

**Before the
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36873

ENTERED
Office of Chief Counsel
September 9, 2026
Part of
Public Record

**UNION PACIFIC CORPORATION AND UNION PACIFIC RAILROAD COMPANY
- CONTROL -
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY**

**DESCRIPTION OF ANTICIPATED RESPONSIVE APPLICATION BY
CHICAGO, FT. WAYNE & EASTERN RAILROAD**

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September 9, 2026

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Central Railroad Company of
Indianapolis*

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In accordance with the Board’s Decision No. 30 served in this proceeding on August 18, 2026, Chicago, Ft. Wayne & Eastern Railroad, a division of Central Railroad Company of Indianapolis (“CFE”) submits this Description of Anticipated Responsive Application.

Background

CFE is a Class II railroad that operates over approximately 279 miles of track in Indiana and Ohio. As relevant to the Proposed Transaction, CFE interchanges with Norfolk Southern Railway Company (“NS”) in Fort Wayne, Indiana and in Lima, Ohio, and with Union Pacific Railroad Company (“UP”) via the Indiana Harbor Belt Railroad (“IHB”) in Chicago, Illinois.

If the Board does approve the Proposed Transaction, CFE anticipates that it will be seeking as conditions to the Board’s approval, the acquisition of the following described rights that potentially would require responsive application(s), to insulate CFE and its customers from any potential negative impacts of the Proposed Transaction.

Description of Anticipated CFE Trackage Rights Requests

CFE anticipates that it may file a responsive application seeking trackage rights over the following NS lines and routes:

1. Fort Wayne, IN - Logansport, IN: Trackage rights over NS between Fort Wayne, IN and Logansport, IN, including
 - a. The right to interchange with Toledo, Peoria & Western Railway Corp. at Logansport, IN.
2. Hobart, IN (NS CP Lake) – Various Points in and near Chicago, IL: Trackage rights over NS between Hobart, IN (NS CP LAKE) and Chicago, Il area gateways, and including
 - a. The right to interchange with Indiana Harbor Belt Railway (“IHB”) at Hammond / Osborn, IN for further access to IHB’s Gibson Yard and Blue Island Yard;
 - b. The right to interchange with Belt Railway of Chicago at Pullman Junction, IL via Calumet Yard;
 - c. The right to interchange with Chicago Rail Link at Pullman Junction, IL via Calumet Yard;
 - d. The right to interchange with Chicago South Shore Railway at Kensington, IL; and
 - e. The right to interchange with Canadian National Railway Company at Van Loon (Gary), IN (I-94 overpass just south of West 25th Avenue).
3. Tolleston, IN - Dune, IN: Contingent on a subsequent downstream merger involving CSX Transportation, Inc. (“CSX”), trackage rights over NS between Tolleston, IN and Dune, IN, together with installation of the previous planned diamond to cross CSX at Tolleston, including
 - a. The right to interchange with Canadian National at Dune.

Additional Conditions and Relief

The above descriptions of anticipated responsive applications are presented in response to the abbreviated schedule provided by the Board. As the record in this proceeding develops, CFE may elect not to seek all of the responsive applications, and may seek as relief additional conditions, whether or not requiring a responsive application, in its comments and requests for conditions scheduled to be filed November 18, 2026 in accordance with the procedural schedule, or as the Board may modify the procedural schedule in the future.

Respectfully submitted,



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Central Railroad Company of Indianapolis*

Dated: September 9, 2026

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of September 2026, the foregoing document was served by first-class mail or email upon all parties of record on the service list and the administrative law judge assigned in this proceeding.



Justin J. Marks