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October 16, 2026
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October 16, 2026

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Hon. Jenifer J. Soulikias
Administrative Law Judge
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: Finance Docket No. 36873, *Union Pacific Corp., et al. – Control – Norfolk Southern Corp., et al.*

Dear Judge Soulikias:

CPKC writes to provide its second regular update regarding its responses to discovery requests in this proceeding.

To date, CPKC has received 33 discovery requests from Applicants, including a new set of requests served on October 13, 2026. CPKC continues to confer regarding the scope of responsive materials. Specifically, on September 24, CPKC proposed a list of custodians for whom it intends to conduct searches. On October 5, CPKC supplemented this proposal with an initial search term proposal, as well as applicable date ranges, for each request for which CPKC has agreed to conduct a custodial search, subject to further revisions as necessary as CPKC's custodial search process developed. On October 14, CPKC met with Applicants to discuss this initial proposal. Although Applicants have not yet shared their search term counterproposal following that conversation, CPKC has agreed to expand its custodian list for all requests as well as the responsive date ranges searched for certain requests. CPKC sent Applicants a revised search term proposal with hit counts earlier this evening.

In addition to the 2019-2025 traffic tape and waybill data CPKC exchanged with Applicants last fall, CPKC has made five rolling productions thus far. CPKC has now produced 3,243 documents totaling 9,471 pages. CPKC will continue to make rolling productions until production is complete.

The chart below summarizes the material CPKC has produced to date.

CPKC Prod. Vol.	**Prod. Date**	**Description**
2	Sept. 16, 2026	• Train Event Data from CP, KCS, KCS Mexico ("KCSM") and combined CPKC covering the period 2019-2025 (depending on the entity). • Railcar Event Data and Movement Records from CP, KCS, KCSM and combined CPKC covering the period 2019-2025 (depending on the entity). • Intermodal/Container Event Data from CP, KCS, KCSM and combined CPKC covering the period 2019-2025 (depending on the entity).
3	Sept. 18, 2026	• Reciprocal Switching Data from CP, KCS, KCS Mexico ("KCSM") and combined CPKC covering the period 2019-2025 (depending on the entity).
4	Sept. 21, 2026	• Customer outreach materials, including customer feedback tracker and customer messaging materials. • Presentations addressing CPKC's business and growth strategy and its position on the proposed merger. • Documents, including CPKC Board presentations and minutes, concerning CPKC's strategic analysis of the potential merger, including CPKC's possible responses to the merger, synergy estimates, and downstream effects.
5	Oct. 8, 2026	• Current and recent interline, joint facilities, trackage, and access agreements between CPKC, and other rail carriers and entities.
6	Oct.15, 2026	• Recent interline, joint facilities, trackage, and access agreements between CPKC, and other rail carriers and entities.

Sincerely,

/s/ Joseph J. Matelis

Joseph J. Matelis

Counsel for CPKC

cc: All Parties of Record

CERTIFICATE OF SERVICE

I certify that I caused the foregoing to be served electronically or by first-class mail, postage pre-paid, on the Secretary of Transportation, the Attorney General of the United States, Administrative Law Judge Jenifer Soulikias, and all parties of record in this proceeding.

/s/ Kiera S. Judge
Kiera S. Judge