



ENTERED
Office of Chief Counsel
September 29, 2026
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Public Record

September 22, 2026

The Honorable Patrick J. Fuchs
Chairman
Surface Transportation Board
Washington, DC

Re: PhilaPort Participation in Surface Transportation Board Proceedings Regarding Proposed Union Pacific–Norfolk Southern Merger (Docket FD 36873)

Dear Chairman Fuchs:

PhilaPort writes to formally communicate its intent to participate in the Surface Transportation Board's ("STB") proceedings regarding the proposed merger between Union Pacific Railroad and Norfolk Southern Corporation.

PhilaPort is an independent agency of the Commonwealth of Pennsylvania responsible for the development and management of marine terminals in eastern Pennsylvania. Competitive, reliable, and cost-effective rail service is vital to improving and expanding freight opportunities at our facilities and supporting the significant related economic activity generated by the Port throughout the region.

As background, PhilaPort's facilities are serviced by Conrail Shared Assets Operations, which interchanges with both Norfolk Southern and CSX Transportation. Additionally, PhilaPort recently acquired the Mustin Intermodal Facility and has granted Norfolk Southern exclusive access rights to the facility. Given PhilaPort's existing and future reliance on Norfolk Southern rail service, the proposed merger is of significant interest to the agency and its customers.

PhilaPort's specific interest in this proceeding is to ensure that any approved merger results in continued competitive, reliable, and cost-effective rail service and supports the evolving freight transportation needs of the Port, its customers, and the broader regional economy. We intend to participate in the proceeding to better understand the potential impacts of the proposed transaction and to advocate for outcomes that protect and advance these interests.

We look forward to working with the STB, Union Pacific, Norfolk Southern, and other stakeholders throughout the review process to ensure that the proposed merger serves the public interest and supports the needs of the communities, businesses, and customers that rely on the region's rail freight transportation network.

Sincerely,

Rich Lazer
Executive Director and CEO
PhilaPort



**Executive Director &
Chief Executive Officer**

September 25, 2026

The Honorable Patrick J. Fuchs
Chairman
Surface Transportation Board
Washington, DC

RE: CERTIFICATE OF SERVICE

I hereby certify that by September 30, 2026, I served a copy of the foregoing Comments of PhilaPort upon all Parties of Record in Docket No. FD 36873, by email where email service is acceptable and by first-class mail where email service is not acceptable, in accordance with the Surface Transportation Board's applicable service requirements.

The following contacts were notified:

1. Sean P. Duffy, Secretary of Transportation (First Class Mail)
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590
2. Attorney General of the United States (First Class Mail)
c/o Assistant Attorney General, Antitrust Division
U.S. Department of Justice
Room 3109
Washington, DC 20530
3. Michael L. Rosenthal — representing Union Pacific
Covington & Burling LLP
Email: mrosenthal@cov.com
4. Raymond A. Atkins — representing Norfolk Southern
Sidley Austin LLP
Email: ratkins@sidley.com
5. Hon. Jenifer S. Soulikias — Administrative Law Judge
Email: alj.soulikias.inbox@stb.gov

Sincerely,

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