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Office of Chief Counsel

August 24, 2026

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Part of

Public Record

Chief of Case Administration
Office of Chief Counsel
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.***

Dear Chief of Case Administration:

This letter addresses the Comments of the “Allied Rail Unions,” filed August 19, 2026. Under Decision No. 30, as clarified by Decision No. 32, parties have five days to reply to pleadings filed with the Board after Decision No. 30 on matters not delegated to the ALJ.

Applicants have not filed, and do not intend to file, replies to the many unauthorized pleadings submitted in this proceeding as a matter of course.

Applicants write only to note that they intend to address, on August 26, 2026, the pleadings arguing that Applicants have not presented a prima facie case, which is 20 days from the date the first such pleadings were filed, consistent with 49 C.F.R. § 1104.13(a).

Sincerely,

/s/ Michael L. Rosenthal

Michael L. Rosenthal
Attorney for Union Pacific
Corporation and Union
Pacific Railroad Company

cc: ALJ Soulikias
All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August, 2026, the foregoing document was served by first-class mail or email on all parties of record in this proceeding, the Secretary of Transportation, the Attorney General of the United States, and Administrative Law Judge Jenifer Soulikias.

/s/ Daniel Damitio