

**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
TEXAS NORTHEASTERN RAILROAD**

Eric M. Hocky
Clark Hill PLC
Two Commerce Square
2001 Market St.
Suite 2620
Philadelphia, PA 19103
(215) 640-8523

Justin J. Marks
Clark Hill PLC
601 13th Street NW, Suite 600
Washington, DC 20005
(202) 772-0916

UPNScontrol@clarkhill.com

*Counsel for Texas Northeastern Railroad,
a division of Mid-Michigan Railroad, Inc.*

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TEXAS NORTHEASTERN RAILROAD**

In accordance with the Board’s Decision No. 30 served in this proceeding on August 18, 2026, Texas Northeastern Railroad, a division of Mid-Michigan Railroad, Inc. (“TNER”) submits this Description of Anticipated Responsive Application.

Background

TNER is a Class III railroad that operates over 67 miles of track in Texas and Oklahoma. As relevant to the Proposed Transaction, TNER interchanges with Union Pacific Railroad (“UP”) in Texarkana and Denison, Texas.

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

Description of Anticipated TNER Trackage Rights Requests

TNER anticipates that it may file a responsive application seeking trackage rights over UP extending from Denison, TX to Durant, OK, including the right of TNER to interchange with Kiamichi Railroad Company L.L.C. in Durant.

Additional Conditions and Relief

The above description of an anticipated responsive application is presented in response to the abbreviated schedule provided by the Board. As the record in this proceeding develops, TNER may elect not to seek a responsive application, 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,



Eric M. Hocky
CLARK HILL PLC
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2001 Market St. Suite 2620
Philadelphia, PA 19103
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Justin J. Marks
CLARK HILL PLC
601 13th Street NW, Suite 600
Washington, DC 20005
(202) 772-0916

UPNScontrol@clarkhill.com

Counsel for Texas Northeastern Railroad, a division of Mid-Michigan Railroad, Inc.

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 in this proceeding.



Justin J. Marks