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Office of Chief Counsel
November 3, 2026
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Public Record

Chief of Case Administration
Office of General Counsel
Surface Transportation Board
395 E Street SW, Washington, DC 20423-0001

Re: Docket No. FD 36873, Union Pacific Corp. and Union Pacific Railroad Co. — Control — Norfolk Southern Corp. and Norfolk Southern Railway Co.: Comment of an East End Houston resident on rail safety and community coercion, with a request to extend the public comment period

To Board Members:

My name is Lindsay Williams. I live in Houston's East End, and I write as a private resident and have submitted statements to this board before. Union Pacific trains run through the middle of my neighborhood every day. I ask the Board to do three things:

- First, extend the November 18, 2026 comment deadline for the public and local governments until 60 days after the video of Union Pacific CEO Jim Vena's remarks at the Southwest Association of Rail Shippers (SWARS) conference is released without restriction.
- Second, require the Applicants to address pedestrian and crossing safety in densely populated urban neighborhoods before the Board rules.
- Third, examine whether Union Pacific has used its charitable giving to pressure community organizations to support this merger.

A neighbor was struck by a Union Pacific train. Safety in dense, urban neighborhoods remains unaddressed. This isn't even the first time this year.

On September 30, 2026, a person was struck by a Union Pacific train at or near Lockwood Dr at the Galveston Subdivision. I drove by less than 15 minutes before it happened and saw the person on the tracks. The official report says that sometime after I drove by, the individual lay down between the tracks and was struck by the train. The individual survived, but lost a foot.

This is not the first time. On December 9, 2024, Sergio Rodriguez, a 15-year-old Milby High School student, was struck and killed by a Union Pacific train at Broadway and Brumblay on his way to school. A parent told reporters that a train had been stopped on the tracks that morning and that he helped his own daughter walk under it. In 2019, an ambulance coming to Jose Carpio, a 24-year-old East End man pinned under his car on Jefferson Street, had to turn around and find another route because a train blocked the intersection. Children in the East End climb over and under stopped trains to reach McReynolds Middle School. The Houston Fire Department has reported roughly 96 to 100 delays or reroutes a month caused by blocked crossings.

The federal data show the scale. In 2025, Union Pacific accounted for 9,919 of the 24,582 reports filed with the Federal Railroad Administration's Blocked Crossing Incident Reporter,

about 40 percent of all reports nationwide. Texas accounted for 7,098, more than any other state. Several East End crossings, including Leeland, Milby, Cullen, Eastwood and Lockwood, are among the most reported in the country.

The Applicants project more trains through the Houston terminal after the merger. Yet their filings do not analyze what added traffic means for people who walk, bike, ride buses, and go to school beside these tracks: pedestrian strikes, trespass, children crossing stopped trains, and delayed emergency response. Federal courts have held that state and local limits on blocked crossings are largely preempted. That leaves this Board as one of the few authorities able to require protections.

I ask the Board to:

- require the Applicants to file a pedestrian and grade-crossing safety analysis for densely populated urban areas on the merged system, beginning with the Houston terminal, before the record closes;
- condition any approval on enforceable limits on blocked-crossing duration in residential areas and near schools, with public reporting;
- condition any approval on Applicant funding for grade separations and pedestrian crossings at the most-reported East End crossings.

Union Pacific offers Houston as proof the merger will work. Houston leads the nation in blocked crossings

On October 12, 2026, Union Pacific published "Building What Two Railroads Can't," by Carl Garrison, its Vice President of Network Planning and Operations. The article offers Houston as proof that this merger will deliver: "History shows that mergers can unlock investments that would be difficult to justify on separate networks." It says that since the 1996 Southern Pacific merger, Union Pacific has "invested more than $4 billion in the Houston industrial complex, expanding capacity, improving fluidity," and "strengthening one of the nation's most important freight hubs." It names no Houston project. For the people who live beside those tracks, the federal record tells a different story. Houston is where freight trains block streets more than anywhere else in the country:

- In 2025, Union Pacific accounted for about 40 percent of all reports to the FRA Blocked Crossing Incident Reporter nationwide (9,919 of 24,582). Texas had 7,098, more than three times the next state, Illinois (1,896).
- From February 2022 to February 2023, the City of Houston alone had 3,429 reports, more than every state except Texas. Four Union Pacific crossings in the East End (Leeland, Milby, Cullen and Eastwood) each had more reports than all but eight states.
- In the 12 months ending in early 2023, the East End drew more stopped-train complaints than any other neighborhood in the nation.
- Houston has logged about 23,000 FRA complaints since 2021, and 2026 is on pace to exceed the previous five years combined.

If this is what thirty years of merger-driven investment has produced in Houston, every community on the merged system should be concerned. Houston also knows what the last merger brought: after the 1996 Union Pacific–Southern Pacific merger, the 1997 service crisis centered on the Houston area and led this Board to issue emergency service orders.

The merger would add even more traffic to this same neighborhood. In the Applicants' own September 9, 2026 Master Data Tables (EI-34309), the Settegast intermodal facility in northeast Houston grows from 242 to 610 units per day by Year 5, a 140.2 percent increase. The Applicants' estimate of added truck trips at Settegast has changed from filing to filing, ranging from about 350 to more than 500 additional trucks per day. Their environmental data also project more trains per day on the line from Dawes into Houston at Tower 87. Yet the same tables mark every Houston East Belt, West Belt, and terminal segment as below the Board's thresholds for environmental review, so the streets where trains actually stop are not being studied.

The Applicants still have not shown how they will move these additional trains and trucks through an already overburdened neighborhood, or how they will reduce blocked crossings rather than add to them. Before the Board rules, I ask it to require the Applicants to file:

- a project-by-project accounting of the more than $4 billion Union Pacific says it has invested in the Houston industrial complex since 1996, showing where each project is and whether it reduced blocked crossings in East End neighborhoods;
- a Houston terminal operating plan showing which lines the added trains will use, how many trains, how long they will be, and at what hours;
- a blocked-crossing reduction plan with measurable targets for named East End crossings, using FRA portal data as the baseline, with public quarterly reporting;
- a truck traffic and routing plan for the Settegast facility and the surrounding residential streets.

Any approval should be conditioned on meeting those targets, with Board oversight and consequences if they are missed.

Community organizations report feeling forced to support the merger

People in my community say nonprofit organizations felt they had to support this merger or risk losing grant funding from Union Pacific. Those organizations are afraid to say so publicly because they fear retaliation from Union Pacific.

I cannot name them for that reason, and that is the point. These organizations serve the neighborhoods that bear the most burden from Union Pacific's operations. If they believe their funding depends on what they tell this Board, then the support letters in this docket do not reflect independent community judgment. Their silence cannot be read as support.

The Board has already said, in Decision No. 28 (July 22, 2026), that it "will not tolerate retaliation" in connection with reported statements by Mr. Vena. I ask the Board to state that this

protection covers community and nonprofit organizations as well as shippers, and to give such organizations a confidential way to report pressure to the Board.

Union Pacific stopped giving to organizations that did not support the merger

We know that in one case, Union Pacific declined to donate to a community organization that did not support the merger, even though it had donated to those same organizations in previous years. For example, Union Pacific was a sponsor for the Eastwood Civic Association Home Tour for two years, then declined this year for no apparent reason. Whatever the company's intent, for communities that live beside its yards and mainlines, this looks like retaliation. It falls on the communities most burdened by the railroad, and it chills the public participation this proceeding depends on.

I ask the Board to require the Applicants to disclose, for 2023 through 2026, their charitable contributions, grants, and sponsorships to organizations located in or serving communities along the merged system's lines. The disclosure should identify recipients that filed support letters in this docket and recipients whose funding was reduced or ended. The Applicants should also certify that no contribution was offered, continued, or withheld on the basis of a recipient's position on this merger.

The public needs time to evaluate the SWARS video before commenting

Mr. Vena's SWARS remarks were made in Houston, my city, in March 2026. According to BNSF filings (BNSF-69) and the Joint Shipper Associations, the Administrative Law Judge ruled in Decision No. 43 (October 23, 2026) that the video should be made public. The deadline to appeal that ruling was October 28. Union Pacific did not release the video. Instead, it filed its appeal late on Friday, October 30, after 7:00 p.m., and offered to post the video on its own pro-merger website, where it could control how the video is used and track who watches it.

As of today, November 3, 2026, the public still cannot see a video that, as the parties describe it, shows the applicant's CEO threatening shippers with rate increases for opposing the merger. That evidence goes directly to how Union Pacific would use its power after the merger. It is just as relevant to residents, nonprofits, and municipalities, who are being asked to weigh in while facing the same kind of pressure described in Sections 2 and 3. No one should have to give Union Pacific its identity to see evidence of Union Pacific's conduct.

Comments are due November 18, 2026. The Applicants' own delay has kept this evidence from the public, and the public should not lose its chance to consider it. I ask the Board to:

- deny Union Pacific's appeal and its proposed alternative, and require the video to be posted on the Board's public docket without restriction;
- extend the deadline for comments from the public, community organizations, and local governments to 60 days after the video is posted; or, at a minimum, allow supplemental comments addressing the video during that 60-day period.

My neighbors are being hurt by Union Pacific trains today, and the Applicants have not shown how a larger railroad will make my neighborhood safer. If the Board does not deny the application, it should not approve it before the public has seen the evidence, organizations can speak without fear of losing funding, and enforceable safety conditions are in place for densely populated communities like mine.

Thank you for considering this comment.

Respectfully submitted,



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Certificate of Service

I hereby certify that on this **November 3, 2026,** the foregoing document was served to all parties of record to this proceeding.

Lindsay Williams