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THOMAS F. MCFARLAND

May 8, 2007

By e-filing

Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

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

Dear Mr. Williams:

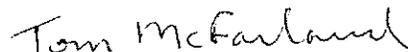
This refers to the decision in the above proceeding served May 4, providing for a procedural schedule.

The decision is mistaken in stating that the requirements of 49 C.F.R. § 1111.10(a) were not satisfied in this case. Attached to this letter is a copy of the Parties' joint report to the Board under 49 C.F.R. § 1111.10(a), requesting the Board to defer discovery and procedural scheduling pending disposition of the Motion to Dismiss the Complaint.

You will note that the joint report was filed in Finance Docket No. 34838. That docket number was changed at a later time to Finance Docket No. 34870. That may be why the joint report was overlooked when the decision served May 4 was issued.

In light of the joint report of both parties, the decision served May 4 should be vacated.

Very truly yours,



Thomas F. McFarland
Attorney for Defendant

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cc: Charles Montange, Esq., *Attorney for Complainant*
by e-mail to c.montange@verizon.net

