



SURFACE TRANSPORTATION BOARD

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www.stb.gov

Contact:
Media@stb.gov
202-245-0245

STB ADOPTS PROCEDURAL SCHEDULE FOR CONSIDERATION OF UP-NS MERGER; REMOVES PROCEEDING FROM ABEYANCE

The Surface Transportation Board today announced a decision adopting a procedural schedule for the consideration of the revised major merger application filed by Union Pacific (UP) and Norfolk Southern (NS) (together, Applicants). Today's decision removes the merger proceeding, including the environmental review, from abeyance and initiates the process for evaluating the merits of the proposed merger transaction. Importantly, this decision does not constitute a ruling on the merits of the merger application or any issues raised by commenters or in motions filed since Applicants' July 27 submission. The Board will address those matters in subsequent decisions.

On May 28, 2026, the Board accepted Applicants' revised major merger application for consideration but placed the proceeding in abeyance, requiring Applicants to submit supplemental information. This step ensured the Board had the information necessary to thoroughly evaluate the proposed transaction and allowed the public adequate opportunity to comment on whether the proposed transaction is in the public interest. Applicants submitted supplemental information to the Board on July 7 and July 27, 2026.

In today's decision, the Board finds that the record is now sufficient to resume the procedural schedule. Again, this determination is not a finding on the merits of the revised application.

Today's decision establishes a procedural schedule for public comment on the merits of the proposed merger. The schedule is designed to provide stakeholders and the Board sufficient time to consider the potential impacts of the proposal. The full procedural schedule is included as an appendix to today's decision, and a visualization is available on the Board's UP-NS Merger Resources Page [here](#).

Notices of Intent to Participate. Parties wishing to participate in this proceeding as Parties of Record (i.e. those who wish to be served with copies of all filings submitted in this proceeding) must properly file a notice of intent to participate with the Board by September 4, 2026. Parties filing notices of intent to participate by this deadline are only required to serve copies of their notice on the Secretary of Transportation; the Attorney General of the United States; Mr. Rosenthal, representing UP; and Mr. Atkins, representing NS. Those who have already submitted notices of intent to participate do not need to resubmit an additional notice.

Comments. Comments on the revised application, including protests, requests for conditions, and any other evidence and argument in opposition, are due November 18, 2026. Responses to comments on the revised application, including protests, requests for conditions, and other opposition are due February 16, 2027.

Hearing. The Board will hold a public hearing on a date(s) to be determined in a subsequent decision, which will provide details about how to participate in the public hearing. The Board expects the public hearing will precede the due date for final briefs.

In addition to setting a procedural schedule, today's decision also directs Applicants to refile, within ten days, any workpapers to which screening or filtering criteria were applied, without applying any of those filtering or screening criteria, so that the Board can review the full datasets. The Board also denies Applicants' request for an expedited proceeding regarding their proposals to divest control of the Terminal Railroad Association of St. Louis. Applicants' unfiltered workpapers are due by August 28, 2026.

The Board's decision in Union Pacific Corporation and Union Pacific Railroad Company—Control—Norfolk Southern Corporation and Norfolk Southern Railway Company, Docket No. FD 36873, may be viewed and downloaded [here](#). More information is available on the Board's UP-NS Merger Resources page, available [here](#).

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