

**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
THE COLUMBUS & OHIO RIVER RAIL ROAD COMPANY**

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September 9, 2026

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Rail Road Company*

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THE COLUMBUS & OHIO RIVER RAIL ROAD COMPANY**

In accordance with the Board’s Decision No. 30 served in this proceeding on August 18, 2026, The Columbus & Ohio River Rail Road Company (“CUOH”) submits this Description of Anticipated Responsive Application.

Background

CUOH is a Class II railroad operating over approximately 243 miles of track in Ohio. As relevant to the Proposed Transaction, CUOH interchanges with Norfolk Southern Railway Company (“NS”) in Columbus and Goulds, Ohio.

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

Description of Anticipated CUOH Trackage Rights Requests

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

1. Between CP 138 (Columbus, OH) on CUOH and Springfield, OH on the Indiana & Ohio Railway Company (IORY), including
 - a. The right of CUOH to interchange with IORY at Springfield.

2. Between CP 138 (Columbus, OH) on CUOH and Miami Crossing (Columbus, OH), including
 - a. The right of CUOH to interchange with Camp Chase Railroad at Miami Crossing.

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, CUOH 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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Counsel for The Columbus & Ohio River Rail Road Company

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