

**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
TOLEDO, PEORIA & WESTERN RAILWAY CORP.**

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TOLEDO, PEORIA & WESTERN RAILWAY CORP.**

In accordance with the Board’s Decision No. 30 served in this proceeding on August 18, 2026, Toledo, Peoria & Western Railway Corp. (“TPW”) submits this Description of Anticipated Responsive Application.

Background

TPW is a Class III railroad that operates over approximately 224 miles of track in Illinois and Indiana. As relevant to the Proposed Transaction, TPW interchanges with Union Pacific Railroad Company (“UP”) in Sommer, Watseka and Chenoa, Illinois, and with Norfolk Southern Railway Company (“NS”) in Logansport, Indiana.

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

Description of Anticipated TPW Trackage Rights Requests

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

1. Logansport, IN - Ft. Wayne, IN - Leipsic, OH. Trackage rights over NS between Logansport, IN, Fort Wayne, IN and Leipsic, OH, allowing for continuous TPW train movements between Logansport and Leipsic, and including
 - a. The right to interchange with Indiana & Ohio Railway Company in Leipsic, OH;
 - b. The right to interchange with NS in Fort Wayne, IN, including interchange with NS to access customers open to reciprocal switch in Ft. Wayne, IN; and
 - c. The right to interchange with Chicago, Ft. Wayne & Eastern Railroad in Ft. Wayne, IN.
2. Watseka, IN – Various Points in and near Chicago, IL: Trackage rights over UP between Watseka, IN and Chicago, IL area gateways, to allow interchange, and including
 - a. The right to interchange with Indiana Harbor Belt Railway (“IHB”) at Dalton Jct. with the ability to go east or west to access IHB’s Blue Island Yard and Gibson Yard; and
 - b. The right to interchange with Belt Railway of Chicago (“BRC”) at or in the environs of 80th Street Junction, Chicago, IL.
3. Hollis, IL – Sommer, IL: Amend existing TPW trackage rights over UP to allow TPW to access the industries on the Illinois River near and between Hollis, IL and Sommer, IL, to include access from milepost 0 on the Tazewell & Peoria Railroad, Inc. (“TZPR”) which is located at the UP and TZPR connection north of Hollis (subject to TPW obtaining trackage rights over its affiliate TZPR between the TZPR -TPW connection and milepost 0).

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, TPW 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 Toledo, Peoria & Western Railway Corp.

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