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November 18, 2026
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November 18, 2026

VIA E-FILING

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

Re: *Union Pacific Corporation and Union Pacific Railroad Company – Control – Norfolk Southern Corporation and Norfolk Southern Railway Company*, STB FD No. 36873

Dear Sir or Madam:

Please find attached for e-filing the New York State Department of Transportation's Comment on the UP-NS Application in the above-referenced proceeding. Please note that this filing comprises a public version and a highly confidential version. We are serving all parties of record with the public version and will provide a copy of the highly confidential version to any party that confirms that they have signed the confidential undertaking that the Board approved as part of the protective order in this proceeding

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Subash Iyer

Subash Iyer

Enclosures

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BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 36873

UNION PACIFIC CORPORATION AND
UNION PACIFIC RAILROAD COMPANY
– CONTROL –
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY

NYSDOT COMMENT ON UP-NS AMENDED CONTROL APPLICATION

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Dated: November 18, 2026

This document contains color images

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UNION PACIFIC CORPORATION AND
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NYSDOT COMMENT ON UP-NS AMENDED CONTROL APPLICATION

The State of New York, acting by and through the New York State Department of Transportation ("NYSDOT")[1], submits this comment opposing the Amended Railroad Control Application, UP-39/NS-37, ID-311221, filed by the Applicants[2] in these proceedings on April 30, 2026.

PROCEDURAL BACKGROUND

On April 30, 2026, Applicants filed an Application to merge, which, if the Board approves, would combine UP's and NS's networks and create the first American transcontinental railroad. UP-39/NS-37, at 1-15. The Application comes after the Board previously rejected

[1] In its notice of intent to participate, NYSDOT Notice of Intent to Participate, NYS-1, ID-310824 (filed Feb. 4, 2026), and its comments regarding the completeness of the application, NYSDOT Comments on Completeness, NYS-2, ID-311289, at 3 (filed May 7, 2026), NYSDOT assumed for itself the acronym "NYS." Subsequently, the Office of the New York Attorney General along with more than twenty other state attorney general's offices filed a notice of intent to participate. Office of the Kansas Attorney General et al., Notice of Intent to Participate, ID-311486 (filed May 27, 2026). In order to distinguish itself, NYSDOT hereby assumes "NYSDOT" as its acronym.

[2] Applicants in this proceeding are Union Pacific Corporation and Union Pacific Railroad Company (collectively, "UP") and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, "NS").

Applicants' original Application filing as incomplete on several grounds, including the omission of certain data on passenger and commuter rail services. Decision No. 9, slip op. at 1-2, 14. The Board accepted the Application as amended on August 18, 2026, and removed the proceeding from abeyance. Decision No. 30. Comments on the Application are due on November 18, 2026.

NYSDOT's comments on the Application follow.

COMMENT

I. Introduction.

The Board is authorized to approve mergers "when it finds the transaction is consistent with the public interest." 49 U.S.C. § 11324(c). If it approves a merger, the Board "may impose conditions governing the transaction." *Id.* Federal statutory rail policy and the Board's regulations make clear that the public interest is defined broadly and holistically, and is not confined in the merger context to simply maintaining the status quo. *See* 49 U.S.C. §§ 10101(4), (8). The Board's own regulations provide that "mergers serve the public interest only when substantial demonstrable gains in important public benefits . . . outweigh any anticompetitive effects, potential service disruptions, or other merger-related harms." 49 C.F.R. § 1180.1(c).

This merger covers over 1,000 miles of track in New York, and Applicants propose to significantly increase traffic along many of these lines without planning any merger-related capital improvements to mitigate consequent impacts. Applicants propose moving significantly longer trains across New York and instituting half a dozen new transcontinental routes that will terminate at New York City's doorstep in northern New Jersey, yet do not propose capital improvements to mitigate congestion, make specific plans to address disruptions, or explain how this significant growth will impact the broader transportation system. Likewise, Applicants propose no new additional measures to ensure the harms are mitigated to: (1) local communities; (2) local shippers; (3) short line railroads who rely on NS's service; and (4) public entities who

in the past have at times struggled to engage NS on issues such as flagging. Nor do Applicants acknowledge the potential impact of the merger on future expanded passenger rail service serving New York and New Yorkers.

The unprecedented size and scope of this private railroad merger, which is projected to profoundly change the country's transportation network in many respects, necessitates safeguarding the public interest. From the perspective of the State of New York, this merger does not meet the Board's standard for protecting the public interest. Safeguarding the public interest requires that Applicants plan for and invest adequately in places where significant growth is expected to ensure the merger does not unfairly burden the overall transportation network or affected communities. It requires protecting the rail network's viability where the merger will result in a railroad of unprecedented market power and could possibly lead to further reduction in level of service and consolidation of an already highly consolidated railroad industry. And it requires active cooperation with public agencies to ensure that the merger does not jeopardize public health and safety or preclude expanding essential passenger rail service to connect communities and promote economic activity. Because Applicants have failed to demonstrate meeting any of these requirements satisfactorily, the Board should deny the Application. If the Board does not deny the Application, it should at minimum impose the conditions proposed below, and others as appropriate, to ensure that the merger is in the public interest.

II. New York's rail network and the public interest will be affected by this merger.

A. New York's rail network serves a critical role in the broader transportation context.

New York State's rail network serves a wide range of markets and extends to all geographic regions of the State, with approximately 3,795 miles of freight railroad and freight rail service in 59 of the State's 62 counties. Verified Statement of Michael Cameron, attached as

Exhibit A, ¶ 6. NYSDOT, *New York State Transportation Master Plan 2050* at 22 (2025 draft); NYSDOT, *New York State Rail Plan* at 21 (2009). New York's freight rail system is supported by four Class I railroads—NS, CSX Transportation, Inc., ("CSXT"), Canadian Pacific Kansas City Limited ("CPKC"), and Canadian National Railway Company—four regional railroads, and twenty-nine short lines. NYSDOT, *New York State Freight Plan* at 40 (2024). The movement of goods by rail is further supported by thirty-seven intermodal, transload, automotive, and related facilities throughout the State. *Id.* New York also contains 7,295 rail crossings, including 1,776 active Class I grade crossings. *Id.* at 44.

The safety and reliability of this network are matters of significant public interest, not just for freight rail transportation itself, but for the overall transportation network and local communities. V.S. Cameron, **Exhibit A**, ¶ 7. According to Federal Railroad Administration ("FRA") data, the number of incidents at New York grade crossings has increased in recent years, with contributing factors including: the presence or absence of safety devices; crossing design and location; and, highway and rail traffic volumes. *New York State Freight Plan* at 63. NYSDOT has identified that continued maintenance of, and funding for, rail infrastructure, particularly on short lines, is crucial to ensuring that New York's rail network can safely and efficiently accommodate increasing rail traffic. *Id.* at 67.

The New York rail network includes some of the busiest intercity passenger and commuter railroads in the country, some of which operate over freight lines. V.S. Cameron, **Exhibit A**, ¶ 8. Amtrak provides intercity passenger rail service throughout the State, operating principally over rail lines owned by CSXT and CPKC. *Id.*; *New York State Rail Plan* at 65-66. Metro-North Railroad and the Long Island Railroad, both operated by the Metropolitan Transportation Authority, the two busiest commuter rail services in the country, provide

commuter rail service in the downstate region and into New York City. *Id.* at 66. New York's intercity passenger and commuter railroads are indispensable to the economic health of New York State, the broader Northeast region, and the Nation. By connecting millions of residents, workers, businesses, and visitors to the nation's largest economic center and to communities throughout the Northeast, these rail systems support economic growth, labor mobility, and the efficient movement of people across one of the country's most economically productive regions.

NS owns a line extending from New Jersey to Orange County in southern New York that is known as the Port Jervis Line. Metro-North Railroad leases that line and NJ Transit conducts commuter rail service, *see* NYS-2, at 5-7. No other New York passenger rail service currently runs on lines owned or operated by either Applicant. V.S. Cameron, **Exhibit A**, ¶ 8.

B. Applicant NS plays a large role within New York's rail network.

Rail lines owned and operated by NS serve a critical role within New York's freight transportation network. As indicated in the Application's supporting materials, NS owns or operates more than 1,000 miles of rail line in New York. *See* Second Errata Electronic Appendix S (filed Sept. 4, 2026). This network passes through numerous New York communities and connects with Class II and Class III rail carriers serving New York shippers throughout the State. V.S. Cameron, **Exhibit A**, ¶ 12.

NS lines cover a broad territory in New York, traversing the State both east-west and north-south. *See* Figure 1: Map of Upstate Corridors. As relevant to this proceeding, NS operates a corridor that stretches across the entire length of the State ("East-West NY Corridor"). V.S. Cameron, **Exhibit A**, ¶ 14. NS lines connect Chicago and the Midwest to New York and points east, starting at New York's western border on its Lake Erie District through to Buffalo. *See Id.*; Second Errata Electronic Appendix E (identified in the Application as NS line code 10019). Near Buffalo the NS mainline serves New York's busiest border crossing facility, the Buffalo-Niagara

facility, which accommodates just over 4,900 crossings per month. *New York State Freight Plan* at 46 (citing 2021 data). From Buffalo, NS owns and operates its Southern Tier (identified in the Application as NS line code 10043), and Sunbury (identified in the Application as NS line codes 10211 and 10193) rail lines, passing through major yards in Binghamton and Mechanicville. Second Errata Electronic Appendix E. NS traffic continues eastward to New England by way of two lines. One route is NS's so-called "Patriot Corridor" or "Northern Route" on Hoosick Junction (identified in the Application as NS line code 12157) and Millers Falls (line code 11050), ultimately connecting with NS's yard in Ayer, MA. NYS-2, ID-311289, at 3. NS also utilizes overhead trackage rights it acquired in the CSXT-Pan Am merger to operate along a CSXT-owned "Southern Route," passing through Voorheesville, NY to Worcester, MA. *See id.*

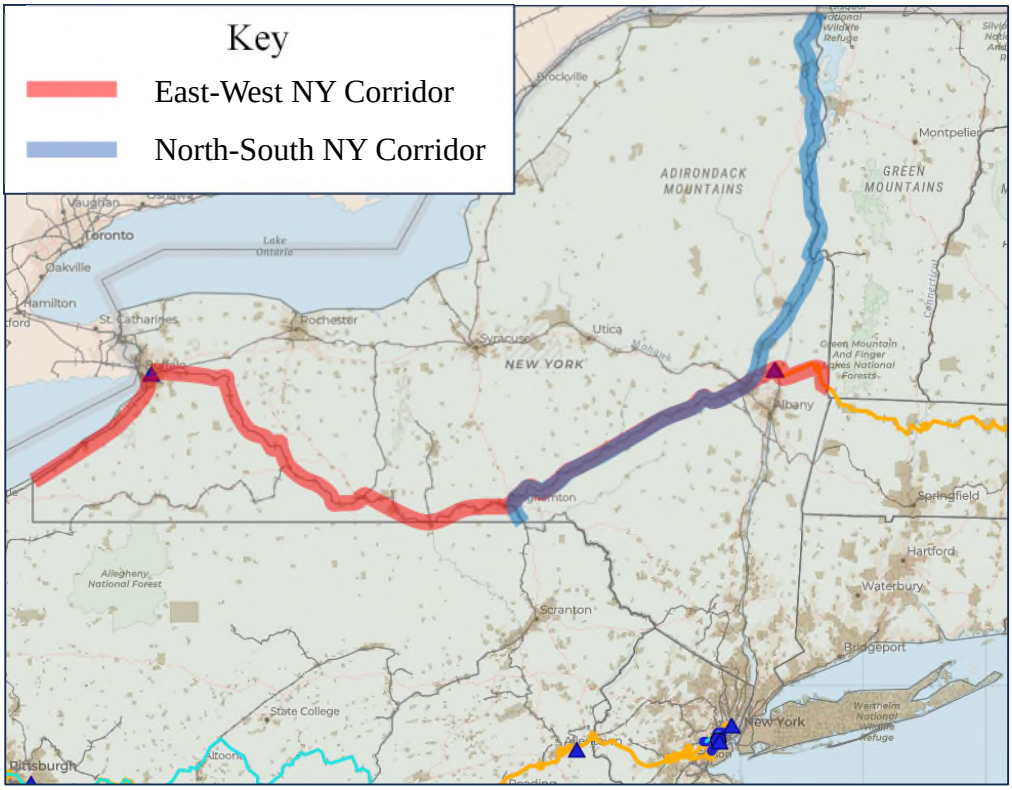


Figure 1: Map of Upstate New York Corridors

NS also operates along a north-south corridor across the State between Pennsylvania through Waverly, Binghamton, and northward to the Canadian Border. *See* Figure 1: Map of

Upstate Corridors; Second Errata Electronic Appendix E (identified in the Application as NS line codes 10193, 12281). Straddling the New York–Pennsylvania and New York–New Jersey borders, NS also controls the Port Jervis Line. NYS-2, at 5-7.

Outside of New York, NS plays a key role in serving the New York City metropolitan area through northern New Jersey's extensive adjacent rail infrastructure. NS operates several yards in northern New Jersey, including Croxton Yard, E-Rail Elizabeth Rail Yard, and Bayonne Yard. Additionally, although the Application's supporting data does not reflect it, *see* Second Errata Electronic Appendix E, NS controls and uses connecting rail lines in northern New Jersey through its partial ownership of Conrail Shared Assets Operations ("CSAO"). V.S. Cameron, **Exhibit A**, ¶ 16. Most of the rail freight activity within the New York metropolitan region takes place in northern New Jersey, where goods are transferred from rail to truck at intermodal terminals and moved by truck into the metropolitan area. New York Metropolitan Transportation Council, *Moving Forward 2055: NYMTC Regional Transportation Plan*, Appendix D, D43 to D45 (2025).[3]

NS currently connects to "East of Hudson" shippers in Brooklyn and Long Island indirectly via a float bridge operated by New York New Jersey Rail, LLC ("NYNJR"), between Bayonne, NJ, and Brooklyn, NY. V.S. Cameron, **Exhibit A**, ¶ 16. Once in Brooklyn, traffic may be interchanged with the Class III railroad New York & Atlantic Railroad ("NYAR"). *Id*. This is the only such east-west freight rail connection over the Hudson for over 100 miles. *Id.*

[3] The full document is available at: https://www.nymtc.org/movingforward2055/complete-plan-and-appendices/index.html.

C. NYSDOT has oversight and planning responsibilities over New York State's rail network, making it a party of interest in these proceedings.

NYSDOT has a clear interest in this proceeding. NYSDOT is an executive branch agency of the State of New York and is administered by the Commissioner of Transportation, whose powers, functions, and duties are set forth in New York Transportation Law and New York Highway Law. N.Y. Transp. Law §§ 10–22 (2026) ("Powers, Duties and Jurisdiction of the Department of Transportation"); N.Y. High. Law §§ 10–23 (2026). NYSDOT's statutory mandate confers broad responsibility for the establishment of statewide transportation policies, funding and administration of capital investment programs across all modes of transportation, and sponsorship of intercity passenger rail service operated by the National Railroad Passenger Corporation ("Amtrak"). V.S. Cameron, **Exhibit A**, ¶ 3.

NYSDOT is responsible for planning and overseeing a safe, strong, and efficient transportation network, including a competitive freight rail network, that serves rail network users and the public at large. *Id.* NYSDOT has made significant investments in infrastructure benefiting the freight rail and broader transportation networks. *Id.*; *New York State Rail Plan* at 153-54. Accordingly, NYSDOT has a substantial interest in the efficiency, reliability, and management of transportation within New York, including the effects of the proposed rail merger on other transportation modes and facilities. V.S. Cameron, **Exhibit A**, ¶ 4. These interests include intermodal connections involving rail-to-truck or rail-to-ship transportation in key gateway areas such as New York City and Buffalo's U.S.–Canada rail border crossing, as well as interfaces between rail operations and public infrastructure, including highways and grade crossings. *Id.*

New York regularly invests in rail infrastructure throughout the State through its Passenger and Freight Rail Assistance Program ("PFRAP"). PFRAP provides enhanced

assistance for rail and port capital investments to preserve and enhance the State's major trade and passenger corridors. In March 2024, New York announced the 2024 PFRAP grant awards, representing a historic $111.1 million investment in port and freight rail infrastructure projects throughout the State. *New York State Freight Plan* at 128. In January 2026, New York announced the award of over $101 million in state funding to support 25 projects across New York that will modernize key freight lines and port facilities through state PFRAP grants. *Governor Hochul Announces More Than $101 Million in Grants Awarded to Rail and Port Infrastructure Projects Statewide*, N.Y. State (Jan. 9, 2026), https://www.governor.ny.gov/news/governor-hochul-announces-more-101-million-grants-awarded-rail-and-port-infrastructure. PFRAP funds are allocated to projects such as rehabilitating and replacing rail infrastructure and enhancing safety components on key corridors, upgrading port infrastructure to accommodate heavier cargo, and improving rail-to-truck facilities to reduce truck traffic and emissions. *See New York State Freight Plan* at 128. Other initiatives under PFRAP include rehabilitating bridges and tracks, installing new rail equipment, and modernizing terminals. *Id.* These investments reflect New York's continuing commitment to maintaining and improving rail service, and underscore NYSDOT's interest in ensuring that the proposed transaction promotes a safe, efficient, reliable, and well-coordinated rail network. V.S. Cameron, **Exhibit A**, ¶ 9.

NYSDOT and other governmental entities are actively pursuing planning of future passenger rail services. *Id.* ¶ 10. For example, in 2022, NYSDOT received grants under the FRA's Corridor Identification and Development ("Corridor ID") Program to advance projects aimed at improving the frequency, reliability, safety, speed, and state of good repair of Amtrak's Adirondack and Empire service. *Id.*; U.S. Dep't of Transp. Fed. R.R. Admin., *FY22 Corridor*

Identification and Development Program Selections at 14, 16 (2022). The City of Binghamton, NY, has applied for Corridor ID funding to study revived passenger service in Binghamton that could potentially link with another passenger rail plan being pursued by Pennsylvania Department of Transportation between Scranton, PA, and New York City via New Jersey. *See* City of Binghamton, NY, *Mayor Kraham Announces Rail Service Exploration*, https://www.binghamton-ny.gov/Home/Components/News/News/586/15 (Feb. 26, 2026).

NYSDOT's authority and responsibilities require it to consider the public impacts of changes to the State's freight rail system. NYSDOT is therefore well positioned to inform the Board on how this merger will affect the public interest in the State of New York.

III. The Board is responsible for ensuring the public interest is served by the merger.[4]

Federal law provides that the Board shall approve a merger "when it finds the transaction is consistent with the public interest." 49 U.S.C. § 11324(c). The Board's decision must also "ensure the development and continuation of a sound rail transportation system . . . to meet the needs of the public," *id.* § 10101(4), and ensure operation of "transportation facilities and equipment without detriment to the public health and safety." *Id.* § 10101(8). The Board's authority over railroad mergers "is exclusive" and any "rail carrier, corporation, or person participating in [an] approved or exempted transaction is exempt from the antitrust laws and from all other law, including State and municipal law, as necessary to let that rail carrier, corporation, or person carry out the transaction." *Id.* § 11321(a).

As part of any approval the Board "may impose conditions governing the transaction." *Id.* The Board's authority to impose conditions is "broad," 49 C.F.R. § 1180.1(d), and is intended

[4] NYSDOT will more fully address the legal arguments in support of its comments and requested conditions during the legal briefing stage of these proceedings.

to be used "to mitigate or offset all types of merger-related harms in the public interest," *Major Rail Consolidation Procedures*, 5 S.T.B. at 569.

The Board has promulgated regulations governing its review of mergers. *See* 49 C.F.R. Part 1180. In 2001, the Board updated these regulations, which "substantially increase[d] the burden on applicants to demonstrate that a proposed transaction would be in the public interest." *Major Rail Consolidation Procedures*, 5 S.T.B. 539, 539 (2001) (the "2001 Rules"). This heightened standard provides that "mergers serve the public interest only when substantial and demonstrable gains in important public benefits—such as improved service and safety, enhanced competition, and greater economic efficiency—outweigh any anticompetitive effects, potential service disruptions, or other merger-related harms." 49 C.F.R. § 1180.1(c). The Board instituted the 2001 Rules following years of consolidation that not only left a limited number of Class I railroads remaining, but that also witnessed significant disruption during merger transitions, including UP's own merger with Southern Pacific Railroad ("SP") in the mid-1990s. *See Major Rail Consolidation Procedures*, 5 S.T.B. at 558 (discussing UP-SP and other merger-related disruptions); *Joint Petition for Service Order*, No. 1518 (STB served Oct. 31, 1997) (relating to the emergency conditions resulting from the UP-SP merger).

To ensure that the Board can effectively implement the 2001 Rules, the Board introduced new requirements of major railroad merger applicants that are being utilized for the first time in this proceeding. Among these, Applicants are required to provide a Service Assurance Plan "identifying the precise steps they would take to ensure adequate service and to provide for improved service." 49 C.F.R. §§ 1180.1(h)(1); *see also* 1180.10. Service Assurance Plans must address yard and terminal fluidity, infrastructure impediments, future growth, contingencies, benchmarks, and a timetable for major changes. *Id.* § 1180.10(c)–(k). Service Assurance Plans

must include contingency plans that "identify potential areas of disruption and risk of occurrence," and put in place contingency measures to "promptly restore adequate service levels." *Id.* 1180.10(h). Service Assurance Plans and contingency plans are a means of ensuring the Applicants demonstrate they have met the "heavier burden to show that a major rail combination is consistent with the public interest." *Major Rail Consolidation Procedures*, 5 S.T.B. at 546.

Applicants must also develop a Safety Integration Plan in consultation with the Federal Railroad Administration, "explaining how each step in implementing a contemplated transaction would be performed safely." *Regulations on Safety Integration Plans Governing Railroad Consolidations, Mergers, and Acquisitions of Control*, 6 S.T.B. 129, 129 (2002); 49 C.F.R. § 1180.8(a)(1). While Safety Integration Plans are generally prepared and reviewed through the environmental procedures for a transaction, *see id.* §§ 1106.4(b), 1180.8(a), their contents are related to the Board's consideration of a transaction's public interest merits because of the Board's "authority to promote a safe rail transportation system in determining whether a proposed transaction should be permitted and, if so, on what economic terms." *Regulations on Safety Integration Plans*, 6 S.T.B. at 140. This is reflected in the fact that the Board may order a Safety Integration Plan to be prepared, even when no environmental review is conducted. *See id.*, 6 S.T.B. at 186-87; 49 C.F.R. § 1106.4(c). Safety Integration Plan requirements are not intended to be prescriptive, but rather require Applicants "to be thorough and logical, and to maintain a reasonable assurance of safety at every step of the proposed transaction." *Regulations on Safety Integration Plans*, 6 S.T.B. at 140.

IV. The merger undermines the public interest in New York State.

NYSDOT has carefully reviewed the Application and supporting materials and has concluded that the proposed merger will undermine the public interest in the State of New York

in at least four ways. First, increased traffic anticipated from the merger will create greater congestion, affecting rail traffic and other modes of transportation. Second, the merger will create a behemoth Class I carrier with outsized market power, which will reduce end-to-end routing competition for long-distance transportation into and out of New York that will lead to deterioration of service to lighter density short lines served by Class III railroads in the State. Third, the merger will add to the burden of responding to public safety issues, requiring closer coordination between Applicants and public officials. Fourth, the merger could constrain future development of passenger rail service, which would undermine the public benefit of the interstate rail network and the public interest writ large.

The Board should deny the Application because of these harms to the public interest. If it approves the merger, it should, at minimum, require Applicants to address these issues to ensure that this merger meets the public interest standard required under applicable law.

A. The network cannot handle projected increases in carload traffic without corollary investments in capacity to accommodate more cars or longer trains.

The merger's increase in traffic, without corollary planning or investment in capacity to accommodate more cars and trains, will predictably increase congestion within the network. That increased congestion will have knock-on effects for freight traffic and local communities along the network. The Board's merger regulations require Applicants to detail infrastructure improvements in their Service Assurance Plan, and demonstrate they have formulated contingency plans for merger-related service disruptions. 49 C.F.R. §§ 1180.1(d), 1180.1(i). However, as discussed below, despite the tremendous projected growth, Applicants have indicated that they do not plan to add trains in upstate New York and are not planning any merger-related improvements in New York or around the New York City metropolitan area, nor have they included any contingency plan for key rail yards that will serve New York City, such

as Croxton Yard. Moreover, the benchmarking thresholds proposed by Applicants for responding to congestion-related issues, are watered down when compared with the benchmarking data that forms the basis of the thresholds. Without developing a contingency plan for Croxton Yard and related northern New Jersey facilities, the merger's resulting increased traffic will burden the region's transportation system to the detriment of the public interest. Applicants have also failed to set benchmarking thresholds to accurately reflect benchmarking data, undermining the prospects for success that a contingency plan, if there were one, could address disruptions. Finally, Applicants have failed to demonstrate through their contingency planning and otherwise, that they will work cooperatively and expeditiously with government stakeholders and local communities to address congestion-related issues.

1. Applicants have no contingency plan for new congestion in the New York City metropolitan area.

Applicants are unprepared for the congestion that their new transcontinental routes will create in the New York City metropolitan area and have failed to prepare a contingency plan for associated service disruptions. Moreover, their benchmarking thresholds appear gamed to avoid recognition of a service disruption when it occurs. These serious flaws in Applicants' planning jeopardize the region's transportation network.

The New York City metropolitan area is a terminal point for half of Applicants' proposed new transcontinental routes. These new routes will result in significant increases in rail line and yard traffic in the New York/New Jersey area and correspondingly increase traffic for other modes of transportation, including, notably, connecting truck traffic traveling into New York. Specifically, NS's Croxton and E-Rail Elizabeth Yards in Jersey City are focal end points of traffic carried over several new or expanding major transcontinental routes proposed by Applicants. *See* UP-39/NS-37, at 2-474 to 2-478 (identifying expanded routes ZLCCX/ZHBLC,

ZXICI/ZCXCI, ZLTCX/ZLCXT, ZCICX/ZCXCI, and ZMXCX/ZCXMX as terminating at either Croxton Yard or E-Rail Elizabeth Yard). Applicants' supporting documentation reflects that Croxton Yard will experience a 34% increase in intermodal lifts per day, from 839 to 1,122. Second Errata Electronic Appendix R (Row 21). The resulting truck traffic traveling out of Croxton Yard is expected to increase by over 30%, from 827 trucks per day to 1,205. Applicants' Response to OEA Info Request No. 4, EI-34418 (filed Sept. 25, 2026). Truck traffic at E-Rail Elizabeth Yard will increase from 0 to 386 trucks per day based on public environmental review data. *Id.*

The constraints on the capacity of the rail network and intermodal terminals in northern New Jersey is a serious concern, both in general and specifically with respect to Croxton Yard, which is the terminus of several new proposed routes. The Lehigh Line—which is already heavily used to serve Croxton Yard and other northern New Jersey yards, as well as by NJ Transit for commuter rail service—will see dramatic traffic increases due to the merger. *Cf.* Second Errata Electronic Appendix E, M. Furthermore, Croxton Yard has a documented history of capacity issues. *See Norfolk S. Ry. Co. v. Intermodal Props., LLC*, 71 A.3d 830, 833 (N.J. 2013) (noting "[p]arking spaces are, on average, filled with containers and trailers to eighty percent of capacity, reaching one hundred percent full to capacity on Monday mornings.").

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NYSDOT is concerned about the impacts caused by bottlenecks of Applicants' increased traffic traveling into the New York City area, which could have ripple effects for both freight and transloaded truck and marine traffic. New bottlenecks creating congestion, or even worse, a meltdown of the network, as was experienced in UP's prior major merger in Houston, would not

be in the public interest. *See Joint Petition for Service Order*, No. 1518, slip op. at 1 (STB served Oct. 31, 1997) (declaring a transportation emergency resulting from merged UP and Southern Pacific Transportation Corporation operations). The cost of congestion impacts in this area should be borne by Applicants causing the congestion.

While Applicants fail to disclose in their Application where the additional trucks resulting from Croxton Yard and E-Rail Elizabeth Yard will be routed, these freight facilities feed goods into New York City. E-Rail Elizabeth Yard, though currently idle, will function as a domestic intermodal terminal handling containerized freight moving between rail and highway transport, which will likewise contribute to truck traffic within New York. Given that goods will be moved into and around New York City by truck from these rail facilities, additional truck congestion can be expected to have indirect effects for New Yorker shippers and the public at large.

Unfortunately, Applicants seem unprepared to deal with potential congestion-related issues in northern New Jersey. Even though Applicants' own data reflects significant increases in rail line and rail yard traffic, Applicants indicate that no merger-related capacity improvements are planned in the northern New Jersey facilities serving New York City. Applicants have asserted to the Board that "[n]ew investment is only needed to accommodate merger-related growth in a small portion of Applicants' combined network," primarily located in the Midwestern and Western United States, and far removed from northern New Jersey. *Id*. *See also* UP-39/NS-37, at 2-895 to 2-930 (capital improvements). But this assertion does not align with the significant increase in traffic that half a dozen new transcontinental routes will bring to an already busy northern New Jersey rail network.

Nor do Applicants appear to have a contingency plan for service disruptions around Croxton Yard. Instead, they have disclosed a handful of contingency plans in Midwest yards far from New York. *See id.* at 2-1032 to 2-1033, 2-1118 to 2-1131. Applicants do not explain why they omit a contingency plan for a major terminus for nearly half of the new transcontinental routes that Applicants tout as seeing sizeable growth. Moreover, the contingency plans that Applicants do provide for other Midwest yards lack specific contingencies for responding to merger-related impacts on connecting transportation networks, including yard capacity for truck traffic, or collaborative coordination with other public agencies. *See id.* 2-1118 to 2-1131. These features need to be included in contingency planning for Croxton Yard and NS's northern New Jersey rail network to address the ultimate goal of mitigating disruptions. *See* 49 C.F.R. § 1180.10(i). Applicants, who appear to have not engaged any local or state officials regarding contingency planning for northern New Jersey and the New York City metropolitan area, also need to seek public agency input to make these contingencies effective. Given that contingency plans are being implemented for the first time in a transaction before the Board, it is important for precedential purposes that the Board ensure such plans are thoughtful and meaningfully address real concerns presented by the merger.

Applicants also fail to use the appropriate benchmarking threshold for assessing congestion at Croxton Yard, and water down standards compared to the actual historical data provided by Applicants. If left uncorrected, Applicants' selection of thresholds will permit Applicants to assert no deterioration in service has occurred at Croxton Yard, even if post-transaction dwell times and on-time origination statistics are well below average historic levels. This would conflict with the Board's regulations, which provide that "[b]enchmarking is

intended to provide an historic monthly baseline against which actual post-transaction levels of performance can be measured." 49 C.F.R. § 1180.10(k).

Applicants set benchmarked thresholds for dwell times and on-time origination to assess post-transaction performance at select yards. Applicants assert that post-merger ranges for dwell time benchmarks for Croxton Yard are 6 to 18 hours, and that on-time origination performance benchmarks for Croxton Yard are 70%-95%. UP-39/NS-37 at 2-894. Applicants purportedly rely on 46 months of data to set these thresholds, *id.*, which is more than the Board's regulations require. 49 C.F.R. § 1180.10(k) (providing that "[t]he minimum for benchmarking will be the 12 monthly periods immediately preceding the filing date of the notice of intent to file the application.").

However, a closer look at the benchmark numbers, reveals that the selected thresholds are in fact significantly below actual historical averages. *See* Second Errata Electronic Appendix V. The actual historical benchmarking data shows the dwell time minimums and maximums are between 2.8 and 10.4 hours, with a median of 4.5 hours, while on-time origination performance minimums and maximums ranged between 73% and 99%, with a median of 91%. Second Errata Electronic Appendix V (Rows 85-86). After removing a dwell time outlier of 10.4 hours from 2022 and an on-time performance outlier of 73% from 2024 using the Z-score method, the minimum and maximum extents of the data move even farther away from the benchmarks that Applicants give, with dwell times ranging between 2.8 and 7.8 hours and on-time origination performance ranging from 83% to 99%. *Id*. (dwell time outlier at cell G85; on-time performance outlier at cell AF86). Similarly, when looking at the regulatory minimum of the 12 months immediately preceding the filing date, Applicants' ranges do not match: dwell times range

between 3.9 and 7.8 hours, and on-time performance varies between 86% and 99%. *See id.* (cells AJ85-AU85 and AJ86 to AU86). These differences are captured in the following graphs.

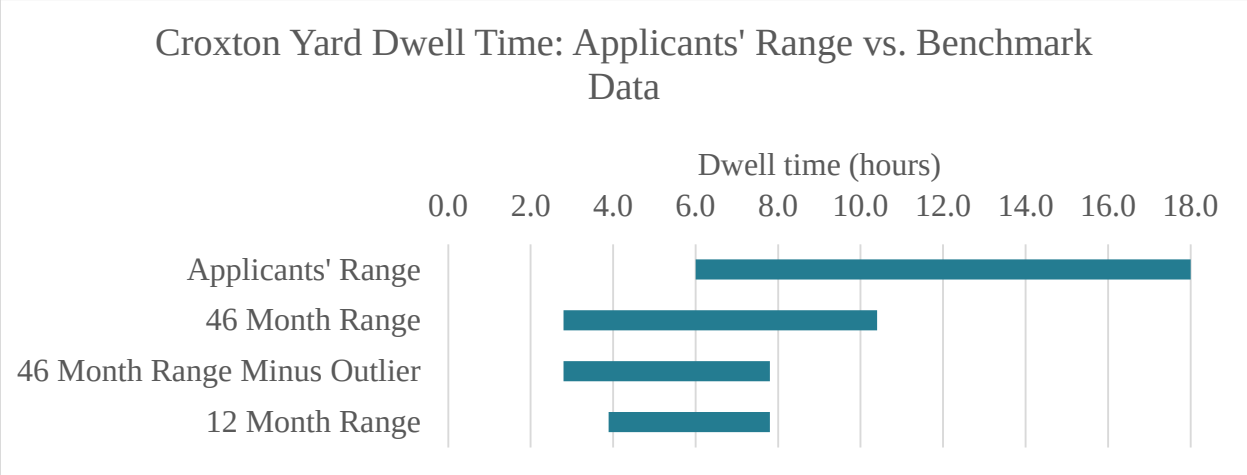


Figure 2: Croxton Yard Dwell Time: Applicants' Range vs. Benchmark Data

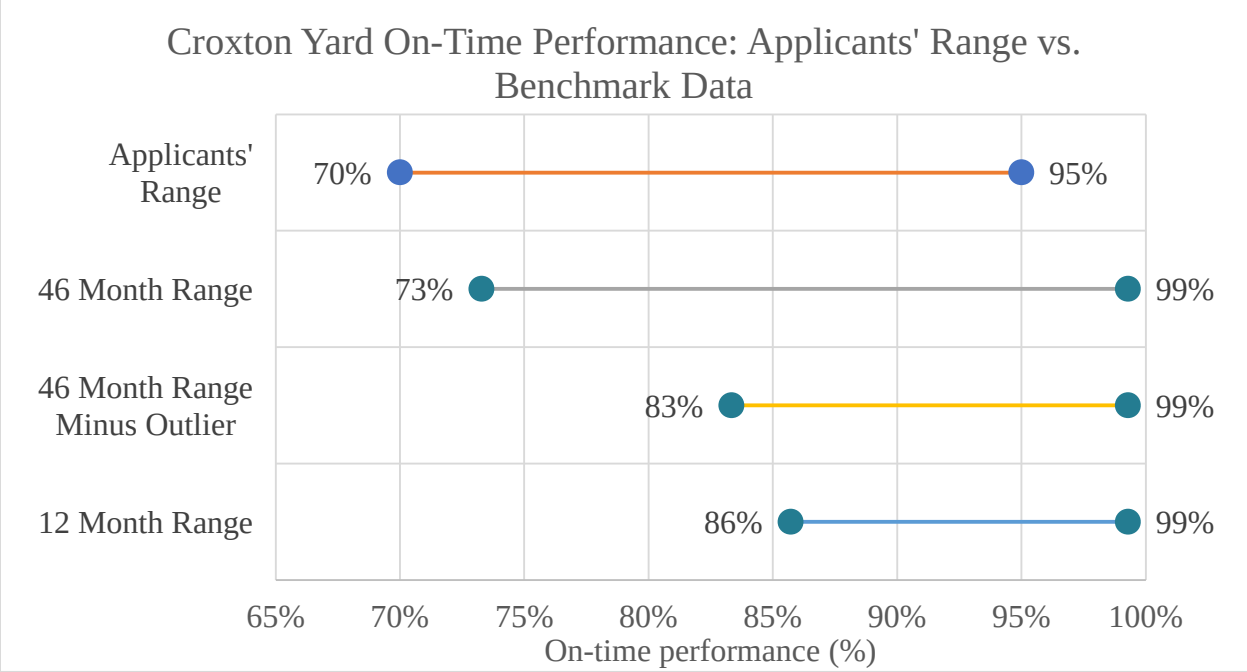


Figure 3: Croxton Yard On-time Performance: Applicants' Range vs. Benchmark Data

The inference is that Applicants have selected an expanded range of historical data that enable them to set lowball benchmark thresholds based on outlier data that do not reflect actual historical performance. As Applicants would have it, they could exceed the historical dwell time

mode by more than six times, and exceed the non-outlier maximum by two times without triggering Applicants' dwell time threshold. This does not reflect the intended goal of "provid[ing] an historic monthly baseline against which actual post-transaction levels of performance can be measured," as required under the Board's regulations. *See* 49 C.F.R. § 1180.10(k).[5] The actual benchmark data, accounting for outliers, should serve as accurate benchmark thresholds for assessing merger impacts at Croxton Yard and elsewhere. These revised benchmarks should be included as trigger thresholds for action under the applicable contingency plan for Croxton Yard and northern New Jersey rail facilities.

Applicants should have developed, in collaboration with public agencies, a contingency plan for Croxton Yard, E-Rail, and related rail infrastructure in northern New Jersey, as Applicants have for other yards in the Midwest, and consistent with the Board's requirements under 49 C.F.R. § 1180.10(i). The contingency plan should have included more detailed information on how Applicants will address service deterioration, including involving connecting intermodal traffic. Moreover, the threshold to initiate action under the contingency plan for Croxton Yard and connected rail infrastructure, should have been based on the actual historical benchmark numbers at Croxton Yard. Finally, the contingency plan(s) provided for Croxton Yard and northern New Jersey should have detailed operational measures or complete capital investments to reduce congestion in a timely manner, and involved working proactively and cooperatively with NYSDOT and other stakeholders to address broader freight traffic issues that could impact New York City. Applicants have done none of the above, and as a result their Application fails to meet the public interest standard.

[5] To the extent Applicants' benchmark thresholds for Croxton Yard are based on historical data for other yards, this does not satisfy the Board's regulations or conform to their intent.

2. Applicants have not planned to mitigate additional traffic impacts in upstate New York.

Applicants have failed to provide any specific measures to ensure mitigation of impacts to upstate communities affected by significantly longer merger trains. Without providing meaningful and specific ways of addressing these impacts, the merger should be denied.

Applicants project that the merger will result in increased rail traffic in upstate New York, largely in the form of materially longer trains, yet fail to address the negative impacts that could result. Specifically, Applicants' data reflect a significant increase in traffic across the State, along NS's East-West NY Corridor—Lake Erie through to Buffalo, and Southern Tier, Sunbury, Hoosick rail lines on to Massachusetts—which passes through major yards in Buffalo, Binghamton, and Mechanicville. *Cf.* Second Errata Electronic Appendix E, M (line codes 10019, 10043, 10211, 10193, 10952, 12157, 11050). Along western segments of the East-West NY Corridor, Applicants expect increases of 20% to 40% by carload, including an increase of over 42,000 cars per year on one segment alone. *Id.* (line code 10019). Eastern segments of the East-West NY Corridor will see significantly smaller total carload increases, but much greater percentage increases, with some reaching 121%. *See id.* (line code 11050).

Despite this growth in carloads, Applicants' data reflect that they will not be adding new growth-related trains along this corridor. More train cars without additional trains means longer trains, and the magnitude of the increase along the East-West NY Corridor indicates that train lengths could be far longer than they are now. For example, on the D&H Line between Schenectady and East Binghamton (line code 10193), train lengths could increase on average by 6,280 feet, adding over a mile in length to trains. *See* Second Errata Electronic Appendices E

(Row 190), M (Row 189).[6] Similarly, for the eastern portion of the East-West NY Corridor into Massachusetts between Mechanicville and Millers Falls, MA, Applicants disclose in their environmental paperwork, that they expect trains to more than double in length after the merger, from an average trailing length of 1,231 feet per train to 2,921 feet per train. EI-34415, at 3 (Segment 11050), 4 (Segment 12157). These increases in length raise questions of whether NS's existing rail infrastructure can handle trains of this length without increasing rail line congestion and blocked crossings.

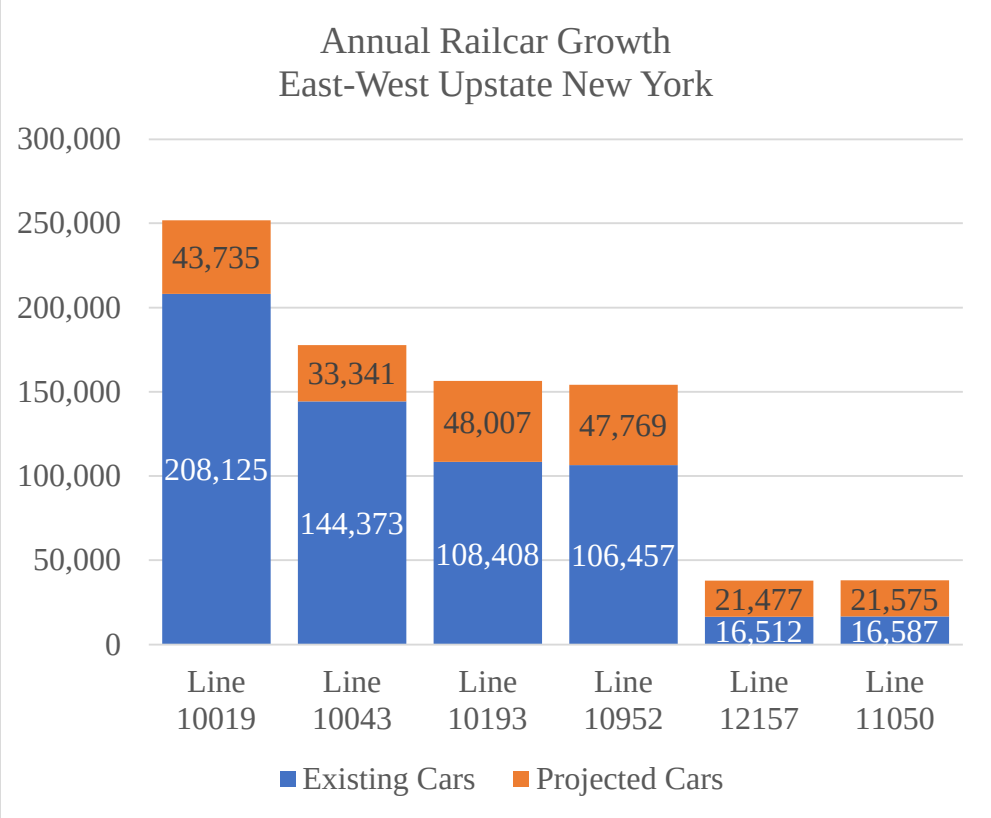


Figure 4: Annual Railcar Growth East-West NY Corridor

[6] ((156,415 - 108,408 change in cars per year growth vs. base scenarios) x (191 feet per rail car assumed length)) / ((4 trains per day) x (365 days per year)) = 6,280 foot increase in train length. Applicants indicate that "for modeling purposes, Applicants' growth modeling was based on an average length of 191 feet for an articulated intermodal railcar." Cover Letter for Applicants' Response to Information Request No. 4, EI-34413, at 2 (filed Sept. 25, 2026).

Moreover, Applicants are not adding any new capital improvements, such as extended sidings, along the East-West NY Corridor or anywhere else in New York. Applicants provide virtually no detail supporting their assertions that infrastructure improvements are unnecessary to avoid additional congestion and blocked crossings that could be expected to result from increased train lengths. NYSDOT is aware of existing community concerns along the East-West NY Corridor regarding blocked crossings, at Ripley along Lake Erie District, and in Waverly, along the Southern Tier. Other New York communities have also entered appearances in this proceeding, suggesting additional concerns. *See* Village of Altamont, N.Y. Comments, ID-311844 (filed July 27, 2026); Village of Voorheesville, N.Y. Notice of Intent to Participate With Comment, ID-311592 (filed June 11, 2026); Village of Voorheesville, N.Y. Letter, ID-312702 (filed Oct. 15, 2026). A smaller, but still significant, increase is expected along a north-south corridor across the State between Waverly and the Canadian Border, intersecting with the East-West NY Corridor in Binghamton. *See* Second Errata Electronic Appendices E, M (line codes 10193, 12281). Again, Applicants do not comment on how increased train lengths will affect throughput, nor do they address the impact to local communities due to increased blocked crossings.

While NYSDOT understands the Board tends to address blocked crossings and other safety-related issues as part of its environmental review, the safety of the rail network falls squarely within the Board's consideration of the public interest and its statutory mandate to ensure the operation of "transportation facilities and equipment without detriment to the public health and safety." *See* 49 U.S.C. § 10101(8). *See also id.* § 10101(4) ("to ensure the development and continuation of a sound rail transportation system . . . to meet the needs of the public.").

Applicants' description of the upstate New York traffic leaves communities and officials guessing at how Applicants will address increased traffic. Applicants must do better to demonstrate that this merger does not undermine the public interest by pushing traffic-related impacts onto local communities.

Accordingly, Applicants fail to meet the public interest standard for approval of a merger. Even if the Board approved the merger, Applicants should be required to comply with the following conditions, as further described in the condition request section below: avoid blocking public crossings for longer than 10 minutes; notify appropriate emergency service dispatching centers of blocked crossings; investigate options for creating alternative access for any blocked crossing where access is blocked for more than 10 minutes more than once per week; consult with NYSDOT and other appropriate agencies prior to constructing, relocating, upgrading, or modifying grade crossings; respond in a timely manner to complaints from State and local authorities regarding congestion-related issues at crossings and around yards; be responsive to concerns voiced by local communities; and, work collaboratively with them to find solutions, including seeking public funding for capital improvements. All of the conditions NYSDOT proposes here are reasonable mitigation measures that find support in Board merger precedent. *See Canadian Pac. Ry. Ltd. et al.—Control—Kansas City S. et al.*, FD 36500, at 165-66, 200-202, 211-12 (STB served Mar. 15, 2023).

B. The merger does not enhance or even preserve competition in key ways.

The merger distorts the competitive landscape for New York freight transportation by increasing overall market power of one of the two primary U.S. Class I railroads serving New York (the other is CSXT). Applicants do not provide sufficient explanation for how this will affect the railroad industry in New York, but the information available indicates it will undermine, rather than strengthen, service in many places.

Although there do not appear to be any 3-to-2 or 2-to-1 reductions in carrier access at any rail-served facilities in New York, *see* Applicants' Supplemental Responses, UP-80/NS-78, ID-311848, at 58-62, such reductions in direct competition are not the only way competition may be impacted. *See* 49 C.F.R. § 1180.1(c)(2) (noting consolidation "can reduce competition both directly and indirectly in particular markets"); *id.* § 1180.1(c)(2)(i) ("Intramodal competition can be reduced when two carriers serving the same origins or destinations merge," and "[c]ompetition in product and geographic markets can also be eliminated or reduced by mergers, including end-to-end mergers."). The merger will diminish competition among routing options, increase the merged carrier's leverage over gateway traffic serving New York, and reduce competitive constraints that currently arise from arm's-length relationships between UP and NS. Without adequate oversight from the Board, the merger could result in reduced quality and competitiveness of service directly and through connecting Class III short lines, who provide critical lower density rail service that serves the public interest, as recognized by the Board. *See Major Rail Consolidation Procedures*, 5 S.T.B. at 565 ("Because of the vital role of Class II and Class III railroads and ports in creating and maintaining a strong national rail transportation system, their interests are a key component of merger review.").

Applicants are required under the Board's regulations to submit a Service Assurance Plan to ensure the attainability of improved service and describe potential areas of service degradation that must result. 49 C.F.R. § 1180.10. Applicants acknowledge that "[s]ometimes improving transit times for a heavily used route requires changes that have the opposite impact on a route with less traffic." UP-39/NS-37, at 2-870. Yet Applicants provide scant analysis regarding the level of impact on shippers and Class III railroads that serve them, particularly on lower density lines.

A number of other commenters in these proceedings have already noted that by reducing independent routing options and consolidating traffic onto preferred network corridors and yards, the merger reduces competition. CSX Transportation, *CSX Transportation, Inc.'s Motion for Summary Denial*, CSXT-19, ID-311906, at 11-12 (filed Aug. 6, 2026); Counsel for Alliance for Chemical Distribution et al., *Joint Shipper Associations' Motion for Summary Denial*, ACC-6, ID-311904, at 6 (filed Aug. 6, 2026). The consolidation of routes, and reduction in competition in turn, increases the risk that lower-density lines, gateways, and more marginal interchange points will lose traffic volume and operational importance. Silica Services, *Comments in Opposition to the Proposed Transaction*, ID-311939, at 1-2 (filed Aug. 17, 2026); George Avery Grimes, *Evidentiary Statement of Party of Record, George Avery Grimes*, ID-312644, at 16 (filed Oct. 2, 2026) ("Grimes Comment").

Because many New York short lines and shippers depend on those traffic flows to remain economically viable, the merger will likely lead to reduced service levels, diminished competitive options, and eventual service withdrawal on lines that would otherwise have continued operating. Moreover, Applicants' enhanced market size will give it even more leverage to dictate economic terms and impose interchange commitments[7] and other contractual mechanisms that harm smaller rail carriers and the shipping public. *See* Grimes Comment, ID-312644, at 6. Thus, even if no shipper loses access to a railroad outright, the increase in market power and reduction in available routings may weaken the economic foundations of marginal lines that rely on diverse traffic flows and competitive interchange opportunities.

[7] Interchange commitments are contractual provisions that restrict the ability of a purchaser or tenant railroad to interchange traffic with a rail carrier other than the seller or landlord railroad. *Disclosure of Rail Interchange Commitments*, EP 575 (Sub-No. 1), slip op. at 1 (STB served May 29, 2008).

For example, NS currently connects to "East of Hudson" shippers in Brooklyn and Long Island via connection with the Class III railroads NYNJR and NYAR. NYNJR and NYAR currently provide lower density rail service between its territory east of the Hudson River and parts west including, by way of the NYNJR-operated float bridge between Brooklyn and Bayonne, NJ, where NS operates. The merger is expected to increase traffic concentrations at Croxton Yard, E-Rail, and other major northern New Jersey terminals. Second Errata Electronic Appendices Q (Row 71) and R (Row 21). By concentrating traffic, operating resources, and capital investments at those facilities, the transaction increases the risk that lower-volume yards and local freight operations within the northern New Jersey network, including Bayonne Yard, could receive lower operational priority, resulting in degraded service quality, reduced switching flexibility, and diminished competitive options for local shippers. Similar scenarios could play out across the state in places where Class III railroads are often the foundation of regional and rural economies, as well as key job creators.

Applicants have provided virtually no detail regarding how the merger is expected to impact connecting Class III carriers such as NYNJR, NYAR and other New York short line railroads. Other stakeholders are therefore left guessing whether this merger will result in adverse consequences for connecting markets. Applicants cannot expect to demonstrate enhanced competition in New York without addressing the expected impacts to Class III New York rail carriers and the shippers that rely on them.

Applicants' existing clout already deters Class III railroads and shippers from participating in these proceedings, as has been highlighted by others. *See* Letter from Senator Tammy Baldwin, ID-311799 (filed July 17, 2026) (discussing concern of the threat of potential retaliation by UP towards shippers and rail stakeholders who do not support the merger). Indeed,

filings submitted in these proceedings have highlighted UP's Chief Executive Officer's threatening language directed at shippers who might oppose the merger. CPKC Comment, CPKC-64, ID-312764 (filed Oct. 30, 2026) (discussing UP CEO Jim Vena's remarks at the Southwest Association of Rail Shippers in 2026). NYSDOT notes that New York's railroad association, Railroads of New York, which includes as members NS, CSXT, and dozens of Class II and Class III railroads, and the majority of its members have opted not to comment on these proceedings. *See* ID-36873.

NYSDOT also notes the broader implications of the merger for NS's Class I competitors in New York State, particularly CSXT. The Board has rightly sought to understand the impact that this merger will have on the overall health and competitiveness of the rail industry and the potential for "downstream" consolidation. *See* Decision No. 21, slip op. at 30-31. Applicants' own analysis reflects that it will take significant market share away from CSXT, including 23.4% of its current automotive volume in New York and Northern New Jersey. Applicants' Supplemental Response, UP080/NS-78, ID-311848, at 358. While Applicants seem to practically promote further Class I consolidation, *id.* at 141-142 ("Indeed, a subsequent merger would likely further strengthen geographic competition by making more origins, destinations, and transportation modes compete more vigorously"), the Board itself has codified its recognition of the negative impacts of further consolidation of the rail industry, *see* 49 C.F.R. § 1180.1(c) ("Although further consolidation of the few remaining Class I carriers could result in efficiency gains and improved service, the Board believes additional consolidation in the industry is also likely to result in a number of anticompetitive effects, such as loss of geographic competition, that are increasingly difficult to remedy directly or proportionately.").

Given the important impacts on the overall competitive balance of the rail industry, both to smaller partners and larger Class I railroads, the Board cannot conclude that the merger enhances competition or strengthens the rail network. Even if the Board were to approve the merger, it would need to implement a thoughtful approach to mitigating harm that goes beyond limited pricing conditions in Midwest gateways far from the impacted New York carriers. Options include transitional rate protections, price stability, "pop-up" trackage rights for connecting Class III rail carriers where service drops below a certain level, *see CSXT*, FD 36472, at 16-17, and written justifications for rate increases above inflation for shippers, *see Canadian Pacific*, FD 36500, at 78-79. In the event New York railroads request that the Board impose these or other mitigating conditions, either in comments or replies to comments, NYSDOT requests that the Board give particular attention to potential pressures that Class III railroads and shippers may be exposed to in advocating for themselves. At minimum, NYSDOT believes that Applicants should provide more description of how they will prevent deterioration of service when connecting with Class III railroads and New York shippers.

C. Applicants' commitment to coordination on safety is not sufficient.

Safety is of paramount importance to NYSDOT. NYSDOT requires the cooperation of all stakeholders, including rail carriers, to ensure that activities such as construction, maintenance, and repairs are conducted in a safe manner. Many public infrastructure projects require access to railroad rights-of-way and the provision of railroad flagging services before work can proceed safely. When construction, maintenance, repair, inspection, or emergency response activities require entry onto railroad property, timely coordination regarding flagging is essential for safety. Without adequate flagging protection, NYSDOT and its contractors may be unable to perform work and may be forced to postpone needed repairs and improvements. Flagging delays affect NYSDOT's ability to maintain transportation assets in a state of good repair and to address

safety concerns in a timely manner. These issues must be addressed for the Board to assure that the public interest threshold is met.

The importance and necessity of reliable coordination will be even greater if the proposed transaction proceeds, resulting in increased rail traffic on New York rail corridors. In determining whether a proposed merger is consistent with the public interest, the Board considers carrier safety and efficiency. *See* 49 C.F.R. § 1180.1(b). Moreover, through the environmental review process, the Board considers safety concerns raised by State governmental entities and require measures to ensure safe operations are maintained throughout the merger's implementation. *See id.* § 1180.1(f)(1), (3). Increased traffic invites increased scheduling constraints, operational conflicts, and demand on railroad resources. Clear coordination procedures and timely responses to flagging requests will be critical in these contexts. Reasonable coordination requirements are therefore an appropriate means of addressing foreseeable safety and operational concerns associated with the transaction.

NYSDOT believes that Applicants must do more to demonstrate an improvement in safety coordination with State and local stakeholders. Applicants should be more proactive in their commitment to respond promptly and cooperatively to requests involving flagging, right-of-way access, and other safety-related coordination matters as part of their Safety Integration Plan.[8] Applicants should also maintain designated points of contact, acknowledge requests within a reasonable period, engage in good-faith coordination regarding scheduling and access, and provide reasonable, timely explanations when requested services cannot be accommodated.

[8] NYSDOT understands that the Board may address issues regarding the Safety Integration Plan in its environmental review. Given that the Board's consideration of the Safety Integration Plan also impacts its decision of the public interest merits of the merger, NYSDOT believes it is appropriate to comment on these issues here.

If the Board does not reject the Application, it must at minimum impose conditions to coordinate with state and local officials regarding impacts at crossings and maintain designated contact points are consistent with conditions included in prior mergers and will help ensure that projected rail traffic increases do not interfere with NYSDOT's ability to inspect, maintain, repair, and improve public infrastructure safely and efficiently. *See, e.g.*, *Canadian Pacific*, FD 36500, at 202 (crossing conditions), 210 (designated contacts); *Canadian Nat'l Ry.—Control—EJ&E W. Co.*, FD 35087, slip op. at 67, 81 (STB served Dec. 24, 2008).

D. Applicants have not demonstrated sufficient commitment to partnering on future passenger rail expansion.

New York's intercity passenger and commuter rail systems are essential to the economic vitality of New York State, the Northeast, and this country. Connecting millions of residents, workers, businesses, and visitors with New York City and communities across the Northeast, these rail networks facilitate commerce, expand access to employment, and sustain the efficient movement of people throughout one of the Nation's most economically significant regions. New York communities have a substantial and growing interest in new or improved passenger rail service, including, among other initiatives, extension of passenger rail service between New York City and Binghamton via New Jersey and Pennsylvania. While Applicants' rail lines in New York currently do not host passenger rail service, other than NS's Port Jervis Line, the proposed merger may affect the feasibility, timing, cost, and operation of introducing new passenger rail service over Applicants' lines in the future through changes in rail traffic, dispatching practices, capacity, infrastructure investment priorities, maintenance priorities, and access over Applicants' lines. Yet Applicants are quiet on these future plans.

Despite the potential impacts, the Application fails to adequately evaluate how the merger transaction would affect new passenger rail service to Binghamton or other reasonably

foreseeable passenger rail projects, such as those that are currently in FRA's Corridor ID pipeline. *See* Comments of the Rail Passengers' Association and Response in Support of the Joint Shipper Associations' Motion for Summary Denial, RPA-1, ID-312256, at 21-23 (filed Sept. 9, 2026). This omission is significant because under a major transaction, applicants are required to expressly address passenger and commuter rail service. They must submit full-system impacts analyses demonstrating the adverse and beneficial effects of the transaction on the provision of essential services, including passenger and commuter services. 49 C.F.R. § 1180.7(b). Applicants are required to detail anticipated impacts on passenger rail services, *id.* § 1180.8(b)(2), and identify the precise steps they will take to ensure projected service levels are attainable. *Id.* § 1180.10. Applicants must also establish operating protocols that ensure effective communications with Amtrak and regional passenger rail operators and minimize potential transaction-related adverse impacts. *Id.* § 1180.10(b).

In general the Application's coverage of the above requirements leaves much to be desired, even with respect to existing passenger and commuter rail services adjacent to New York. For example, Applicants' Operating Plan does not even mention NJ Transit's extensive existing service in northern New Jersey, even though NS jointly operates over lines with NJ Transit. *See* UP-39/NS-37 at 2-756 to 2-780. The gap grows even further when Applicants discuss future service. Applicants' Service Assurance Plan gives scant attention to future passenger service, on the basis that "future passenger services are not yet 'commuter services . . . operated over the lines of applicant carriers.'" *Id.* at 2-1056. Applicants merely state that "[t]o the extent that there are agreements in place regarding future services, Applicants intend that UP/NS will abide by those contractual commitments." *Id.* Applicants' Service Assurance Plan also indicates that Applicants plan to "streamline, as appropriate" certain coordinating functions

with passenger rail services, suggesting the Applicants may consolidate responsibilities for a nationwide network and reduce the overall coverage and availability of dedicated passenger rail liaison staff. *See id.* at 2-1073.

The lack of meaningful substance or discussion regarding the effects of the proposed transaction on existing service that serves New York, such as NJ Transit's northern New Jersey operations, or reasonably foreseeable passenger rail initiatives in New York, such as potential service in Binghamton, fails to adequately explore the adverse and beneficial effects of the transaction on essential passenger and commuter services as required under the Board's regulations. *See* 49 C.F.R. § 1180.7(b). The merger should facilitate, not hinder, passenger rail service in New York, including expansion of this essential rail service.

Accordingly, Applicants have failed in showing that their merger will not harm the public benefits of future expanded passenger rail service. Their merger should therefore be denied. If the Board grants the merger application, it should at minimum impose conditions requiring Applicants to commit to maintaining and improving, not consolidating, passenger rail coordination teams and functions in the newly merged entity. The assurance of dedicated passenger rail liaisons to maintain or improve passenger rail service is consistent with past Board conditions. *See CSX Corp. et al.—Control and Merger—Pan Am Systems, Inc., et al.*, FD 36472, at 24, 27 (STB served Apr. 14, 2022). Applicants should also commit to being responsive and working constructively to improving and expanding passenger rail service in New York, not merely maintaining the status quo. This includes participating in good faith in corridor-level and project-specific planning of passenger rail where appropriate, and committing to working in good faith with NYSDOT, passenger rail operators, and New York communities to avoid transaction-related impediments to new and expanding passenger rail service. There is precedent

for such merger-related commitments, *see id.* at 24-25, 27, which are even more appropriate under the Board's heightened standard for major mergers under the 2001 Rules.

V. If the Board does not deny the Application, it must impose conditions to mitigate the harms to the public interest in New York.

NYSDOT opposes the Application as inconsistent with the public interest and therefore requests that the Board deny the Application. If, however, the Board were to approve the Application, NYSDOT requests that the Board impose the following conditions on any approval of the Application in order to ensure that the transaction is consistent with the public interest.

A. The Board should impose conditions to address increased traffic impacts to New York City metropolitan area.

1. The Board should impose conditions to address congestion impacts in the New York City metropolitan area.

NYSDOT requests the Board impose the following conditions to address impacts of increased rail traffic in northern New Jersey on traffic in the New York City metropolitan area:

- Applicants shall, for seven years following the merger, provide NYSDOT with data for Croxton Yard and E-Rail Yard to an equivalent level of detail as the benchmarking data provided in the Application workpapers, in order to allow NYSDOT to appropriately address impacts to traffic in the broader New York City metropolitan area.
- Applicants shall develop and adhere to a contingency plan for Croxton Yard, E-Rail, and related rail infrastructure in northern New Jersey equivalent with the contingency plans developed for other yards and infrastructure in the Application.
- Applicants shall include in the contingency plan for Croxton Yard concrete, operational measures or capital investments they could implement to reduce congestion in a timely manner, including congestion caused by transloading trucks.

- Applicants shall set the triggering threshold for initiating action under the contingency plan for Croxton Yard according to the historical benchmark data, discounting outlier data: dwell time ranges between 2.8 and 7.8 hours and on-time origination performance between 83% and 99%.
- Applicants shall commit to responding expeditiously to and working proactively and cooperatively with NYSDOT and other stakeholders to address broader freight traffic issues that could impact New York City.

2. The Board should impose conditions to protect New York State communities.

NYSDOT requests that the Board impose the following conditions to address impacts of the merger on New York Communities:

- Applicants shall, upon request, work with potentially affected communities in support of securing funding, in conjunction with appropriate state agencies, for crossing mitigation projects, where they may be appropriate, under criteria established by relevant state transportation departments, to increase the safety of existing at-grade crossings.
- Applicants shall, when practicable, avoid blocking a public crossing for longer than 10 minutes, and, when practicable, avoid leaving cars, engines, and other equipment standing less than 250 feet from a road crossing when there is an adjacent track.
- Applicants shall coordinate with affected communities to improve visibility at roadway/rail at-grade crossing by clearing vegetation where practicable.
- Where practicable, Applicants shall investigate the potential to create alternative access for properties whose sole access will be blocked more than once per week by a train for longer than 10 minutes at a single location.

- Applicants shall work with affected New York officials and communities on effective information systems to deliver timely advance notice of blocked grade crossings to police, fire, and rescue operations, as well as the public at large.
- Applicants shall notify emergency services dispatching centers for potentially affected communities of all crossings blocked by trains that are stopped and may be unable to move for a significant period of time.
- In the event of a reportable hazardous materials release within New York, or affecting New York communities, transportation systems, land, air, or waterways, Applicants shall immediately notify appropriate federal, state, and local agencies, as required under applicable law.
- Applicants shall proactively consult with NYSDOT and other appropriate agencies, prior to constructing, relocating, upgrading, or modifying grade crossings as part of the acquisition, including grade crossing warning devices, and shall abide by those agencies' reasonable requirements for the design of grade crossings and associated warning devices.
- The Applicants shall continue to engage in good faith with potentially affected communities along the combined network, listen to their input related to the proposed merger, and strive to reach negotiated agreements to address merger-related impacts.
- Applicants shall establish a Community Liaison to consult with leaders of New York communities that are parties of record to this proceeding. The Community Liaison shall be available for public meetings and to conduct periodic outreach to mayors and appropriate local officials. Applicants shall establish and staff the Community Liaison position for a period of seven years following the Board's final decision authorizing the

acquisition. The Applicants shall provide the name, telephone number, and email address of the Community Liaison to New York communities that are parties of record to this proceeding.

- Applicants shall, as a condition of approval of this merger, abide by any agreements entered into with local communities to address impacts caused by the merger.

B. The Board should impose conditions to address competition concerns.

NYSDOT requests that the Board consider properly tailored competitive conditions to mitigate the anti-competitive potential of this merger. While NYSDOT does not propose specific conditions, it requests that the Board thoughtfully consider all comments and draw upon previous mechanisms it has used to address such issues, including but not limited to transitional rate protections, price stability, "pop-up" trackage rights for connecting Class III rail carriers where service drops below a certain level, and written justifications for rate increases above inflation for shippers. At minimum, Applicants should be required to provide more information to New York Class III railroads and shippers regarding the expected implications of the merger on service that impacts them.

C. The Board should impose conditions to address coordination on safety.

NYSDOT requests the following conditions with respect to safety:

- Applicants shall respond promptly and cooperatively to requests involving flagging, right-of-way access, and other safety-related coordination matters in the case of public transportation improvements for routes with increased traffic, integrating this commitment into its Safety Implementation Plan.
- Applicants shall maintain designated points of contact, acknowledge requests within a reasonable period, engage in good-faith coordination regarding scheduling and access,

and provide reasonable, timely explanations when requested services cannot be accommodated.

D. The Board should impose conditions to protect future passenger rail service from merger impacts.

NYSDOT requests the following conditions with respect to passenger rail service:

- Applicants shall designate a passenger rail liaison for NYSDOT and other affected public agencies, and establish effective communication and operating protocols with Amtrak, regional passenger rail operators, and relevant public agencies.
- Applicants shall provide reasonable advance notice of material operating, capacity, maintenance, or infrastructure changes that could affect existing, proposed, or reasonably foreseeable passenger service.
- Applicants shall participate in good faith in corridor-level and project-specific planning of passenger rail where appropriate, and commit to working in good faith with NYSDOT, passenger rail operators, and New York communities to avoid transaction-related impediments to new and expanded passenger rail service.

CONCLUSION

For the foregoing reasons, NYSDOT requests that the Board deny the Application. If the Board approves the Application, NYSDOT requests that the Board require the foregoing conditions as part of any approval of the Application.

[Signature page follows]

Respectfully submitted,

/s/ Subash Iyer

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Counsel for New York State Department of Transportation

Dated: November 18, 2026

PUBLIC VERSION

CERTIFICATE OF SERVICE

I hereby certify that I have, this 18th day of November, 2026, served copies of this COMMENT by first-class mail or email on all parties of record in this proceeding, the Secretary of Transportation, the Attorney General of the United States, and Administrative Law Judge Jenifer Soulikias.

/s/ Subash Iyer

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PUBLIC VERSION

Exhibit A
Verified Statement of Michael Cameron

PUBLIC VERSION

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 36873

UNION PACIFIC CORPORATION AND
UNION PACIFIC RAILROAD COMPANY
– CONTROL –
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY

VERIFIED STATEMENT OF MICHAEL CAMERON

I. Introduction and Background

1. My name is Michael Cameron and I serve as Acting Director, Freight & Passenger Rail Bureau at the New York State Department of Transportation ("NYSDOT"). My resumé is attached to this Verified Statement.
2. I make this Verified Statement based on my personal knowledge and familiarity with the records and documentation at my employer NYSDOT.

II. NYSDOT's Role and Responsibilities

3. NYSDOT is an executive branch agency of the State of New York administered by the Commissioner of Transportation. NYSDOT sets statewide transportation policies, funding and administration of capital investment programs across all modes of transportation, and sponsorship of intercity passenger rail service operated by the National Railroad Passenger Corporation ("Amtrak"). NYSDOT is responsible for planning and overseeing a safe, strong, and efficient transportation network, including a competitive freight rail network, that serves rail network users and the public at large.

4. NYSDOT has a substantial interest in the efficiency, reliability, and management of transportation within New York, including the effects of the proposed rail merger on other transportation modes and facilities. These interests include intermodal connections involving rail-to-truck or rail-to-ship transportation in key gateway areas such as New York City and Buffalo's U.S.–Canada rail border crossing, as well as interfaces between rail operations and public infrastructure, including highways and grade crossings.

5. As part of its transportation planning responsibilities, NYSDOT has developed several planning documents, including the Draft New York State Transportation Master Plan 2050 (2025), which is available online at https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau/masterplan/masterplan-2050plan, and the New York State Rail Plan, available online at https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau/state-rail-plan. The State Rail Plan was published in 2009 and a new one is currently under development. Together these planning documents provide additional context regarding New York's rail system and reflect future plans for the State's transportation network.

III. New York's Rail System

6. New York State's rail network consists of approximately 3,795 miles of freight railroad lines serving a wide range of markets and extends to all geographic regions of the State. New York's freight rail system is supported by four Class I railroads—Norfolk Southern Railway Company ("NS"), CSX Transportation, Inc, ("CSXT"), Canadian Pacific Kansas City Limited ("CPKC"), and Canadian National Railway Company—four regional railroads, and twenty-nine short lines. Union Pacific Railroad Company ("UP") does not currently operate in New York.

7. The safety and reliability of this network are matters of significant public interest, not just for freight rail transportation itself but for the overall transportation network and local communities. NYSDOT has identified that continued maintenance of, and funding for, rail infrastructure, particularly on short lines, is crucial to ensuring that New York's rail network can safely and efficiently accommodate increasing rail traffic.

8. The New York rail network includes some of the busiest intercity passenger and commuter railroads in the country, some of which operate over freight lines. Amtrak provides intercity rail passenger rail service throughout the State, operating principally over rail lines owned by CSXT and CPKC. Metro-North Railroad and the Long Island Railroad, both operated by the Metropolitan Transportation Authority, the two busiest commuter railroads in the country, provide commuter rail service in the downstate region and into New York City. In addition, and as discussed in NYSDOT's previous comment in these proceedings, NS owns a line extending from New Jersey into Orange County in southern New York that is known as the Port Jervis Line. Metro-North Railroad leases that line and NJ Transit conducts commuter rail service, see NYS-2, ID-311289, at 5-7. No other New York passenger rail service currently runs on lines owned or operated by either Applicant.

IV. NYSDOT's Support of Freight and Passenger Rail Service

9. New York regularly invests in rail infrastructure throughout the State through its Passenger and Freight Rail Assistance Program (PFRAP). PFRAP provides enhanced assistance for rail and port capital investments to preserve and enhance the State's major trade and passenger corridors. For example, in March 2024, New York announced the 2024 PFRAP grant awards, representing a historic $111.1 million investment in port and

freight rail infrastructure projects throughout the State. In January 2026, New York announced the award of over $101 million in state funding to support 25 projects across New York that will modernize key freight lines and port facilities through state PFRAP grants. PFRAP funds are allocated to projects such as rehabilitating and replacing rail infrastructure and enhancing safety components on key corridors, upgrading port infrastructure to accommodate heavier cargo, and improving rail-to-truck facilities to reduce truck traffic and emissions. Other initiatives under the Program include rehabilitating bridges and tracks, installing new rail equipment, and modernizing terminals. These investments reflect New York's continuing commitment to maintaining and improving rail service in New York and underscore NYSDOT's interest in ensuring that the proposed transaction promotes a safe, efficient, reliable, and well-coordinated rail network.

10. NYSDOT and other governmental entities are actively pursuing planning for future passenger rail services. For example, in 2022, NYSDOT received grants under the FRA's Corridor Identification and Development ("Corridor ID") Program to advance projects aimed at improving the frequency, reliability, safety, speed, and state of good repair of Amtrak's Adirondack and Empire services.

11. NYSDOT is also aware of other planning for passenger rail service in New York. The City of Binghamton, NY, has applied for Corridor ID funding to study revived passenger service in Binghamton that could potentially link with another passenger rail plan being pursued by Pennsylvania Department of Transportation between Scranton, PA, and New York City via New Jersey. See City of Binghamton, NY, Mayor Kraham Announces Rail

Service Exploration, https://www.binghamton-ny.gov/Home/Components/News/News/586/15 (Feb. 26, 2026).

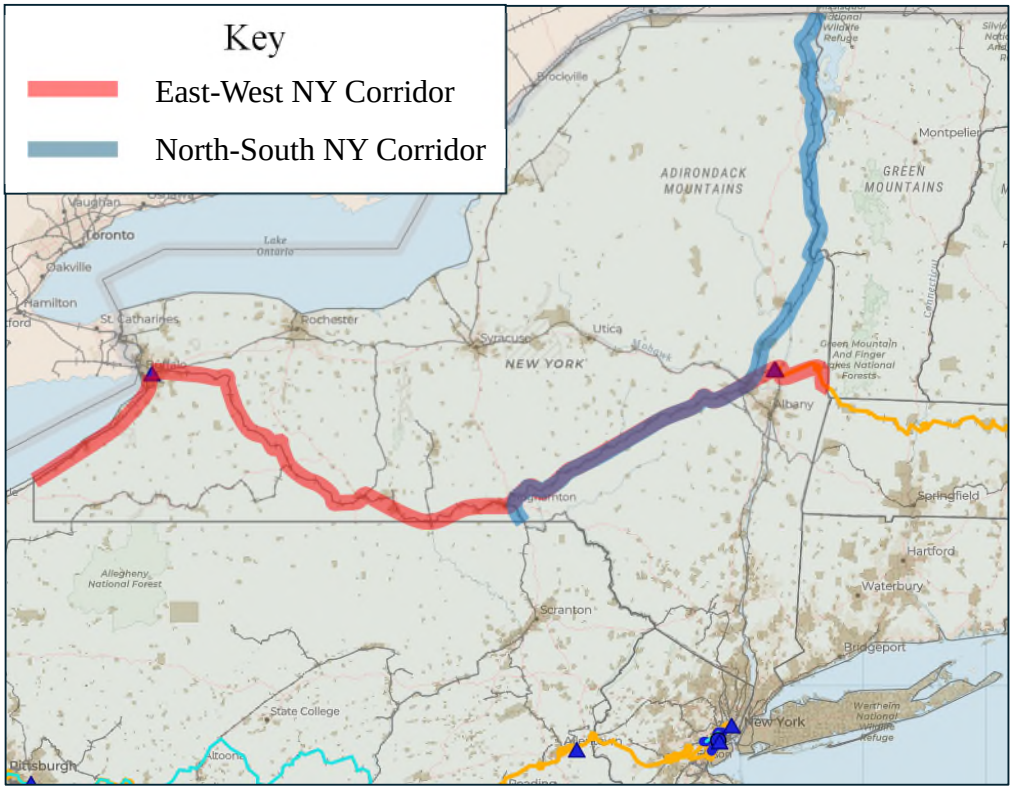
V. NS's Role In New York's Rail Network

12. Rail lines owned and operated by NS serve a critical role within New York's freight transportation network. As indicated in the Amended Application's supporting materials, NS owns or operates more than 1,000 miles of rail line in New York. This network passes through numerous New York communities and connects with Class II and Class III rail carriers serving New York shippers throughout the State.

13. NS lines cover a broad territory in New York, traversing the State both east-west and north-south.

14. As relevant to this proceeding, NS operates a corridor that stretches across the entire length of the State from its easternmost to westernmost side through Buffalo, Binghamton and Mechanicville ("East-West NY Corridor"). This corridor, consisting of segments identified in NS's Application documents as line codes 10019 (Erie District), 10043 (Southern Tier), 10211 and 10193 (Sunbury Line), 10952, 12157 (Hoosick Junction), and 11050 (to Miller Falls, MA), connects Chicago and the Midwest to New York and points east into Massachusetts. Around Mechanicville, NS traffic may travel eastward to New England by way of two lines. One route is NS's so-called "Patriot Corridor" or "Northern Route" on Hoosick Junction, ultimately connecting with NS's yard in Ayer, MA. NYSDOT Comments on Completeness, NYS-2, ID-311289, at 3 (filed May 7, 2026). NS also utilizes overhead trackage rights it acquired in the CSXT-Pan Am merger to operate along a CSXT-owned "Southern Route," passing through Voorheesville, NY to Worcester, MA. *See id.*

15. NS also operates along a north-south corridor across the State between Pennsylvania through Waverly, Binghamton, and northward to the Canadian Border. Errata Electronic Appendix E (line codes 10193, 12281). The East-West NY Corridor and north-south corridors are depicted in the map below. Straddling the New York–Pennsylvania and New York–New Jersey borders, NS also controls the Port Jervis Line.



16. Outside of New York, NS plays a key role in serving the New York City metropolitan area through northern New Jersey's extensive adjacent rail infrastructure. NS operates several yards in northern New Jersey, including Croxton Yard, E-Rail Elizabeth Rail Yard, and Bayonne Yard. NS also controls and uses connecting rail lines in northern New Jersey through its partial ownership of Conrail Shared Assets Operations ("CSAO"). According to regional planning documents, most of the rail freight activity within the

New York metropolitan region takes place in northern New Jersey, where goods are transferred from rail to truck at intermodal terminals and moved by truck into the metropolitan area. New York Metropolitan Transportation Council, Moving Forward 2055: NYMTC Regional Transportation Plan, Appendix D, D43 to D45 (2025), available at: https://www.nymtc.org/movingforward2055/pdfs/app_d.pdf. NS currently connects to "East of Hudson" shippers in Brooklyn and Long Island indirectly via a float bridge operated by New York New Jersey Rail, LLC ("NYNJR"), between Bayonne, NJ, and Brooklyn, NY. Once in Brooklyn, traffic may be interchanged with the Class III railroad New York & Atlantic Railroad ("NYAR") serving Brooklyn and Long Island. This is the only such east-west freight rail connection over the Hudson for over 100 miles.

VI. Review of UP's and NS's Merger Proposal

17. NYSDOT has carefully reviewed UP's and NS's Application to merge and supporting materials and concludes that the proposed merger will impact the public interest in the State of New York in several ways.

18. First, increased traffic anticipated from the merger will create greater congestion, affecting local communities, rail traffic, and other modes of transportation. NYSDOT is aware of several communities along NS lines in upstate New York who have raised concerns with blocked crossings in the past, and additional significant traffic will likely create new congestion, particularly if no new infrastructure improvements are made to address these issues.

19. Likewise, the capacity of the rail network and intermodal terminals in northern New Jersey is a serious concern, both in general and specifically with respect to Croxton Yard, the terminus of several new proposed routes. NYSDOT is concerned about the impacts of

bottlenecks created by the merged railroad's increased traffic into the New York City area, which could have knock-on effects for both freight and transloaded truck and marine traffic.

20. Second, the merger will create a behemoth Class I carrier with outsized market power, which will reduce end-to-end routing competition for long-distance transportation into and out of New York and may lead to deterioration of service to lighter density short lines served by Class III railroads in the State. NYSDOT notes that New York's railroad association, Railroads of New York, which includes as members NS, CSXT, and dozens of Class II and Class III railroads, has opted not to comment on these proceedings.

21. Third, the merger will add to the burden of responding to public safety issues, requiring closer coordination between the merged railroad and public officials. The Board should address these issues to ensure that this merger meets the public interest standard required under applicable law. Safety is of paramount importance to NYSDOT. NYSDOT requires the cooperation of all stakeholders, including rail carriers, to ensure that activities such as construction, maintenance, and repairs are conducted in a safe manner. Many public infrastructure projects require access to railroad rights-of-way and the provision of railroad flagging services before work can proceed safely. When construction, maintenance, repair, inspection, or emergency response activities require entry onto railroad property, timely coordination regarding flagging is essential for safety.

22. Fourth, the merger could constrain future development of passenger rail service, which would undermine the public benefit of the interstate rail network and the public interest generally. New York communities have a substantial and growing interest in new or

improved passenger rail service. Current and proposed initiatives in and affecting New York include, among others, passenger rail service to Binghamton as a potential extension of potential passenger rail service between Scranton and New York City through New Jersey. The proposed merger may negatively affect the feasibility, timing, cost, and operation of this and other passenger rail initiatives through changes in rail traffic, dispatching practices, capacity, infrastructure investment priorities, maintenance priorities, and access over Applicants' lines.

23. I, Michael Cameron, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on November 17, 2026.



Michael Cameron
Acting Director, Freight & Passenger Rail Bureau
New York State Department of Transportation

PUBLIC VERSION

MICHAEL L. CAMERON

372 Route 423 Saratoga Springs, NY 12866
Mobile: (315) 278-5277 **E-mail:** michael.cameron@dot.ny.gov

PROFILE

Goal oriented and confident; excellent communication and listening skills; team player and self-motivated with strong drive to succeed.

PROFESSIONAL EXPERIENCE

NYS Department of Transportation 10/26-Present
Acting Director, Freight & Passenger Rail Bureau

- Supervising a team of 15 professionals, including Section Heads (Freight/Passenger Rail) and Project Managers.
- Oversees planning and program management for the movement of freight by rail and port and for a wide variety of passenger rail initiatives across NY State.
- Passenger sector responsibilities include managing rail budgets for Amtrak and State-owned tourist assets, Amtrak maintenance of way projects/state of good repair contracts, safety protocols, and scheduling approvals.
- Freight sector of the Bureau emphasis is on Passenger and Freight Rail Assistance Program (PFRAP) managing, administering and coordinating rail-related capital and infrastructure projects Statewide, state of good repair construction contracts, and directing Freight Rail Policy across the State.
- Working with all Freight / Passenger Railroad partners across the State.

NYS Department of Transportation 09/24-10/26
Deputy Director, Freight & Passenger Rail Bureau

- Supervising a team of 12 professionals, including Section Heads (Freight and Passenger Rail) and Project Managers.
- Passenger sector responsibilities include managing rail budgets, Amtrak maintenance of way projects/state of good repair, contracts, safety protocols, and scheduling approvals.
- Freight sector of the bureau emphasis is on Passenger and Freight Rail Assistance Program (PFRAP), construction contracts, and Freight Rail Policy.
- Working with all Freight / Passenger Railroad partners across the state.

National Railroad Safety Services, Inc. Latham, NY 04/22-08/24
Northeast District Manager

- Oversee field service jobs for Class 1 Railroads, Regional Short Lines, Transit Systems, State DOT's, as well as Railroad Suppliers, Contractors, and Consultants
- Provide track protection across 13 states (from South Carolina to Maine) while monitoring and managing project quality to ensure project deliverables are acceptable and fulfill the terms of the project contract
- Arrange and coordinate 20+ job sites, simultaneously
- Navigate various rulebooks and regulations
- Bring in new business across the territory while maintaining relationships with past and current clients
- Weekly travel to construction sites on railroad properties
- Develop project schedules, work plans, resources requirements, cost estimates, and projections
- Keep track of all equipment, Personal Protective Equipment, and tools in storage area

Amtrak Albany-Rensselaer, NY 12/20-04/22
Mechanical Foreman II

- Responsibility of final inspection, final walk-through and signature on all outbound trains and team building of all crafts of shop floor
- Front line supervisor of six professional crafts
- Managed warehouse clerks as well the shipments of locomotive and passenger car parts
- Direct train movement in shop facility and mechanical rail yard
- Make logistical plans with the transportation team
-

Amtrak Albany-Rensselaer, NY 08/18-11/20
Trainmaster

- Safety and team building of all workers on the railroad and workers in the office
- Responsible for 118 conductors who travel between Albany, Boston, New York (Penn Station), Montreal, QC, Rutland, VT, Schenectady, Amsterdam, Syracuse, Rochester, Buffalo, and Niagara Falls
- Manage a workforce and work with UTU and BLET Unions
- Customer Service dealing with public transportation and passengers from all over the world
- Perform monthly safety checks in FRA testing and enter documented test results for federal regulation
- Facilitate schedules for operating trains (including holiday/weekend/COVID-19)
- Make logistical plans for train sets and locomotives with the mechanical team

CSX Transportation Selkirk, NY (Hump Terminal) 05/17-08/18
Terminal Trainmaster - (MOSP position has been eliminated across CSXT)

CSX Transportation Albany Division (Northeast) 07/15-05/17
Manager of Safety and Operating Practices

- Responsible for coordinating team building meetings and activities of all managers (57)
- Performed operating (safety checks) testing across Albany Division monthly
- Taught an annual operating rules class to Albany Division managers and oversaw that all T&E employees were certified in safety and territories
- Responsible for holding foreign line operating rules classes
- Managed all safety numbers for the Albany Division (Injuries/Derailments/Operational Testing)
- Reported on and investigated all FRA injuries and derailments on the Albany Division
- Worked with Chief Dispatcher and produced the Albany Division Timetable (July 2016)

CSX Transportation Watertown-Massena, NY Valleyfield/Beauharnois, QC 01/12-07/15
Line of Road Trainmaster

- Responsible for team building and safely managed all train crews (Engineers 18 / Conductors 32) and customers on the St Lawrence Subdivision covering 162 miles of railroad from Syracuse, NY to Massena, NY and Canadian provinces of Ontario and Quebec
- Successfully planned and managed a budget consisting of road trains and local switchers
- Achieved an impeccable safety record of ZERO FRA reportable injuries
- Actively involved in the Customer Site Assessment (CSA) process with local customers
- Effectively worked with customers to develop an operating plan increasing customer satisfaction while reducing costs in an increased volume situation
- Worked with CSX Intermodal opened van-site in Valleyfield, QC (Operating Plan)

CSX Transportation Selkirk, NY (Hump Terminal) 03/08-01/12
Terminal Trainmaster

- Managed a workforce consisting of union employees from numerous crafts including yardmasters, conductors, engineers, clerks, car inspectors, and locomotive mechanics
- Coordinated constant and effective communication between the management teams from all departments ensuring goals remained constant between departments
- Worked directly with automotive department making sure that auto racks were spotted for unloading for on-time delivery
- Worked with automotive department to ensure all empty auto rack cars were pulled out of the auto site
- Managed the operation of the Hump terminal and safely and efficiently moved up to 10+ UPS trains per day
- Facilitated an operating plan designed to run a safe and efficient operation and originated up to 26 road trains in a 24 hour period in addition to processing another 25 trains

CSX Transportation Syracuse, NY (Flat Yard) 09/06-03/08
Terminal Trainmaster

- Managed a workforce consisting of union employees from numerous crafts including yardmasters, conductors, engineers, clerks, car inspectors and locomotive mechanics
- Safety being a way of life
- Coordinated constant and effective team building and communication between the management teams from all departments ensuring goals remained constant between departments
- Facilitated an operating plan designed to safely and efficiently run a flat switching yard handling 7+ UPS trains per day as well as switching out auto racks daily

CSX Transportation Baltimore Division 01/06-09/06
Management Trainee

- Learned Line of Road and Terminal Trainmaster duties across the division
- Introduced to operational testing
- General knowledge and training on the railroad operation

EDUCATION

Brockport State University Brockport, NY Degree Completed 08/05

Bachelor of Science Degree

- Bachelor of Science in Communications
- Varsity Hockey (2000-2004)

The Eastern Transportation Coalition Freight Academy

- Class of 2025