piedras Negras South, also called Rio Escondido, is the Mexican starting point for GER’s proposed line. Piedras Negras North is directly adjacent to the International Railway Bridge. Between Rio Escondido Yard and Piedras Negras North, Ferromex’s line is double tracked.⁴

IV. Construction and Operation of GER’s Proposed Line Would Harm Shippers.

The Board’s order asks GER to discuss the effect on rail shippers “if all rail traffic currently crossing the border at Eagle Pass shifts to GER.”⁵ Union Pacific’s initial comments showed that GER’s proposal would disrupt Union Pacific’s local operations in Clark’s Park Yard even if Union Pacific interchanged all cross-border traffic with GER, because GER is not proposing to construct enough track to hold an average southbound or northbound train clear of the yard.⁶ Union Pacific showed that GER’s proposal would be even more disruptive if GER were to handle some but not all cross-border traffic at Eagle Pass.⁷ GER did not dispute either showing in its reply.

Union Pacific’s initial comments also explained that GER’s proposed Line would not increase rail competition for cross-border traffic because GER would have to interchange all its traffic with either Union Pacific or BNSF. GER’s proposed Line would thus increase the number

⁴ See also Union Pacific Comments at 7, Figure 2 (Aug. 25, 2025).

⁵ Order at 3. As discussed above, Union Pacific does not intend to shift its cross-border traffic to GER.

⁶ See Union Pacific Comments at 8–9.

⁷ See *id.* at 9–10.

of carriers required to complete cross-border movements, as well as the complexity and cost of such movements, but would not increase the number of independent routing options for shippers.⁸

GER did not dispute these points in its reply.

GER speculates that Union Pacific would save costs if all cross-border rail traffic shifted to GER because Union Pacific would no longer need to inspect and maintain its portion of International Railway Bridge.⁹ However, GER provides no evidence that any savings would offset the higher costs GER would incur to construct and operate the new bridge and the new, longer line needed to connect Ferromex and Union Pacific.¹⁰

* * *

For the reasons discussed herein and in Union Pacific’s initial comments, the Board should deny GER’s petition for exemption and require GER to submit an application for construction authority if GER decides to try to move forward with its proposal.

⁸ *See id.* at 7–8.

⁹ *See* GER Reply at 12.

¹⁰ Union Pacific Comments at 7 (“The Line would reduce Union Pacific’s and BNSF’s current route to the border by 2.9 miles, but GER’s route in Mexico would be 7.9 miles longer than Ferromex’s current route from the border to Rio Escondido Yard . . .”).

The City of Eagle Pass recently announced it was evaluating a proposal regarding a potential ownership stake in the Puerto Verde Global Trade Bridge, which is the bridge that would be carrying the proposed Line. *See* City of Eagle Pass, Texas (@OfficialCityEaglePassTexas), Facebook (Feb. 3, 2026, at 12:53 PM), <https://www.facebook.com/OfficialCityEaglePassTexas/posts/city-of-eagle-pass-begins-evaluation-of-proposed-ownership-stake-in-puerto-verde/1344354764388244/>. Partial ownership of the bridge by another entity would call into question GER’s ability to make commitments regarding the effects of its proposal on rail shippers.

Respectfully submitted,

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VERIFICATION

I, Richard L. Lichtas, Assistant Vice President, Network and Capital Planning for Union Pacific Railroad Company, declare under penalty of perjury that I reviewed the foregoing supplemental comments and that the factual statements therein are true and correct. Further, I certify that I am qualified and authorized to sponsor this testimony.

Executed on February 13, 2026.

/s/ Richard L. Lichtas

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of February, 2026, I caused a copy of the foregoing document to be served electronically on all parties of record in STB Docket No. FD 36652.

/s/ Michael L. Rosenthal