Surface Transportation Board
Washington, D.C. 20423-0001

312874

November 16, 2026

ENTERED
Office of Chief Counsel
November 16, 2026
Part of
Public Record

The Honorable Troy A. Carter, Sr.
442 Cannon House Office Building
Washington, DC 20515-1802

Dear Representative Carter:

Thank you for your recent letter regarding the anticipated responsive application described by New Orleans Public Belt Railroad Commission (NOPB) concerning the proposed merger of Union Pacific (UP) and Norfolk Southern (NS). We appreciate hearing your views regarding the importance of the New Orleans rail gateway and the potential effects of NOPB's anticipated request for trackage rights. Please be assured that the Surface Transportation Board (Board) will continue to conduct a rigorous and comprehensive evaluation of the proposed merger, as well as any responsive applications, as required by law.

The Board evaluates major merger proposals based on public interest criteria prescribed in 49 U.S.C. § 11324 and the rail transportation policy set forth in 49 U.S.C. § 10101. In determining whether a major merger serves the public interest, the Board considers several key goals, including promoting effective competition, ensuring carrier safety and efficiency, providing adequate service for shippers, safeguarding the environment, and maintaining fair working conditions for employees. 49 C.F.R. § 1180.1(b).

Under the procedural schedule in the merger proceeding, descriptions of anticipated responsive applications were due September 9, 2026, and responsive applications are due on November 18, 2026. The Board will carefully review each responsive application for completeness, and by December 18, 2026, publish notice in the Federal Register of any responsive applications accepted for further consideration. Accepted responsive applications will be subsequently evaluated on their merits alongside the primary application filed by UP and NS.

Because this is a pending matter, I cannot comment further. A copy of your letter and this reply have been placed in the public docket. If you or your staff have any questions, please contact Ms. Janie Sheng, Director of the Board's Office of Public Assistance, Governmental Affairs, and Compliance, at 202-245-0238.

Sincerely,

Patrick J. Fuchs
Chairman