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January 25, 2006

The Honorable Vernon A. Williams  
Secretary, Surface Transportation Board  
Mercury Building, Room 700  
1925 K Street, N.W.  
Washington, D.C. 20423

Re. Tri-State Brick and Stone of New York Inc. et al. Petition for a  
Declaratory Order  
FD 34824\_0

Honorable Sir:

Enclosed please find the original and ten copies of the certificate of service of the  
Petition for a declaratory order in this matter. Due to an error this was not served until  
today, therefore all response time should be based upon today's date.

Thank you for your attention to this matter.

Very truly yours,

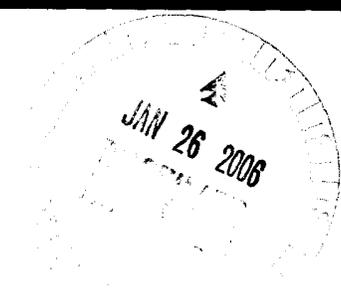
John F. McHugh

ENTERED  
Office of Proceedings

JAN 26 2006

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Public Record

SURFACE TRANSPORTATION BOARD



FINANCE DOCKET No. **34824\_0**

PETITION OF TRI-STATE BRICK AND STONE OF NEW YORK, INC. AND TRI-STATE TRANSPORTATION INC. FOR A DECLARATORY ORDER

Sylvia Cruz declares pursuant to 28 U.S.C. 1746 that on this 25<sup>th</sup> day of January, 2006 she served the respondent the City of New York Economic Development Corporation by delivering a true copy of the petition and all papers submitted in support thereof personally to the service clerk of the Corporation Counsel of the City of New York, 100 Church Street, New York, N.Y. 10007.

Dated, New York, N.Y.  
January 25, 2006

  
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Sylvia Cruz