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April 30, 2025  
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Public Record

P.O. Box 2  
Chamberlain, SD 57325-0002

April 21, 2025



Chief, Section of Administration  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Re: Docket No. FD 36848, Michael W. Williams Control Exemption McCloud Railway Company; Ozark Valley Railroad, Inc.; and Washington & Idaho Railway, Inc.

This filing is submitted with the request that it be considered by the STB as part of the review and decision process involving FD 36848.

In the above referenced document Michael W. Williams (Mr. Williams), through legal counsel Fletcher & Sippel, addresses and hopes to resolve various outstanding issues to include authority to control some Class III rail carriers. Throughout FD 36848 counsel, in referring to Mr. Williams' actions, uses terms to include "...after-the-fact...past lack of compliance...supplied inconsistent, and sometimes incomplete, information...past regulatory oversights..." etc. The document also seems to suggest that it is a "...thorough assessment of Mr. Williams' railroad holdings" but such is not the case. Please consider the following:

Washington & Idaho Railway, Inc. (WIR)

Counsel asserts that Mr. Williams controls WIR, an Idaho company, but that is not true. WIR annual reports for 2023 and 2024, as filed with the Idaho Secretary of State, show that the railroad is owned by Karl Nelson of Kamiah, Idaho. Copies of these two annual reports are included herein as Appendix A. Because Mr. Williams does not own WIR, he is in no position to pursue his requested after-the-fact authorization to control WIR.

Dakota Southern Railway Company (DSR)

Counsel claims that Mr. Williams controls DSR, a South Dakota company, but fails to inform the Board that DSR does not exist, having been administratively

dissolved three and a half years ago. A copy of the South Dakota Secretary of State's dissolution certificate is included as Appendix B. Given that the company no longer exists, it would appear that the only action counsel can pursue in this case is something akin to surrendering DSR's operating authority.

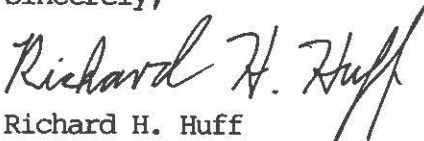
#### Midwest Pacific Rail Net & Logistics (Midwest Pacific)

Counsel states that Mr. Williams controls seven Class III rail common carriers, and also makes mention of Midwest Pacific. Midwest Pacific is a Missouri company that in its annual filings shows Mr. Williams as being its president. On its website, in a section titled "Our History" (also titled "About" and "About Us") Midwest Pacific states it currently owns or leases nine operating railways. As part of that same website in a section titled "Our Railroads" only six railroads are listed.

#### Conclusion

The contradictions and inconsistencies in FD 36848 are enough to question the overall validity of that document. As remedy the Board is requested to suspend any further review of FD 36848 until such time as counsel can submit a fully corrected filing, with special attention focused on how many, and which, railroads Mr. Williams is involved with.

Sincerely,

  
Richard H. Huff

I certify that Fletcher & Sippel has been served with a complete copy of this document via U.S. Postal Service first class mailing.

*RHH 4/21/2025*  
Richard H. Huff



APPENDIX A

FD 36848



3503

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State  
PO Box 83720  
Boise, ID 83720-0080  
(208) 334-2301  
Filing Fee: \$0.00

For Office Use Only

**-FILED-**

File #: 0005343503

Date Filed: 8/3/2023 7:40:19 AM

## Entity Name and Mailing Address:

Entity Name: WASHINGTON & IDAHO RAILWAY, INC.  
The file number of this entity on the records of the Idaho Secretary of State is: 0000511997  
Address: KARL NELSON  
106 PONDEROSA DR  
KAMIAH, ID 83536-5165

## Entity Details:

Entity Status: Active-Good Standing  
This entity is organized under the laws of: IDAHO  
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C168895

## The registered agent on record is:

Registered Agent: Stephanie Nelson  
Registered Agent  
Physical Address  
106 PONDEROSA DRIVE  
KAMIAH, ID 83536  
Mailing Address  
106 PONDEROSA DR  
KAMIAH, ID 83536-5165

## Corporate Officers and Directors:

| Name             | Title     | Business Address                                         |
|------------------|-----------|----------------------------------------------------------|
| Karl Nelson      | President | 106 PONDEROSA DRIVE<br>KAMIAH, ID 83536                  |
| Stephanie Nelson | Secretary | KARL NELSON<br>106 PONDEROSA DR<br>KAMIAH, ID 83536-5165 |

The annual report must be signed by an authorized signer of the entity.

Job Title: Owner/President

*Karl Nelson*

Sign Here

*08/03/2023*

Date



0005838691

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

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**-FILED-**

File #: 0005838691

Date Filed: 8/3/2024 8:45:28 PM

## Entity Name and Mailing Address:

Entity Name:

WASHINGTON &amp; IDAHO RAILWAY, INC.

The file number of this entity on the records of the Idaho  
Secretary of State is:

0000511997

Address

KARL NELSON  
106 PONDEROSA DR  
KAMIAH, ID 83536-5165

## Entity Details:

Entity Status

Active-Good Standing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of  
the Idaho Secretary of State was:

C168895

## The registered agent on record is:

Registered Agent

Stephanie Nelson  
Registered Agent

Physical Address

106 PONDEROSA DRIVE  
KAMIAH, ID 83536

Mailing Address

106 PONDEROSA DR  
KAMIAH, ID 83536-5165

## Corporate Officers and Directors:

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| Stephanie Nelson | Secretary | KARL NELSON<br>106 PONDEROSA DR<br>KAMIAH, ID 83536-5165 |

The annual report must be signed by an authorized signer of the entity.

Job Title: Registered Agent

*Stephanie Nelson**08/03/2024*

Sign Here

Date

**C T CORPORATION SYSTEM**  
**RE: DAKOTA SOUTHERN RAILWAY COMPANY**  
**319 S COTEAU ST**  
**PIERRE, SD 57501-3187**

# State of South Dakota

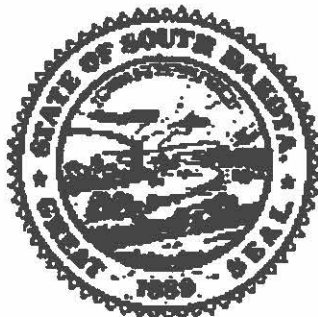


## Certificate of Administrative Dissolution

I, **Steve Barnett**, Secretary of State of the State of South Dakota, by virtue of the authority vested in me by SDCL §47-1A-1421, §47-18-16.4, §47-24-13.2 and §47-34A-810 hereby administratively dissolves the below named to transact business in this state for failure to file the annual report(s) when due.

**DB024476**

**DAKOTA SOUTHERN RAILWAY COMPANY**



IN TESTIMONY WHEREOF, I have  
hereunto set my hand and affixed the  
Great Seal of the State of South Dakota,  
at Pierre, the Capital, this Saturday,  
October 16, 2021.

*Steve Barnett*

**Steve Barnett**  
Secretary of State