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BNSF-23

VIA E-FILING

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

**Re: STB Docket No. FD 36873, Union Pacific Corporation, et al.—
Control—Norfolk Southern Corporation, et al.**

Dear Chief of Case Administration:

Enclosed please find letters regarding the proposed transaction in the above-referenced proceeding from the following parties:

- Galesburg Area Chamber of Commerce
- North Dakota Grain Growers Association
- Richland Economic Development Corp

Respectfully submitted,

/s/ Peter W. Denton

Peter W. Denton
Attorney for BNSF Railway Company



Dear Chairman Fuchs, Vice Chairman Schultz, and Member Hedlund,

On behalf of the Galesburg Area Chamber of Commerce, I write to express our strong concerns regarding the proposed merger between Union Pacific (UP) and Norfolk Southern (NS). If approved, this merger would consolidate an extraordinary level of market power within a single Class I railroad—an outcome that poses significant risks to businesses, shippers, and communities across the Midwest.

The Galesburg region has a long and deep connection to the rail industry. Our business community relies heavily on competitive, efficient, and reliable freight rail service to support manufacturing, agriculture, logistics, and regional economic growth. A healthy intermodal market—one with multiple carriers, competitive pricing, and diverse routing options—is essential to sustaining that growth.

A UP–NS merger would undermine that competitive foundation. Industry analyses and historical precedent show that large-scale rail consolidations tend to reduce competition, increase shipper costs, and create service bottlenecks. In the intermodal sector specifically, the merger would eliminate one of the few remaining competitive pressures on UP in the western United States. With fewer alternatives available, shippers would face higher rates, diminished service options, and reduced negotiating power. These impacts would be felt acutely in communities like Galesburg, where intermodal access is a critical driver of economic activity.

Past mergers have demonstrated the risks clearly: service slowdowns, congestion, reduced network fluidity, and long-term price increases. The Surface Transportation Board has repeatedly acknowledged these patterns in prior reviews, noting that consolidation often leads to diminished service quality and fewer competitive choices for shippers. Given the ongoing fragility of national supply chains, further concentration of rail power would only heighten vulnerabilities.



The upcoming STB review presents a crucial opportunity to protect competition, preserve network resilience, and ensure that American businesses—large and small—retain access to fair, reliable, and affordable freight rail service. The Galesburg Area Chamber of Commerce believes this proposed merger is not in the public interest and would result in long-term harm to shippers, consumers, and regional economies.

We respectfully urge the Board to reject the merger and to continue supporting a freight rail system that fosters innovation, investment, and economic vitality through meaningful competition.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Paulsgrove".

Jason Paulsgrove

Chairman, Board of Directors Galesburg Area Chamber of Commerce



April 17, 2026

The Honorable Patrick Fuchs
Chairman
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

The Honorable Michelle Schultz
Vice Chair
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

The Honorable Karen Hedlund
Member
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Dear Chairman Fuchs, Vice Chair Schultz, and Member Hedlund:

The North Dakota Grain Growers Association (NDGGA) has been the premier voice for North Dakota wheat and barley producers for more than 50 years. Our members—agricultural producers across the state—rely on dependable, safe, and competitive rail service to move grain to domestic and export markets. Rail transportation is not just a convenience; it is essential to the economic viability of our farms and rural communities.

Our producers value optionality when shipping by rail. Past consolidations have shown that reduced competition often leads to fewer choices, higher rates, and diminished service quality. The proposed merger between Union Pacific Railroad (UP) and Norfolk Southern Railroad (NS) raises serious concerns about the long-term impacts on rail competition and service reliability in North Dakota.

We urge the Surface Transportation Board to rigorously review this merger application and consider the following:

- **Scale and Market Dominance:** UP and NS combined would haul a large percentage of U.S. rail freight. This level of market concentration is

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concerning and could limit competitive options for North Dakota shippers.

- **Impact on Regional Freight Flows:** This merger would irreversibly alter how freight moves from the Upper Midwest to the Eastern U.S., disrupting the current competitive balance between two major western railroads and two major eastern railroads.
- **Risk to Service Quality:** If rail service were to decline—such as reductions in on-time performance and velocity—the negative effects would ripple across all rail customers nationwide. For North Dakota farmers, such declines would most certainly impair market access and export competitiveness.

North Dakota agriculture depends heavily on rail. Approximately 83% of North Dakota's grain and oilseed shipments move by rail, underscoring the critical need for reliable service and competitive rates. Any merger that threatens these principles must be scrutinized with the highest level of diligence.

We ask that you ensure this merger is in the best interest of North Dakota's farmers and creates more market competitiveness—not less.

Thank you for considering the perspective of all North Dakota's Ag producers.

Sincerely,

North Dakota Grain Growers Association

The Honorable Patrick Fuchs, Chairman
Surface Transportation Board

The Honorable Michelle Schultz, Vice Chairman
Surface Transportation Board

The Honorable Karen Hedlund, Member
Surface Transportation Board

Greetings Chairman Fuchs, Vice Chairman Schultz, and Member Hedlund:

On behalf of Richland Economic Development Corp (REDC), a business and county advocacy organization, committed to advancing economic development, improving business conditions, and fostering progress in Richland County, Sidney, Montana, we respectfully submit this letter to express our deep concerns regarding the proposed merger between Union Pacific and Norfolk Southern.

The proposed merger would negatively impact several economic drivers in our area. We have serious concern about these long-term impacts on competition, pricing, and service reliability in an already stressed economy.

Richland County is the #1 oil producing and #2 gas producing county in Montana, and this industry depends heavily on a reliable, competitive freight rail network to move these energy products safely and efficiently to markets across the nation.

Richland County's number two economic driver is Agriculture, which has a dependence on a railroad network that connects our rural production region with domestic processors and export markets. Because we are extremely rural, and rail competition is already limited at our local level, our growers and producers cannot reduce or change how they ship their products, even when the rail costs continue to rise.

In summary, rail access is not a luxury in our region. It is an economic lifeline that connects our Ag and oil and gas producers to processors, refineries, consumers, and export opportunities. We feel that this merger is a threat to our economy and way of life. We urge the board to reject this merger as it would severely hinder our access and negatively increase the cost of doing business here, to our most vulnerable economic drivers.

Thank you for your consideration of this extremely important matter,



Leslie Messer
Executive Director
Richland Economic Development Corp.

CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing letters to be served electronically or by first-class mail, postage pre-paid, on the Secretary of Transportation, the Attorney General of the United States, Applicants' representatives, Administrative Law Judge Jenifer Soulikias, and all parties of record in this proceeding.

/s/ Onika K. Williams

Onika K. Williams
Attorney for BNSF Railway Company

April 28, 2026