

LAW OFFICE OF DAVID L. MEYER

WWW.MEYERLAWDC.COM

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

May 5, 2026

311273

BY ELECTRONIC FILING

Hon. Jenifer J. Soulikias
Administrative Law Judge
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423-0001

ENTERED
Office of Chief Counsel
May 5, 2026
Part of
Public Record

[Email: alj.soulikias.inbox@stb.gov]

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

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

Dear Judge Soulikias and Chief of Case Administration:

I write on behalf of Canadian Pacific Railway Company, d/b/a Canadian Pacific Kansas City and CPKC, and its U.S. rail carrier subsidiaries (collectively “CPKC”)¹ regarding Applicants’ Motion to Enter Proposed Discovery Guidelines served yesterday (UP-45/NS-43).

CPKC has conferred with each of the parties that have served discovery requests to date in this proceeding (the “Parties Seeking Discovery of Applicants”).² On behalf of those parties, CPKC writes to advise Your Honor and the Board that (a) the Protocols proposed by Applicants (set forth in their Appendix A) *solely* reflect Applicants’ positions and do not reflect any agreement on the part of the Parties Seeking Discovery of Applicants or, to their knowledge, any

¹ CPKC’s U.S. rail carrier subsidiaries include Soo Line Railroad Company; Central Maine & Quebec Railway US Inc.; Dakota, Minnesota & Eastern Railroad Corporation; Delaware & Hudson Railway Company, Inc.; The Kansas City Southern Railway Company; Gateway Eastern Railway Company; and The Texas Mexican Railway Company.

² These include CPKC, Grand Trunk Corporation, BNSF Railway Company and CSX Transportation, Inc.

Hon. Jenifer J. Soulikias
Chief of Case Administration
May 5, 2026
Page Two

other interested party in this proceeding; and (b) the Parties Seeking Discovery of Applicants anticipate responding promptly to Applicants' Motion, and will endeavor to do so jointly and no later than 5:00 pm EDT on Tuesday, May 12 (the deadline established by Decision No. 17 for Applicants' responses to comments on completeness of the Application).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David L. Meyer", is positioned above the typed name.

David L. Meyer
Attorney for CPKC

cc: All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that, on this 5th day of May 2026, I caused a copy of the foregoing letter to be served by email or by first-class mail, postage prepaid, on all parties of record in this proceeding, the Secretary of Transportation, the Attorney General of the United States, and Administrative Judge Jenifer Soulikias.

/s/ Kiera S. Judge
Kiera S. Judge