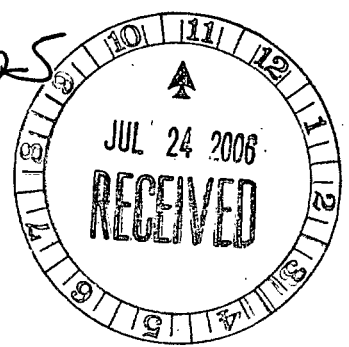


217125

CHARLES H. MONTANGE  
ATTORNEY AT LAW  
426 NW 162ND STREET  
SEATTLE, WASHINGTON 98177  
(206) 546-1936  
FAX: (206) 546-3739



21 July 2006  
by Express

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

ENTERED  
Office of Proceedings

JUL 24 2006

Part of  
Public Record

Re: PYCO Industries, Inc. -- Alternative Rail Service  
-- South Plains Switching, F.D. 34889

Amendment to Certificate of Service

Dear Mr. Secretary:

This letter is presented as an amendment to the certificate of service of the Petition filed by PYCO Industries in F.D. 34889. Upon learning on July 11 that counsel for SAW (Mr. McFarland) had not received a copy of the Petition filed in this proceeding, I personally expressed an additional copy on that date to him by Federal Express, and the Federal Express internet tracking service indicates that it was delivered on July 12. See documents attached. Please treat this as an amendment to the certificate of service, and as a verification that Mr. McFarland received the Petition from me via Federal Express on July 12.

Thank you for your assistance in this matter.

Respectfully submitted,

Charles H. Montange  
for PYCO Industries, Inc.

Encls.

cc. Thomas McFarland, Esq. (w/encl.)


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## Track Shipments Detailed Results

**Tracking number** 857534405223  
**Signed for by** T.MCFARLAND  
**Ship date** Jul 11, 2006  
**Delivery date** Jul 12, 2006 1:22 PM  
**Status** Delivered

**Delivered to**  
**Service type**  
**Weight**

Receptionist/Front Desk  
 Standard Pak  
 4.0 lbs.

[Wrong Address?](#)  
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[FedEx Address Cher](#)  
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 Shipment?  
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| Date/Time    | Activity                              | Location    | Details |
|--------------|---------------------------------------|-------------|---------|
| Jul 12, 2006 | 1:22 PM Delivered                     |             |         |
|              | 9:06 AM On FedEx vehicle for delivery | CHICAGO, IL |         |
|              | 6:54 AM At dest sort facility         | CHICAGO, IL |         |
|              | 6:03 AM At local FedEx facility       | CHICAGO, IL |         |
|              | 4:31 AM Departed FedEx location       | MEMPHIS, TN |         |
|              | 4:08 AM Arrived at FedEx location     | CHICAGO, IL |         |
|              | 1:07 AM Arrived at FedEx location     | MEMPHIS, TN |         |
| Jul 11, 2006 | 7:33 PM Left origin                   | SEATTLE, WA |         |
|              | 4:38 PM Picked up                     | SEATTLE, WA |         |

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☐

English


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Select format: ☒ HTML ☐ Text ☐ Wireless

Add personal message:

Not available for Wireless or  
non-English characters.

CHARLES H. MONTANGE

ATTORNEY AT LAW

426 NW 162ND STREET

SEATTLE, WASHINGTON 98177

(206) 546-1936

FAX: (206) 546-3739

11 July 2006  
by express

Memo to Thomas McFarland, Esq.

Re: yours attached and F.D. 34889

From: Charles Montange



If you did not receive a copy of the Part 1147 petition it was inadvertent. Although the Part 1147 regulations specify service on SAW, and although I have verified with Fed X that a copy was delivered to SAW in Slaton on July 3, I did intend that you should receive one on the same date. Unfortunately, the only airbill receipts I so far have found are the ones for SAW/Slaton and BNSF, so I cannot verify delivery on the Fed X tracking system, other than to those two entities (and obviously STB received its copies). I enclose herewith an extra copy for you and apologize for any error on my part. It was unintended and my side draws no benefit from it.

Encl.

LAW OFFICE  
**THOMAS F. McFARLAND, PC.**  
208 SOUTH LA SALLE STREET - SUITE 1890  
CHICAGO, ILLINOIS 60604-1112  
TELEPHONE (312) 236-0204  
FAX (312) 201-9695  
*mcfarland@aol.com*

THOMAS F. McFARLAND

July 11, 2006

By fax to 206-546-3739

Charles H. Montange, Esq.  
426 NW 162<sup>nd</sup> Street  
Seattle, WA 98177

Re: Finance Docket No. 34889, *PYCO Industries, Inc. -- Alternative Rail Service -- South Plains Switching, Ltd. Co.*

Dear Charles:

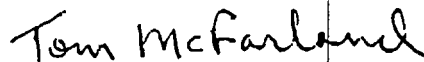
I recently discovered on the STB's website that on July 1, 2006 you filed a Petition with the STB in the above docket.

Your Petition was not served on me. There was no delivery or attempted delivery of the Petition to me by overnight mail or otherwise.

As attorney for the Respondent of that Petition, I was entitled to service of a copy of that Petition. I am not required to download hundreds of pages from the copy of that Petition on the STB website.

Please send me a copy of the Petition. I will calculate my response time based on my receipt of the Petition.

Very truly yours,



Thomas F. McFarland  
*Attorney for South Plains  
Switching, Ltd. Co.*

*TMcf:kl:wp8.0\1180\ltrchm*

cc: Mr. Vernon A. Williams )  
Mrs. Delilah Wisener ) *by e-mail*  
Mr. Dennis Olmstead )