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Office of Chief Counsel
November 17, 2026
Part of
Public Record

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Re: STB Docket No. FD 36873, Union Pacific Corp.–Control–Norfolk Southern Corp.

Dear Members of the Board,

My name is Nedim Filipovic, and I live in Southeast Portland, Oregon, where Union Pacific's lines and Brooklyn Yard operate. I generally do not support this merger. If the Board nonetheless approves it, I ask that approval be conditioned on the three measures below.

Background. The Applicants' revised application projects that the merger would increase intermodal operations at Brooklyn Yard by 22%. Portland's Central Eastside already faces long blockages at street crossings. Trains that run up to three miles long stop drivers, cyclists, pedestrians, and transit riders alike. Portland would bear the local costs of this merger while getting little of its claimed benefit, since Norfolk Southern does not operate here.

1. A public hearing in Portland. The Board has said it will hold a public hearing. I request that at least one session be held in person in Portland, and that Union Pacific be required to support it. That means providing accessible notice, evening or weekend hours, and interpretation services. Residents most affected by rail operations deserve to testify in person.

2. A binding guarantee of no increase in air pollution. More freight through Portland should not mean more diesel exhaust in nearby neighborhoods. I request that approval be conditioned on:

- independent baseline and ongoing air quality monitoring near Brooklyn Yard and the Central Eastside corridor, with public reporting;
- enforceable limits ensuring that emissions from rail operations in Portland do not exceed pre-merger levels, even if traffic grows;
- specific mitigation commitments, such as cleaner locomotives, idling reductions, and yard electrification, with penalties and Board oversight if limits are exceeded.

3. A financial commitment to separate local traffic from freight traffic in the inner eastside. I request a community benefit agreement requiring the merged railroad to contribute dedicated funding toward infrastructure that physically separates freight rail from people walking, biking, riding transit, and driving in Portland's inner eastside, such as grade separations (overpasses or underpasses) at the most heavily blocked crossings. The commitment should be a dollar amount set in consultation with the City of Portland and aligned with the City's rail crossing planning, with firm deadlines and Board enforcement. Until separation projects are built, the railroad should also be required to adopt operating practices that limit blocked crossings, such as limits on how long trains may stand across streets.

Enforceability. Promises made only in the application have proven hard to hold railroads to. I ask that each of these items be written as a formal condition, with reporting requirements and consequences for non-compliance.

Thank you for considering my comment.

Sincerely,

Nedim Filipovic
920 SE 84th Ave
Portland, OR 97216

CC: All Parties of Record