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311442

May 20th, 2026

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

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Chairman Patrick Fuchs
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. - Resident Comments on the Significance of Blocked Rail Crossings

To Chairman Fuchs and members of the Surface Transportation Board:

I live in the Eastwood neighborhood of Houston, Texas. Eastwood is a residential neighborhood surrounded by heavily used freight rail lines, and blocked crossings are already a regular part of daily life here. I am writing because I believe the Board should treat blocked rail crossings as a serious public safety and mobility issue in its review of the proposed Union Pacific–Norfolk Southern merger.

My experience

I regularly document trains coming to a complete stop while blocking city streets in and around Eastwood. Some of these crossings do not have a grade-separated option nearby, which means cars, pedestrians, cyclists, buses, and first responders can all be left without a safe or practical way through. These stoppages are often not just a matter of waiting a few minutes. Trains can sit across city streets for long stretches of time, sometimes for an hour or more.

What concerns me most is how normal this has become. The trains are unpredictable, and drivers have started to treat blocked crossings as something they have to beat or work around. I have seen people race to get ahead of a train, drive the wrong way down one-way streets, run stop signs, and speed through school zones looking for a bypass. That behavior is dangerous, but it is also a predictable result of repeated blocked crossings in a neighborhood where people are trying to get to work, school, medical appointments, or home.

The same problem exists for pedestrians and cyclists. At crossing ID 859522Y at Eastwood Street on the Galveston Subdivision, I have frequently seen people climb over or under stopped rail cars. I have even seen parents bring very young children under stationary rail cars because the train has been sitting there and they do not know how long it will remain. Cyclists carrying bicycles through or around stopped trains is something we see all the time. People should not feel like they have to make that choice just to move through their own neighborhood.

Why this matters in our community

Blocked crossings are not just an inconvenience. They create real safety risks. They can delay fire, EMS, and police response. They cut off access to schools, medical facilities, workplaces, and homes. They also affect people who are walking, biking, riding the bus, pushing strollers, or trying to help children get to school.

Eastwood and the surrounding East End neighborhoods have lived with freight rail for generations. We understand that rail is part of Houston's economy. But the current level of blockage already creates serious problems, and it is hard to see how those problems improve if train lengths and freight volumes continue to increase without enforceable conditions. As rail operators build longer trains to reduce costs, and as more traffic moves through Houston toward Texas coastal ports, it is reasonable to expect that this merger could make these impacts worse unless the Board addresses them directly.

The Applicant's position should not control the Board's review

In their May 12, 2026, reply on completeness (UP-51/NS-49, Section XI), Applicants take the position that blocked crossings are appropriately addressed only through the Board's environmental review process under 49 C.F.R. § 1180.8(a)(2). I respectfully disagree with treating this as a procedural punt to a separate, slower track.

Environmental review on its own does not produce enforceable operating conditions on the merged railroad. A meaningful response to blocked crossings requires conditions imposed at the time of merger approval, with measurable reporting requirements and a real enforcement mechanism. Without those, communities along the line have no practical recourse when blockages happen.

The Board has clear authority under 49 U.S.C. § 10101 and 49 U.S.C. § 11324(c) to impose conditions necessary to protect the public interest, including conditions addressing community impacts of a proposed control transaction. Approving this merger without addressing blocked crossings in densely populated communities would consolidate freight rail control through our neighborhood without corresponding accountability.

Conditions I respectfully request

I respectfully ask that the Board:

1. Treat blocked crossings as a substantive issue in this proceeding, in addition to 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 the East End of Houston.
3. Condition any approval of the proposed transaction on enforceable measures to reduce blocked crossings, including:
 - a. A requirement that Applicants share real-time train movement information with local emergency services and 911 dispatchers.

- b. Public quarterly reporting on blockage frequency and duration at identified high-impact crossings.
- c. A dedicated regional point of contact and complaint process for affected residents and local governments.
- d. d. Investment in grade separation, signaling improvements, or other mitigation at crossings the Board identifies as posing the greatest public safety risk.

Closing

Blocked crossings in Eastwood and in greater Houston are not rare events, and they are not just frustrating delays. They affect how people drive, walk, bike, and respond to emergencies in our neighborhood. The proposed merger should not be approved without enforceable conditions and mitigation efforts to address these impacts directly.

Respectfully submitted,
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cc: 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.

/s/ Robert Dippel
Robert Dippel