



CAROL ALVARADO
STATE SENATOR
DISTRICT 6

311437

ENTERED
Office of Chief Counsel
May 20, 2026
Part of
Public Record

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VIA ELECTRONIC FILING

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: Docket No. FD 36873, *Union Pacific Corp., et al. - Control - Norfolk Southern Corp., et al. - Comments on Blocked Rail Crossings and Request for Conditions Protecting Houston Communities*

To Chairman Fuchs and members of the Surface Transportation Board,

I write on behalf of my constituents in Senate District 6 regarding the proposed control transaction between Union Pacific Corporation and Norfolk Southern Corporation.

Our community lives alongside the Union Pacific main lines that run through dense, working-class and predominantly Latino neighborhoods in Houston's East End and surrounding areas. We experience frequent and prolonged blocked at-grade crossings, restricted mobility for residents on foot and in vehicles, public safety incidents at and near rail crossings and worsened air and noise pollution from idling trains. The proposed transaction's projected freight growth threatens to amplify each of these impacts.

In their May 12, 2026 reply on completeness (UP-51/NS-49, Section XI), Applicants assert that blocked crossings are appropriately addressed only through the Board's environmental review process under 49 C.F.R. § 1180.8(a)(2). However, environmental review on its own does not produce enforceable operating conditions on the merged railroad. A meaningful response requires conditions imposed at the time of merger approval, with measurable performance standards, public reporting requirements and a clear enforcement mechanism. Without those, communities along the line, and the local governments accountable to them, have no practical recourse when blockages happen.

Under 49 U.S.C. § 11324(c), the Board may approve this transaction only if it determines that the proposal is consistent with the public interest. The Board further retains broad authority under 49 U.S.C. § 10101 to impose conditions necessary to mitigate adverse impacts and further national transportation policy objectives, including reducing adverse environmental and community impacts and fostering coordination between rail carriers and local communities.

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I respectfully request that the Board:

1. Treat blocked crossings as a substantive issue in this proceeding, in addition to and apart from the environmental review process.
2. Require Applicants to disclose, by neighborhood and by crossing, projected post-merger frequency, duration and timing of blockages at at-grade crossings in densely populated communities along their lines, including in Houston's East End and the broader region.
3. Convene a public field hearing in Houston as part of the Board's review, so that affected residents, local officials, first responders and community organizations can place their experiences on the record directly.
4. Condition any approval of the proposed transaction on enforceable measures to reduce blocked crossings and address community impacts, including:
 - a. Real-time train movement information shared with local emergency services and 911 dispatchers in affected jurisdictions.
 - b. Public quarterly reporting on blockage frequency and duration at identified high-impact crossings, with data made available to local governments.
 - c. A dedicated regional point of contact and formal coordination process with the City of Houston, Harris County and the Gulf Coast Rail District for corridor management, public safety and grade separation planning.
 - d. Capital investment in grade separation, signaling improvements and other mitigation at crossings the Board identifies as posing the greatest public safety risk, including those previously identified by the East End Rail Safety Task Force.
 - e. A community accountability framework with measurable performance standards, public reporting and meaningful enforcement consequences for non-compliance.
5. Recognize, consistent with the Board's growing attention to environmental justice in major rail transactions, that historically burdened communities along these lines should share in the benefits of any approved consolidation, not only its operational consequences.

Thank you for your consideration. My office stands ready to provide additional information, host Board staff in a site visit to affected communities or otherwise assist the Board's review.



CAROL ALVARADO

STATE SENATOR
DISTRICT 6

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carol Alvarado".

Carol Alvarado
Texas State Senator, District 6

cc:

All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of May, 2026, the foregoing document was served to all parties of record to this proceeding.

A handwritten signature in black ink, appearing to read "Carol Alvarado".

Carol Alvarado
Texas State Senator, District 6