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

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Office of Chief Counsel
July 23, 2026
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Public Record

Re: Docket No. FD 36873, *Union Pacific Corp., et al. - Control - Norfolk Southern Corp., et al. Railway Infrastructure.*

Dear Counsel for Applicants, Judge Soulikias and parties of record,

**Railroads at a Crossroads:
The Case Against the Union Pacific & Norfolk Southern Merger**

Introduction:

The Union Pacific (UP) and Norfolk Southern (NS), Docket FD 36873, merger, stands as a pivotal moment. Proponents argue that the consolidation will enhance efficiency and take millions of trucks off the roads, translating into significant environmental and logistical benefits. However, a closer examination reveals that the merger may exacerbate existing issues within the rail industry, including congestion, labor shortages, and the ability to support a resurgent manufacturing sector in the United States. Moreover, questions have been raised to both Vena & George and RR personnel and filed with the Surface Transportation Board (STB), which have mostly gone unanswered, adding to the concerns surrounding the merger.

Capacity Concerns and Logistical Challenges

The claim that the merger will remove 2,100,000 trucks from the roads, equating to 10,500 trains or 29 trains per day, is ambitious yet fundamentally flawed. The current rail infrastructure already faces significant congestion issues, with mainlines and rail yards often struggling to manage existing traffic. The addition of this volume of new trains could lead to severe delays, undermining the reliability that industries have come to expect from rail transport.

Impact on Manufacturing and Supply Chains

As the Trump administration's policies encourage the return of manufacturing to the United States, industries such as automotive, steel, and manufacturing rely heavily on railroads to transport raw materials and finished goods. The merger's potential to disrupt these supply chains poses a critical threat to the economic revitalization efforts. The current administration's reopening of the coal market further complicates the situation, as coal, predominantly moved by rail, will compete for track space and resources.



Labor Dynamics and Workforce Concerns

A critical challenge facing the rail industry is the exodus of skilled workers. The demanding lifestyle of railroaders, who are often away from home for extended periods, is no longer balanced by competitive pay. Maintenance of Way (MOW) employees face similar hardships, leading to workforce shortages that could be exacerbated by the merger. Without an adequate labor force, the proposed operational efficiencies are unlikely to materialize.

Stakeholder Opposition and Economic Implications

The merger faces opposition from a diverse array of stakeholders, including customers, consignees, cities, rail unions, and industry groups such as agriculture, lumber, and frozen foods. These entities fear that consolidation will lead to diminished service quality and increased costs. Even other Class 1's, regional and shortline railroads, which play a vital role in the broader rail network, express concerns about being overshadowed or squeezed out by the larger merged entity.

Conclusion: A Call for Re-evaluation

While the merger may appeal to the executives and shareholders of UP and NS, it fails to adequately consider the broader implications for the rail industry and the American economy. The potential for increased congestion, labor challenges, and supply chain disruptions suggests that the merger could do more harm than good. As such, stakeholders and regulators must carefully weigh the proposed benefits against the foreseeable drawbacks and explore alternative strategies that prioritize sustainable growth and operational resilience.

Certificate of Service

I certify that I caused the foregoing 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.

A handwritten signature in black ink, reading 'Daniel M. Bigda', is written over a light gray rectangular background.

Sincerely,
Daniel M. Bigda
M4 Railcar Group