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A CENTURY OF STRENGTHENING CITIES

November 18, 2026

The Honorable Patrick Fuchs
Chairman
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

The Honorable Michelle Schultz
Vice Chair
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

The Honorable Karen Hedlund
Member
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

The Honorable Richard J. Kloster
Member
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Dear Chairman Fuchs, Vice Chair Schultz, Member Hedlund, and Member Kloster:

As the Surface Transportation Board (STB) proceeds with the proposed merger (FD 36873) between Union Pacific Railroad (UP) and Norfolk Southern Railway (NS), the National League of Cities would like to request the STB take specific action to address the clarity and accessibility of the proceedings and ensure quality information is provided from local governments to inform your decision-making.

We request that public hearings be conducted in every state where there are impacted stakeholders. The federal government should not expect municipal governments to travel outside of their state to fully participate in the STB's process, and a substantial merger deserves a substantial opportunity for comment across the impacted areas. We are pleased to see a number of state agencies have chosen to submit comments, and we ask that all parties work with your intergovernmental partners to find a time and place where rail stakeholders from the state and local areas are already planning to gather to ensure efficiency and cost effectiveness.

We are concerned that the proposed merger impacts are not complete for local government review. If STB does not address the gaps in information as raised by other entities in the docket, including EI-34305, moving the process forward renders the review useless. These include the environmental effects of changes in rail traffic and operations; increased congestion and delays at highway-rail grade crossings; the potential for longer or more frequent trains to impede local mobility and emergency response; increases in truck traffic and associated roadway congestion; and impacts on air quality, noise, and the quality

of life in neighborhoods adjacent to rail corridors. Currently, it is unclear if Union Pacific's voluntary mitigation measures will be part of the Notice of Intent to conduct an Environment Impact Study (EIS). If not, then how will the affected parties be able to comment on proposed mitigation prior to the final EIS coming out, since we understand the EIS will include recommended mitigation measures? We urge STB to ensure a fair opportunity for impacted areas to review the facts.

We request that longer trains are appropriately identified in all materials as it can be a matter of life and death in local communities for fire, police and medical emergency access as well as environmental impacts. We want to highlight a discrepancy in the application's train-length data that, if not corrected, could impede the Office of Environmental Analysis' (OEA) ability to conduct an accurate EIS. Currently, communities cannot easily identify where UP indicates which segments their new +10,000-15,000 feet train operating model will traverse. The Master Segment Table does not indicate how long the trains are projected to be on each segment traversing through communities so stakeholders cannot tell what the impacts will be. Additionally, in UP's operating plan, it identifies train lengths of as high as +15,00ft. Yet, in the data UP provided to OEA in their Response to Information Request 4 (EI-34415), UP reports substantially shorter maximum train lengths, nothing beyond 11,135ft. These differences are material because train length directly affects the potential duration of blocked crossings and other community impacts that OEA must evaluate. Local governments cannot accurately assess those impacts or determine appropriate mitigation measures if the data provided in the main docket does not align with the environmental docket. See an example, train ZLCDT, which the operating plan reports a14,533ft and clearly shows will operate through, but in EI-34415, Segment 10174-Peru-Wabash-Huntington-Ft. Wayne, UP is stating Max Train length 7,785ft. Finally, many segments (like 10174, 10096, 10060, and 102881) that were included in UP's Master Data table for exceeding board thresholds such as those attached do not appear on the OEA's interactive map and so we are concerned that many communities are not able to fully review these impacts.

Finally, we agree that the STB must take retaliation, whether perceived or actual, seriously as it does undermine the integrity of the Board's processes. This has been well documented with NS and the National Transportation Safety Board during recent tragic derailments in East Palestine, Ohio. We are also concerned that STB's recent opinion on preemption substantially raises the risk of retaliation to local communities. We must call attention to the STB that economic retaliation is often reflected in processes that railroads like UP use to set the terms and costs for all improvements and access agreements. To alleviate this concern, we ask that any final merger terms from the STB provide limitations to what can be extracted from a local community to engage in a project. To affirm the integrity of the STB's process, we ask that all changes in project costs for mitigations included in the merger be borne exclusively by the railroads to ensure that the merger costs are not recouped on local communities as a method of retaliation for engaging in the process.

We respectfully submit these requests for the STB's determination in the proceedings, and thank the STB for extending deadlines where warranted. We appreciate STB's role as an independent body in the proposed merger evaluation and your commitment to ensure the public's safety and interests are considered fully and transparently.

Thank you,



Clarence E. Anthony
CEO and Executive Director
National League of Cities

CERTIFICATE OF SERVICE

This is to certify that a copy of the National League of Cities' submission has been electronically filed with the Surface Transportation Board and served on all parties of record in this proceeding on this November 18, 2026.

Brittney Kohler

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National League of Cities