November 17, 2026

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Surface Transportation Board
395 E Street SW
Washington, DC 20423

Via electronic submission

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November 17, 2026
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BEFORE THE SURFACE TRANSPORTATION BOARD
Docket No. FD 36873

UNION PACIFIC CORPORATION—CONTROL—NORFOLK SOUTHERN CORPORATION

COMMENT OF AND REQUEST FOR CONDITIONS VALLEY REGIONAL TRANSIT

Dear STB Board members,

Pursuant to 49 U.S.C. § 11325 and Decision No. 30 in the above-captioned proceeding, the Valley Regional Transit (VRT) hereby submits comments and requests for conditions on the proposed acquisition of control (the "Transaction") of Norfolk Southern Corporation and Norfolk Southern Company ("NS") by Union Pacific Corporation and Union Pacific Railroad Company ("UP"; collectively, the "Applicants"), as reflected in the Amended Railroad Control Application filed April 30, 2026, as supplemented July 7 and July 27, 2026.

Sincerely,

Elaine Clegg
Chief Executive Officer
Valley Regional Transit
700 NE 2nd Street, Suite
100 Meridian, Idaho 83642

CC: Parties of Record

BEFORE THE SURFACE TRANSPORTATION BOARD

WASHINGTON, D.C.

Docket No. FD 36873

UNION PACIFIC CORPORATION—CONTROL—NORFOLK SOUTHERN CORPORATION

COMMENT OF AND REQUEST FOR CONDITIONS VALLEY REGIONAL TRANSIT

Dated: November 17, 2026

To the Honorable Surface Transportation Board:

Valley Regional Transit (VRT) ["Commenting Party"] is not indicating opposition to the joint merger application before the board filed by Union Pacific Corporation (UP) and Norfolk Southern Corporation (NS); we submit these comments to request appropriate conditions to protect the public interest should the merger be approved. In order for the merger to be in the public interest, the merged entity needs to be both willing and capable of both negotiating in good faith for passenger rail expansion and development that will support additional freight rail traffic on underutilized corridors[1].

This comment addresses long-term implications of the merger as it pertains to local freight capacity growth, strategic land use, and passenger rail coordination along the **Boise Cutoff shortline corridor**. The Boise Cutoff was completed on July 15, 1924, by the Union Pacific

[1] (49 U.S.C. § 11324(c)

Railroad. The 44-mile corridor in Idaho spans from Nampa through Meridian and Boise before reconnecting with the Union Pacific mainline southeast of Boise near the Orchard townsite. The cutoff was used for intercity passenger rail in addition to freight from 1925 to 1997. The City of Boise acquired the southeast 18.2 miles of the corridor from Union Pacific in 2000, and the interchange to the mainline on the southeast at the Orchard townsite was closed. The cutoff moves local freight today using the interchange in Nampa.

As a regional transit operator with an interest in utilizing this significant shortline rail corridor in our region, the Commenting Party's ability to reach agreement on the use of this corridor could be impacted by a transcontinental combination of this scale. While we hope and expect the merging parties will assign significant capacity to implementation should the merger be approved, we remain concerned that it may reduce corporate attention and available personnel capacity to local corridors, diminish resources for local infrastructure, and potentially slow decades of regional transit and local economic expansion planning in the Treasure Valley. The public interest is only served when both transcontinental and more local and regional needs are addressed on the system that would result from the merger.

I. Attention on Local Freight Capacity and Future Potential of Corridor

The Applicants argue that a single-line transcontinental network will maximize efficiency for long-haul national traffic. As noted, the Commenting Party fears this will shift corporate focus and reduce attentiveness to local and regional networks. Regional shortline segments like the Boise Cutoff — which directly feeds the regional economy — rely heavily on Class I responsiveness and available management and staff for interchange liquidity, track maintenance, and local capital investments.

If the Board approves this merger, the new carrier should be required to commit to ongoing investments for local needs, to protect the public interest in general, and to specifically negotiate in good faith with the Commenting Party to facilitate the development of a high-performance freight and passenger rail corridor on reasonable terms on the Boise Cutoff shortline.

II. Travel Impacts in the Region

A combined UP-NS system, focused on routing transcontinental freight corridors spanning from coast to coast, will focus on growing that segment of their business. If this results in reduced incentive or bandwidth to prioritize the growth of localized freight capacity, it may impact the ability of the Boise Cutoff to expand shortline freight shipping and limit freight growth, pushing local freight to regional highways, increasing heavy-truck congestion, and further deteriorating the local transportation network shared by transit. This would be inconsistent with the public interest and could be remedied with appropriate conditions.

The Cutoff also presents an opportunity to provide passenger service from downtown Caldwell to the significant employment center currently growing in southeast Boise. The combined impact of reducing freight and person traffic on the roadway system is critical to maintaining a vibrant region.

The transportation network is already under significant pressure in the Boise Metropolitan Area. This region has been one of the fastest growing in the nation for three decades and

has been the fastest growing in the last five years. The additional demand has resulted in increased congestion and delay. Forecasts already show further deterioration of the roadway system, even with billions of dollars of public investment in the roadway network.

Rail corridors aligned with existing uses and growth potential are rare; few places in the country have this kind of alignment in a growing urban area. The Cutoff is extraordinarily well-placed and would be difficult to recreate. It holds incalculable value for the region. We are submitting this letter to ensure that the significant public benefits of this corridor and its potential to accommodate significant growth in shortline freight movement along with regional passenger service are not lost with this merger.

III. Strategic Land Use Priorities

Railroads anchor municipal and regional land-use and movement ecosystems. Effective development and redevelopment along rail corridors through expanded industrial activities and transit-oriented development — in appropriate locations and partnership with local land-use and transportation agencies — require high levels of active collaboration.

We worry that a complex centralized transcontinental carrier will be structurally insulated from, and less responsive to, local needs. The Commenting Party is requesting assurances that the new carrier will be responsive to local land use priorities along the Boise Cutoff corridor and negotiate in good faith and in a timely manner to preserve the significant public interest in this corridor rather than allow development to stagnate and hinder economic vitality.

IV. Local Commuter and Regional Passenger Rail Service Planning

Regional and local transportation agencies, planning organizations, and stakeholders have spent over twenty years formally advancing this corridor as the backbone of the region's future transit network. We ask that the Board ensure the proposed merger does not jeopardize ongoing, multi-decade public planning initiatives to develop public commuter and regional passenger rail service on the Boise Cutoff. Initiatives include:

- **The 2003 Historical Study:** A Rail Corridor Evaluation Study conducted by the Commenting Party, then ValleyRide, in 2003 produced a definitive historical feasibility study which concluded that utilizing this specific shortline corridor for commuter rail operations was a highly viable strategy to address long-term regional mobility and mitigate traffic congestion.

- **The 2026 Planning and Environmental Linkages (PEL) Study:** This year, the metropolitan planning organization, COMPASS completed a rigorous Planning and Environmental Linkages (PEL) study. Reflecting decades of sustained regional growth, the 2026 PEL study formally selected the Boise Cutoff as the preliminary Locally Preferred Alternative (LPA) for high-capacity transit in the region[2].

V. Growing Freight and Passenger Potential, Serving the Public Interest

Bringing this future network to fruition will require a concentrated, multi-year administrative and technical coordination effort addressing rights-of-way, trackage rights, dispatching

[2] High-Capacity Transit - COMPASS)

priorities, signal integration, and shared infrastructure upgrades. Given that the Applicants' primary economic objective is the optimization of macro-level, transcontinental freight movements, managing a localized regional asset like the Boise Cutoff may create a structural mismatch for the combined super-carrier.

The Commenting Party reiterates that if the merger is approved, the new carrier should be required negotiate in good faith for a future corridor that is positioned to take advantage of the potential for freight growth, passenger movement, and adjacent land use development that will best serve the public interest and that such negotiations would explore all options, from lease/use agreements to divestiture and public ownership.

CONCLUSION AND REQUESTED CONDITIONS

We are not opposing the merger; however, if the merger is approved, we ask the Board to protect the public interest by ensuring that local communities, short lines, and transit operators have a path forward to reasonable freight growth, transit service, and development opportunities.

If the Board approves this merger, the Commenting Party respectfully requests that the Board impose conditions upon such approval, specific to our region, with directives to the Applicants:

1. Mandate the negotiation of a reasonable path to future transit use or a divestiture framework to advance local transit and public interest priorities on the Boise Cutoff.

2. Mandate the reopening and operational restoration of the southern interchange back to the primary freight mainline, ensuring the Boise Cutoff maintains critical network access and localized capacity flow.
3. Mandate specific, ongoing capital investment minimums for shortline and secondary line interchanges to prevent localized capacity degradation.

Respectfully submitted,

By:

Elaine Clegg / Chief Executive Officer

Valley Regional Transit / a voter approved regional transportation authority

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