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THOMAS F. MCFARLAND

July 21, 2006

By e-mail

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

Re: STB Finance Docket No. 34802, *PYCO Industries, Inc. -- Alternative Rail Service -- South Plains Switching, Ltd. Co.*

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

STB Finance Docket No. 34890 (revision of FD 34844), *PYCO Industries, Inc. -- Feeder Line Development -- South Plains Switching, Ltd.*

STB Finance Docket No. 34870, *PYCO Industries, Inc. v. South Plains Switching, Ltd. Co.*

STB Finance Docket No. 33753 (Sub-No. 1), *South Plains Switching, Ltd. Co. -- Acquisition Exemption -- BNSF Railway Company*

Dear Mr. Williams:

Hereby transmitted is a letter from James L. Gorsuch, Esq. to me, dated July 21, 2006. Mr. Gorsuch is co-counsel with me of South Plains Switching, Ltd. Co. (SAW). Mr. Gorsuch's letter describes a settlement agreement between SAW and PYCO Industries, Inc. (PYCO) regarding PYCO's use of a crossing over SAW's tracks at Lubbock, TX. That crossing is part of the subject matter of a Motion that PYCO filed in this matter on July 17, 2006. (lead Finance Docket No. 34802).

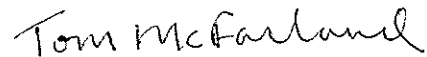
Also transmitted are documents relating to the continuing failure of BNSF to transport four cars that were tendered to it for transportation at Slaton, TX on July 12, 2006, nine days ago. Mrs. Wisener, owner of SAW, has requested that I express the frustration of SAW and its affiliate, South Plains Lamesa Railroad, over BNSF's failure and refusal to provide this requested

THOMAS F. MCFARLAND

Vernon A. Williams
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transportation, when a far lesser service failure (i.e., a single day) resulted in an order of alternative rail service against SAW.

Very truly yours,

A handwritten signature in cursive script that reads "Tom McFarland".

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

TMcF:kl:wp8.0\1144;1169-A;1178\e-filestb8

cc: *(by e-mail)*
Charles H. Montange, Esq.
Michael Roper, Esq.
Gary McLaren, Esq.
James L. Gorsuch, Esq.
John D. Heffner, Esq.
William Sippel, Esq.
William Mullins, Esq.
Daniel LaKemper, Esq.
Mrs. Delilah Wisener
Mr. Dennis Olmstead

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July 21, 2006

Via Facsimile - 312/201-9695

Mr. Thomas McFarland
Law Office of Thomas McFarland, P.C.
208 South LaSalle Street, Suite 2890
Chicago, Illinois 60604

***Re: Status - Cause No. 2006-535,682; Choo Choo Properties, Inc.
vs. Pyco Industries, Inc.; In the 237th District Court of Lubbock
County, Texas***

Dear Mr. McFarland:

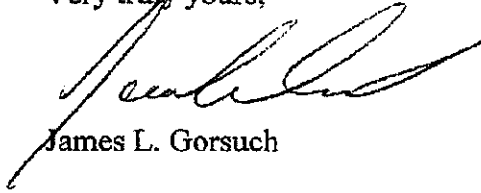
This letter will constitute a status report in connection with the above styled and referenced matter. This matter was brought by Choo-Choo Properties, Inc. seeking injunctive relief and damages in connection with a crossing over the west tract and east tract of the "wye" located between the west Pyco processing facility and the east Pyco storage facility. A temporary restraining order was granted by the Court. On Thursday, July 20, 2006, prior to the hearing on the temporary injunction, the parties reached an agreement in connection with the crossing. The parties agreed that Pyco could use the crossing for thirty (30) days which would be sufficient time for Pyco to move all of their seed from the east storage facility to the west processing plant. After that time, the parties agreed that a temporary injunction will be put back into place by the Court until final disposition of the matter.

Under the arrangement, Pyco was to pay \$750.00 to Choo-Choo Properties, Inc. and to provide proof that Choo-Choo Properties, Inc. and South Plains Switching, Ltd., Co. were additional insureds under Pyco's liability policy. These documents were provided to Choo-Choo Properties, Inc.'s counsel at approximately 2:30 p.m. on Thursday, July 20, 2006. We understand that Pyco has been using the crossing since that time.

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We remain,

Very truly yours,

A handwritten signature in black ink, appearing to read 'James L. Gorsuch', written over the printed name.

JLG/ba

James L. Gorsuch

7/12/06 SLAL
11:15:40

Train Consist

Page 1
RSMTPEFR

CARS IN THIS TRAIN ARE COUNTED FROM FRONT TO REAR

on Board SLAL - Wed.

Switch To/Block To: B

Train ID OB71206

Interchange Station SLATN

Date/Time 7/12/06 10:00

Seq	Car	LE	KD	Commodity	Consignee	Block To	Station
1	JTTX 354070	W	F	**EMPTY**	AGTSLALRR	ORION WRC SLATN	SLATN
2	JTTX 353068	W	F	**EMPTY**		ORION WRC SLATN	SLATN
3	JTTX 353215	W	F	**EMPTY**		ORION WRC SLATN	SLATN
4	JTTX 353403	W	F	**EMPTY**		ORION WRC SLATN	SLATN

LOADED CARS	0	EMPTY CARS	4	TOTAL CARS	4	TONS	268	LENGTH	744
HAZMAT CARS	0			TOTAL OPER	0	TONS	0	LENGTH	0

TOTAL	4	TONS	268	LENGTH	744
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COUNTS BY SETOUT POINTS (EXCLUDES LOCOMOTIVES)

STATION	LDS	COM	MTY	AUT	PIG	OTH	TOT	FEET	TONS
SLATN SLATON	0	0	4	0	0	4	4	744	268
TOTAL	0	0	4	0	0	4	4	744	268

Shalia

From: BNSFCustomerUpdates@bnsf.com
Sent: Wednesday, July 19, 2006 8:25 AM
To: shaliad@nts-online.net
Subject: Service Request # 785512 has been logged.

Shalia,

SOUTH PLAINS LAMESA RAILROAD LTD

Log # 785512

Thank you for calling BNSF Railway's Customer Support Center.

Your Service Request Has been logged and you will be notified as soon as a service plan has been developed. For more information please visit our website at www.bnsf.com.

Thank you for your patience.

BNSF Railway Customer Support

Equipment:

JTTX353068
JTTX353215
JTTX353403
JTTX354070

Shalia

From: CSNetworkSolutions@bnsf.com
Sent: Wednesday, July 19, 2006 9:31 AM
To: shaliad@nts-online.net
Subject: Customer Update - Closing SRL

Shalia,

Due to the congestion in Amarillo Lubbock is restricted to the amount of traffic they send to Amarillo. Consequently JTTX 353068, JTTX 353215, JTTX 353403 and JTTX 354070 will not depart Slaton, TX until approximately 1000-21 on the H-AMSSLAL-20. Upon successful departure Customer Support will be closing the Service Request File. Please logon to the BNSF Web Site for additional information.

Thank you,

BNSF NETWORK SUPPORT
888-428-2673, opt 4, opt 3
<http://www.bnsf.com>

This e-mail address does not accept replies. Please direct all correspondence to BNSF Customer Support, 888-428-2673, opt 4, opt 3.

Shalia

From: CSNetworkSolutions@bnsf.com
Sent: Friday, July 21, 2006 12:20 PM
To: shaliad@nts-online.net
Subject: Customer Update - Closing SRL

Shalia,

Due to shortage of power at Slaton, TX JTTX 353068, JTTX 353215, JTTX 353403 and JTTX 354070 will now depart on the M-SLAAMS3-21, ETD 1800-21. Upon successful departure Customer Support will be closing the Service Request File. Please logon to the BNSF Web Site for additional information.

Thank you,

BNSF NETWORK SUPPORT
888-428-2673, opt 4, opt 3
<http://www.bnsf.com>

This e-mail address does not accept replies. Please direct all correspondence to BNSF Customer Support, 888-428-2673, opt 4, opt 3.