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BEFORE THE
SURFACE TRANSPORTATION BOARD

FD NO. 36873

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

COMMENTS AND REQUEST FOR CONDITIONS OF THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION

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The Riverside County Transportation Commission (RCTC) submits these comments on the proposed acquisition of Norfolk Southern Corporation and Norfolk Southern Railway Company by Union Pacific Corporation and Union Pacific Railroad Company (together, "Applicants"). RCTC asks the Board to require a focused analysis of the transaction's potential effects on passenger rail service and highway-rail grade crossings in Riverside County, California, together with measures to address any merger-related impacts.

RCTC is the regional transportation planning agency for Riverside County responsible for planning and delivering a suite of multimodal transportation options for the County's 2.5 million residents. RCTC is a member agency of the Southern California Regional Rail Authority, which operates Metrolink service, and the Los Angeles-San-Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency. RCTC holds exclusive passenger rail rights in the BNSF San Bernardino Subdivision within the LOSSAN corridor where Metrolink commuter rail service operates. Additionally, RCTC owns and operates all nine Metrolink stations located in Riverside County.

As part of its commitment to expanding multimodal transportation options for Riverside County's residents, RCTC is advancing work to deliver the Coachella Valley Rail (CV Rail) Project. This project aims to deliver daily intercity passenger rail service between Los Angeles Union Station and the City of Coachella, with several stops at new and existing stations along the 144-mile corridor.

As such, RCTC has an interest in regional passenger rail planning and service, including Metrolink and CV Rail. The transaction may affect the capacity and operation of rail corridors important to existing and planned passenger service. Changes in freight traffic or operations may also affect grade-crossing occupancy, traffic queues, and emergency access. RCTC requests that the Board ensure these issues receive a corridor-specific review before acting on the application.

RCTC has identified the following potentially affected corridors and projects: Metrolink Riverside Line; shared portions of the Metrolink Inland Empire – Orange County Line and Met91/Perris Valley Line; and the future CV Rail alignment and service plans. The grade crossings that warrant evaluation include those along the Union Pacific Yuma Subdivision

between the cities of Colton and Coachella to address additional train volumes and train lengths that result in additional crossing gate down time and traffic delays.

The Board must consider the effect of a major rail transaction on the adequacy of transportation to the public and consider imposing conditions to protect the public interest.[1] The Board's regulations require applicants to analyze system impacts and detail anticipated effects on passenger services, including delays caused by increased traffic.[2]

A. Passenger Rail Service

Applicants should provide a corridor-level analysis of how projected freight traffic and operating changes could affect existing and planned passenger service in Riverside County. General assurances that passenger operations will continue do not allow the Board or affected public agencies to assess likely impacts on specific service plans, operating windows, capacity, or reliability.

RCTC asks the Board to require Applicants, before the Board issues a final decision, to consult with RCTC and affected passenger rail operators and provide an analysis that:

1. Identifies affected corridors. Identify the routes in Riverside County over which existing or planned passenger service may operate and that could be affected by the transaction.

2. Evaluates existing and planned service. Assess the effect of projected freight traffic, train lengths, dispatching practices, and capacity constraints on existing Metrolink service and planned passenger service, including CV Rail. The analysis should identify the operating assumptions, data, and methods used, and consider passenger schedules and service plans reflected in applicable regional or state planning documents.

3. Provides for continuing coordination. Establish a designated contact and a defined process for timely coordination with RCTC and passenger rail operators on service planning, capital projects, and operational issues. The process should include regular coordination meetings and a way to elevate unresolved issues.

4. Monitors service impacts. Track and report material passenger-service impacts on affected corridors, including freight-related delay, dispatching conflicts, and constraints on planned service. Applicants should describe how they will work with affected agencies to address identified impacts.

B. Grade Crossings and Mitigation

The Board should also require an evaluation of whether merger-related changes in freight traffic or operations could increase grade-crossing blockage or related impacts in Riverside County. Longer or more frequent freight trains may affect crossing occupancy, traffic queues,

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[1] 49 U.S.C. § 11324(b)(1), (c).
[2] 49 C.F.R. §§ 1180.7(b), 1180.8(b)(2), 1180.10(b).

and emergency access. The analysis should identify affected crossings and use available traffic and operating data to evaluate the expected change.

For crossings where the analysis identifies a material merger-related impact, RCTC asks the Board to require Applicants to work with RCTC and affected local agencies to identify reasonable mitigation. That work should include evaluating grade separations and other operational or infrastructure measures, identifying potential state and federal funding sources, and establishing a process for Applicants to participate in developing and funding mitigation proportionate to the impacts attributable to the transaction.

RCTC can provide additional information identifying relevant crossings, planned projects, and available studies. Applicants should coordinate with RCTC early enough for that information to inform the analysis and any mitigation plan.

C. Requested Conditions

RCTC requests that the Board condition any approval of the transaction on Applicants' completion of the corridor-specific passenger rail and grade-crossing analysis described above, consultation with affected agencies, and implementation of reasonable measures to address material impacts attributable to the transaction. At minimum, the conditions should require Applicants to:

1. Analyze passenger rail impacts. Evaluate effects on existing and planned passenger service in affected Riverside County corridors, using disclosed assumptions and data.

2. Coordinate with public agencies. Maintain a designated contact and a timely process for coordination with RCTC, passenger rail operators, and affected local agencies on operations and capital projects.

3. Monitor and report. Report material passenger-service and grade-crossing impacts and describe steps taken to address them.

4. Develop mitigation. Work with RCTC and affected agencies to identify and pursue reasonable operational, infrastructure, and funding measures for material merger-related impacts, including grade-separation projects where appropriate.

CONCLUSION

RCTC requests that the Board consider these comments and require the analysis, coordination, monitoring, and mitigation measures described above as conditions of any approval of the transaction.

Respectfully Submitted,

RIVERSIDE COUNTY TRANSPORTATION COMMISSION
By Counsel



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Date: November 18, 2026

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of November 2026, I caused the foregoing Comment and Request for Conditions by the Riverside County Transportation Commission to be served on all parties of record in this proceeding.

Dated: November 18, 2026

By: 

Geremy L. Holm
Associate
Best Best & Krieger LLP

Cc: All Parties of Record (via email or first class mail)