

**Before the
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36873

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

**DESCRIPTION OF ANTICIPATED RESPONSIVE APPLICATION BY
INDIANA & OHIO RAILWAY COMPANY**

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September 9, 2026

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**DESCRIPTION OF ANTICIPATED RESPONSIVE APPLICATION BY
INDIANA & OHIO RAILWAY COMPANY**

In accordance with the Board’s Decision No. 30 served in this proceeding on August 18, 2026, Indiana & Ohio Railway Company (“IOY”) submits this Description of Anticipated Responsive Application.

Background

IOY is a Class II railroad that operates over approximately 511 miles of track in Indiana, Michigan and Ohio. As relevant to the Proposed Transaction, IOY interchanges with Norfolk Southern Railway Company (“NS”) in Cincinnati, Columbus, Lima, Sharonville and Springfield, Ohio.

If the Board does approve the Proposed Transaction, IOY 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 IOY and its customers from any potential negative impacts of the Proposed Transaction.

Description of Anticipated IOY Trackage Rights Requests

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

1. Leipsic, OH - Fort Wayne, IN – Logansport, IN: Trackage rights over NS between Leipsic, OH, Fort Wayne, IN and Logansport, IN, allowing for continuous IORY train movements between Leipsic and Logansport, and including
 - a. The right to interchange with Toledo, Peoria & Western Railway Corp. at Logansport, IN; and
 - b. The right to interchange with NS at Fort Wayne, IN, including interchange with NS to access customers open to reciprocal switch in Fort Wayne.
2. Leipsic, OH - Fort Wayne, IN – Various Points in and near Chicago, IL: Trackage rights over NS between Leipsic, OH, Fort Wayne, IN 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. IORY Points - Columbus, OH area: Trackage rights over NS between:
 - a. CP Russ (CP 139), OH on the IORY and the connection with CSX Transportation Inc. (“CSX”) at Scioto Tower at Parsons Yard (Columbus, OH), including
 - i. The right to interchange with CSX at Parsons Yard.
 - b. Springfield, OH on the IORY and CP 138 (Columbus, OH) on The Columbus and Ohio River Rail Road Company (“CUOH”), including
 - i. The right to interchange with CUOH at CP 138.
 - c. Springfield, OH on the IORY and Miami Crossing (Columbus, OH) on the Camp Chase Railroad, including
 - i. The right to interchange with Camp Chase Railroad at Miami Crossing.

4. Springfield, OH – Cincinnati, OH: Amend existing IOFY trackage rights over NS between Springfield, OH and Cincinnati, OH to allow access to and through NS's Berry Yard, including:
 - a. A requirement for NS to interchange with IOFY in Berry Yard.
5. Red Bank, OH – NS's Clare Yard, OH: Trackage rights over NS between Red Bank, OH and Clare Yard, OH, including:
 - a. The right of IOFY to interchange with Cincinnati Eastern Railroad in Clare Yard.
6. Delta, OH – Port of Toledo, OH: Contingent on IOFY constructing a connection to NS in Delta, OH, trackage rights over NS between Delta, OH and those terminals within the Port of Toledo that are located on NS.

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, IOFY 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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Dated: September 9, 2026

Counsel for Indiana & Ohio Railway Company

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