

NOTICE OF INTENT TO PARTICIPATE

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Docket No. FD 36873

ENTERED
Office of Chief Counsel
May 11, 2026
Part of
Public Record

Union Pacific Corporation—Control—Norfolk Southern Corporation

NOTICE OF INTENT TO PARTICIPATE

Pursuant to 49 C.F.R. § 1180.4(d)(2), I hereby submit this Notice of Intent to Participate in the above-captioned proceeding. I intend to participate as a Party of Record.

I have more than four decades of professional experience in rail-industry economic development, network analysis, and regulatory evaluation, including service as Assistant Vice President of Economic Development at BNSF Railway and prior systems-analysis work in national freight-rail policy, spatial modeling, and rural development. I have authored and contributed to multiple filings before the Surface Transportation Board, including technical analyses submitted in recent regulatory proceedings. My participation in this docket will draw on that background.

I anticipate addressing issues directly relevant to the statutory and regulatory criteria governing major rail consolidations under 49 U.S.C. §§ 11321–11327 and 49 C.F.R. Part 1180, including:

- systemwide and regional competitive impacts arising from the proposed UP–NS combination;
- implications for network topology, interchange dynamics, and market access for shippers and connecting carriers;

- effects on service reliability, operational resilience, and the adequacy of transportation to the public;
- impacts on captive shippers, rural communities, and industries dependent on single-carrier access;
- evaluation of applicants' traffic projections, market-share estimates, and diversion assumptions;
- public-interest considerations, including long-term system efficiency and national freight-rail performance.

Filing this Notice preserves my right to submit verified statements, analytical evidence, comments, and/or requests for conditions at the appropriate stages of the procedural schedule.

All filings and service may be directed to the contact information below.

/s/ J. Vann Cunningham

Respectfully submitted, J. Vann Cunningham

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Date: 9 May 2026

CC: Parties of Record