

LAW OFFICE

MCLEOD, WATKINSON & MILLER

MICHAEL R. MCLEOD
WAYNE R. WATKINSON
MARC E. MILLER
RICHARD T. ROSSIER
CHARLES A. SPITULNIK
RICHARD PASCO
ALEX MENENDEZ
AMY B. JONES
CHRISTOPHER J. SALISBURY*
(*Admitted in Maryland only)

ONE MASSACHUSETTS AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20001-1401
(202) 842-2345
TELECOPY (202) 408-7763

BILL HAWKS
SENIOR POLICY ADVISOR

ROBERT RANDALL GREEN
LAURA L. PHELPS
DAVID R. GRAVES
GOVERNMENT RELATIONS

KATHRYN A. KLEIMAN**
OF COUNSEL
(**Admitted in Virginia only)

February 2, 2006

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

215 726



Re: STB Finance Docket No. 34824, *Petition of Tri-State Brick and Stone of New York, Inc. and Tri-State Transportation Inc. for Declaratory Order*

Dear Sir:

On January 17, 2006 Tri-State Brick and Stone of New York, Inc. and Tri-State Transportation Inc. ("Petitioners") filed a Petition for Declaratory Order ("Petition") in this proceeding. Petitioners did not serve a copy of the Petition on the City of New York (the "City") until January 25, 2006. They filed a Certificate of Service at the Board on the same day. By this letter, the New York City Economic Development Corporation and the City of New York (the "City") are notifying the Board that they will file an opposition to the Petition on or before February 14, 2006, pursuant to 49 C.F.R. § 1104.13(a), which is twenty days after service of the Petition on the City.

Please date stamp the enclosed copy of this letter and return to our messenger. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles A. Spitulnik'.

Charles A. Spitulnik
Counsel for the New York City Economic Development Corporation and the City of New York

cc: John F. McHugh, Esquire