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November 13, 2026

Jay C. Johnson

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Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: Docket No. FD 36873 (sub-no. 48) – Union Pacific Corp. & Union Pacific R.R. – Control – Norfolk Southern Corp. & Norfolk Southern Ry. – CPKC Responsive Application (TRRA Trackage Rights)

Dear Ms. Gosselin:

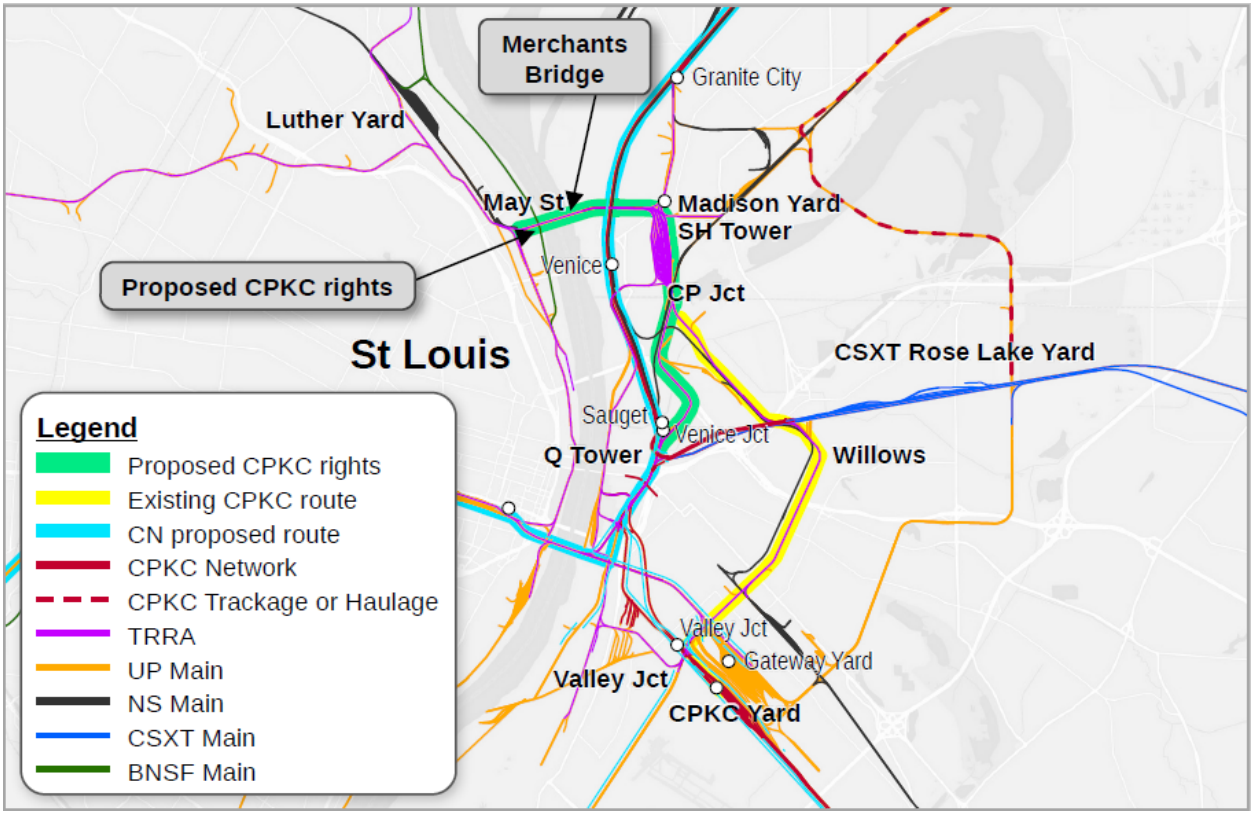
Canadian Pacific Railway Company, d/b/a Canadian Pacific Kansas City, on behalf of itself and The Kansas City Southern Railway Company (collectively, CPKC), submits to the Surface Transportation Board's Office of Environmental Analysis this environmental information for CPKC's Responsive Application addressing Terminal Railroad Association of St. Louis (TRRA) trackage rights, which CPKC will file on November 18, 2026 in Docket No. FD 36873 (sub-no. 48).

Relief Sought

The relief CPKC seeks in the TRRA Responsive Application would be necessary only if the Board approves the underlying UP-NS merger—which CPKC urges the Board not to do. For reasons CPKC has explained and will continue to explain in its merits-docket filings, the UP-NS merger is not in the public interest and the Board should deny it. If the Board concludes otherwise, it should mitigate the merger's anticompetitive effects by imposing the conditions proposed in CPKC's TRRA Responsive Application.

If the merger is approved, the TRRA Responsive Application will ask the Board to condition any approval on "close-the-gap" rights over TRRA trackage between the NS/TRRA connection at May Street and CPKC's existing trackage at CP Junction in East St. Louis, as well as confirmation of expanded rights over TRRA segments beyond CP Junction (Q Tower and Valley Junction), for movements

in CPKC's own account and for interchange with CSX Transportation, Inc. at Rose Lake Yard. A map illustrating this request appears below:



No Environmental Documentation Required

Acquiring trackage rights under 49 U.S.C. § 11323(a)(6) normally requires no environmental documentation under 49 C.F.R. § 1105.6(c)(3), which excludes "[c]ommon use of rail terminals and *trackage rights*" from environmental review. (Emphasis added.) Because the TRRA Responsive Application seeks only trackage rights, § 1105.6(c)(3)'s rule excusing preparation of environmental documentation applies here.

No Extraordinary Circumstances

The TRRA Responsive Application presents no extraordinary circumstances that would likely have reasonably foreseeable significant adverse effects. These "close-the-gap" rights would work together with the trackage rights that CPKC is

separately requesting between Mexico, MO and St. Louis, allowing CPKC to connect that new trackage rights with its existing network and partners. Together, these trackage rights could support between four and six trains per day, but the UP-NS application already shows over 10 trains per day in Year 5 without the proposed merger and 1.56 new trains per day as a result of the merger. These trackage-rights related changes to existing traffic patterns offer no reason to conclude that the TRRA Responsive Application would likely have reasonably foreseeable significant adverse effects on the environment.

Operating Plan and Supporting Evidence

CPKC will file an operating plan and verified statement with the TRRA Responsive Application on November 18, 2026. Those materials, which are still being finalized, will provide additional support for the operational facts discussed in this letter, and CPKC incorporates them by reference. If the final Responsive Application is materially different from what is described in this letter, CPKC will supplement its submission to OEA.

* * *

For the reasons discussed above, the TRRA Responsive Application should not require environmental documentation under 49 C.F.R. § 1105.6(c).

As always, we are happy to discuss these issues with you, so please contact me if you have any questions or need any additional information.

Sincerely,



Jay C. Johnson

cc: Elizabeth Webster
Joe Van Humbeck
Glen Wilson
Alan Summerville
Waymon Peer