

ENTERED
Office of Chief Counsel
October 1, 2026
Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

UNION PACIFIC CORPORATION AND UNION PACIFIC RAILROAD
COMPANY – CONTROL – NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY

FINANCE DOCKET NO. 36873

**MOTION FOR LEAVE TO ACCEPT
NOTICE OF INTENT TO PARTICIPATE OUT OF TIME**

ERIC S. STROHMEYER (individually), CNJ RAIL CORPORATION,
NEWCO ENTITIES I and II, and a COMPANY TO BE NAMED LATER

Now come Eric S. Strohmeyer (“Strohmeyer”), in his individual capacity, CNJ Rail Corporation (“CNJ Rail”), two soon-to-be-formed legal entities, and one additional long-established organization to be named later (collectively, “Movants”), and pursuant to 49 C.F.R. § 1104.7(b), respectfully request that the Surface Transportation Board (“Board”) accept their previously filed Notice of Intent to Participate out of time.

On September 30, 2026, Movants electronically submitted their Notice of Intent to Participate in the above-captioned proceeding. Upon reviewing the Board's electronic acknowledgment of that submission, Movants observed that the Board's electronic filing system recorded receipt of the Notice at precisely 12:00 a.m. on

October 1, 2026. A copy of the Board's electronic acknowledgment is attached hereto as Exhibit A.

The Board has accordingly treated the Notice of Intent to Participate as filed on October 1, 2026. Because the deadline for filing Notices of Intent to Participate was September 30, 2026, Movants promptly submit this Motion to avoid any procedural issue arising from the filing date.

The delay was inadvertent and minimal, and Movants respectfully submit that acceptance of the Notice as filed will cause no prejudice to any party or otherwise disrupt the procedural schedule established in this proceeding.

Movants apologize to the Board and the parties for the inadvertent delay.

WHEREFORE, for the foregoing reasons, Movants respectfully request that the Board grant this Motion and accept their Notice of Intent to Participate, as filed on October 1, 2026, out of time.

Respectfully submitted

Eric S. Strohmeier /s/

Eric S. Strohmeier
Individually, President
Authorized Representative

CNJ Rail Corporation
P.O. 4232
Warren, NJ 07059

Dated: October 1, 2026

CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing Motion for Leave to Accept Notice of Intent to Participate Out of Time to be served electronically on the Secretary of Transportation and the Attorney General of the United States, Applicants' representatives, Administrative Law Judge Jenifer Soulikias, and all parties of record in this proceeding.

Out of an abundance of caution, a copy of the Notice of Intent to Participate, as entered by the Board on October 1, 2026, has also been included with the electronic service of this Motion to ensure that all parties of record have been provided a copy of the Notice addressed herein.

Respectfully submitted,

Eric S. Strohmeyer /s/

Eric S. Strohmeyer

Dated: October 1, 2026

EXHIBIT A

SURFACE TRANSPORTATION BOARD

ACKNOWLEDGMENT OF FORMAL FILING SUBMISSION



Outlook

Acknowledgement of Formal Filing submission.

From eservice@stb.gov <eservice@stb.gov>**Date** Thu 2026-10-01 00:00**To** e.strohmeyer cnjrail.com <e.strohmeyer@cnjrail.com>

Thank you for your submission in docket number(s) FD_36873. Submissions that will appear on the Surface Transportation Board's website will be posted after they are processed during regular business hours. If you have any questions, please contact us at (202) 245-0350.