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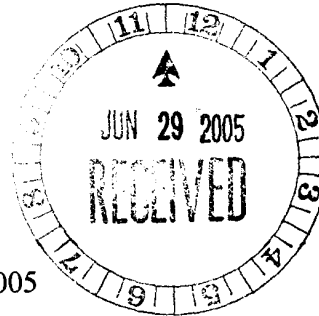
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June 24, 2005

Re: Docket No. FD-34608 Ohio Valley Railroad Company – Petition to Restore
Switch Connection and Other Relief

Hon. Vernon A. Williams
Secretary, Surface Transportation Board
Mercury Bldg., #711
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

JUN 29 2005

**Part of
Public Record**

Dear Secretary Williams:

Ohio Valley Railroad Company and Mid-America Locomotive and Car Repair Co., Inc. are in receipt of the June 21, 2005 Response of Indiana Southwestern Railway Company ("ISW") to their Supplemental Joint Petition which was filed on May 16, 2005. Under the Board's Rules of Practice, 49 C.F.R. §1104.13(a) a reply to a petition must be filed within 20 days after receipt of the petition. Furthermore, under 49 C.F.R §1104.6 the Board requires timely filing of all pleadings unless an extension has been requested and granted by the Board. In this case, ISW did not request an extension from the undersigned (which would ordinarily have been granted as a matter of professional courtesy) nor was an extension request made to the Board. Instead, sixteen days after the filing deadline imposed by the Board's Rules of Practice, ISW late filed its response to our clients' supplemental petition.

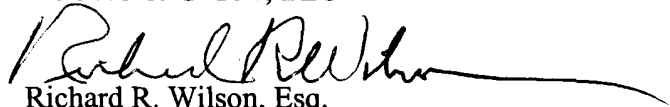
This late filing is, unfortunately, characteristic of ISW's pattern of delay and noncompliance with the Board's order and is consistent with its refusal to negotiate an interchange agreement with OVR. Despite continued efforts by OVR to conclude an interchange agreement with ISW, ISW has refused to enter into an interchange agreement and has instead insisted that the ISW and OVR interchange cars without such an agreement in contravention of 49 U.S.C. §§10741, 10742 and 10744.

Hon. Vernon A. Williams
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Accordingly, it is respectfully requested that the June 21, 2005 response of Indiana Southwestern Railway Company be stricken as noncompliant with the Board's Rules of Practice.

Very truly yours,

VUONO & GRAY, LLC

A handwritten signature in black ink, appearing to read "Richard R. Wilson", with a long horizontal flourish extending to the right.

Richard R. Wilson, Esq.

Attorney for Ohio Valley Railroad Company
and Mid-America Locomotive and Car
Repair, Inc.

RRW/bab

xc: Office of Proceedings
All Parties of Record