

LAW OFFICE OF DAVID L. MEYER
WWW.MEYERLAWDC.COM

1105 S STREET, N.W.
WASHINGTON, D.C. 20009
202-294-1399

March 3, 2026

310937

BY ELECTRONIC FILING

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423-0001

ENTERED
Office of Chief Counsel
March 3, 2026
Part of
Public Record

**Re: Finance Docket No. 36873, *Union Pacific Corp.* – *Control* –
*Norfolk Southern Corp.***

Dear Chief of Case Administration:

I write on behalf of Canadian Pacific Railway Company, d/b/a CPKC, in response to Applicants' March 2, 2026 submission (UP-30/NS-29) that twice affirmatively requests that the Board strike CPKC's February 23 submission (CPKC-14) supporting BNSF's appeal of the ALJ's February 11 decision that discovery must await acceptance of Applicants' revised application (Decision No. 10, served Feb. 11, 2026).

CPKC is entitled to reply to Applicants' motion, and we do so by pointing out that (a) Applicants point to no reason to strike CPKC's submission, and no authority for doing so, which is not surprising in light of CPKC's right to be heard on the Board's disposition of BNSF's appeal, which would fundamentally affect the conduct of this proceeding and CPKC's practical ability to seek discovery from Applicants, and (b) Applicants' motion reveals the intensity of their desire to avoid having to address the points raised in CPKC's submission, to which they have absolutely zero response on the merits.

CPKC respectfully urges the Board to consider the points made in CPKC's February 23 submission as it considers BNSF's meritorious appeal of the ALJ's February 11 decision.

Respectfully submitted,



David L. Meyer
Attorney for CPKC

cc: All Parties of Record