



SURFACE TRANSPORTATION BOARD

FOR RELEASE

09/18/2026 (Friday)
No. 26-23
www.stb.gov

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

STB DENIES MOTIONS SEEKING SUMMARY DENIAL OF UP-NS MERGER APPLICATION

The Surface Transportation Board (Board) today announced a decision denying several motions that sought summary denial of the revised major merger application filed by Union Pacific (UP) and Norfolk Southern (NS) (together, Applicants). Importantly, today's decision does not prevent parties from renewing any arguments on the merits of the proposed transaction in their opening comments and does not reflect any determination on the merits.

On August 6, 2026, the Board received three motions for summary denial of Applicants' revised merger application, citing a failure to present a prima facie case. These motions were filed by BNSF Railway, CSX Transportation, and a coalition of shipper associations made up of the American Chemistry Council, American Fuel & Petrochemical Manufacturers, the Alliance for Chemical Distribution, The National Industrial Transportation League, and The Fertilizer Institute. Additional comments on these issues were submitted by other stakeholders.

The Board today denied the motions for summary denial. While the motions and related comments raise important questions and issues, the Board determined that additional evidence and argument will aid its decision-making in this consequential transaction of first impression. As such, the Board exercises its discretion to allow this proceeding to continue.

Today's decision to continue developing the record does not reflect any determination on the merits of the proposed transaction nor is it an endorsement of Applicants' arguments, analyses, or positions. The Board notes that commenters should renew any arguments on the merits of the proposed transaction in their opening comments, which are due by November 18, 2026. Responses to comments are due by February 16, 2027.

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](#). Additional information can be found on the Board's UP-NS Merger Resources page, available [here](#).

POSTED: 09/18/2026 5:10 PM