

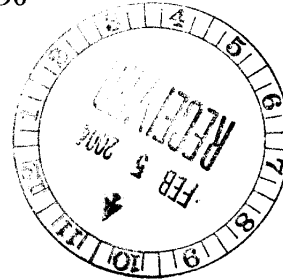
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THOMAS F. MCFARLAND

January 29, 2004



Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Finance Docket No. 34425, *City of Lincoln - Petition for Declaratory Order*

Dear Mr. Williams:

This refers to a motion filed by Lincoln Lumber Company (LLC) on January 15, 2004 for rejection of a Rebuttal Statement filed by the City of Lincoln (the City).

The City's Rebuttal Statement was received by the undersigned attorney for LLC today, January 29, 2004. The due date for the Rebuttal Statement was January 8, 2004. The delay in LLC's receipt of the Rebuttal Statement was apparently caused by the City's use of an incorrect ZIP CODE for the office of undersigned counsel, i.e., 61604 instead of 60604. Attached to this communication are copies of the front of the City's mailing envelope and the certificate of service of the Rebuttal Statement, both of which contain the incorrect ZIP CODE.

It is up to the parties in a Board proceeding to serve pleadings on opposing counsel correctly addressed in order that they be received on a timely basis. Here, the City's failure to have correctly addressed its service of Rebuttal Statement on counsel for LLC has resulted in a 20-day delay in receipt of that Statement by mail. That is an added ground for rejection of the City's Rebuttal Statement.

Ten copies accompany the original of this communication. All parties of record are being served. Kindly acknowledge receipt by date stamping the enclosed duplicate copy of this letter and return in the self-addressed stamped envelope.

ENTERED
Office of Proceedings

FEB 05 2004

Part of
Public Record

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cc: Charles Montange, Esq.
Daniel LaKemper, Esq.
Mr. Donald L. Hamill

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for Lincoln Lumber Company

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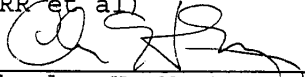
SEL107R, OCT 1997

Certificate of Service

I hereby certify that copies of the foregoing Reply and Appendices were served by US Mail, postage pre-paid, first class or equivalent, this 7th day of January 2004, upon the following representatives of parties or commenters:

Thomas McFarland, Esq.
208 S. LaSalle St., Suite 1890
Chicago, IL 61604 (for LLC)

Daniel LaKemper, Esq.
P.O. Box 185
Morton, IL 61550 (for Ark-Okla. RR et al)


Charles H. Montange