THOMPSON HINE

ATLANTA | CHICAGO | CINCINNATI | CLEVELAND
COLUMBUS | DAYTON | LOS ANGELES | MINNEAPOLIS
NEW YORK | SILICON VALLEY | WASHINGTON, D.C.

September 15, 2026

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ACC-7 / ACD-7 / AFPM-7 / NITL-4 / TFI-7

Re: STB Docket No. FD 36873, *Union Pacific Corp., et al.—Control—Norfolk Southern Corp., et al.*

Dear Chief of Case Administration:

The Alliance for Chemical Distribution ("ACD"), American Chemistry Council ("ACC"), American Fuel & Petrochemical Manufacturers ("AFPM"), The National Industrial Transportation League ("NITL"), and The Fertilizer Institute ("TFI") (collectively, "Joint Shipper Associations" or "JSA") submit this letter in support of the letter filed by BNSF, CSX Transportation, Inc., and Canadian Pacific Kansas City (collectively "Railroads") on September 14, 2026 (BNSF-54 / CKPC-48 / CSX-27). The JSA share the concerns expressed with the frequent modifications that the Applicants have made to their merger application.

As the JSA emphasized in their Motion for Summary Denial (ACC-6 / ACD-6 / AFPM-6 / NITL-3 / TFI-6 at 13), each time the Applicants modify their Application:

> stakeholders have been required to commit significant resources to review and assess the Applicants' submissions. This becomes increasingly difficult because each submission must be compared and contrasted with all prior submissions.

Now that the Board has established a procedural schedule that has begun the countdown to complete its review within a statutorily designated timeframe, every modification creates a moving target that further consumes the valuable time and resources of stakeholders.

The Applicants chose when to file their Application. And when the Board offered them 30 extra days to submit supplemental responses (Decision No. 21 at 13, note 20), the Applicants declined that offer rather than use the additional time to ensure the accuracy and completeness of their responses. Since then, the Applicants have amended their supplemental responses twice, on September 4 and 11. Stakeholders should not be penalized for the consequences of the Applicants' rush to file.

Therefore, the JSA support the Railroads' request that the Applicants promptly certify that their Application will not change again.

Jeff.Moreno@thompsonhine.com Fax: 202.331.8330 Phone: 202.263.4107

THOMPSON HINE LLP
ATTORNEYS AT LAW

1999 K Street NW, Suite 600
Washington, D.C. 20006

www.ThompsonHine.com
O: 202.331.8800
F: 202.331.8330

Sincerely,

Jeffrey O. Moreno
Counsel for Joint Shipper Associations

Cc: All parties of record