

# RAILINC, AGENT

## SUPPLEMENT 42

TO

### FREIGHT TARIFF RIC 6740-G

Supplement 42 cancels Supplement 41

Supplements 7, 14, 17, 21, 22, 24, 26, 29, 37, 39 and 42 contain all changes

NAMING

USE AND CAR DETENTION CHARGES

ON

SPECIAL TYPE HEAVY-DUTY FLAT CARS

#### BETWEEN AND AT STATIONS IN

ALABAMA	GEORGIA	MASSACHUSETTS	NEW MEXICO	SOUTH DAKOTA
ARIZONA	IDAHO	MICHIGAN	NEW YORK	TENNESSEE
ARKANSAS	ILLIONIS	MINNESOTA	NORTH CAROLINA	TEXAS
CALIFORNIA	INDIANA	MISSISSIPPI	NORTH DAKOTA	UTAH
COLORADO	IOWA	MISSOURI	OHIO	VERMONT
CONNECTICUT	KANSAS	MONTANA	OKLAHOMA	VIRGINIA
DELAWARE	KENTUCKY	NEBRASKA	OREGON	WASHINGTON
DISTRICT OF	LOUISIANA	NEVADA	PENNSYLVANIA	WEST VIRGINIA
COLUMBIA	MAINE	NEW HAMPSHIRE	RHODE ISLAND	WISCONSIN
FLORIDA	MARYLAND	NEW JERSEY	SOUTH CAROLINA	WYOMING

AND

BETWEEN STATIONS IN STATES NAMED ABOVE AND STATIONS IN CANADA; ALSO BETWEEN POINTS IN CANADA AS SPECIFICALLY PROVIDED HEREIN

This tariff is also applicable on Intrastate Traffic except where expressly provided to the contrary in connection with particular items.

### HEAVY - DUTY FLAT CAR CHARGES

ISSUED APRIL 21, 2009

EFFECTIVE MAY 11, 2009

ISSUED BY  
RAILINC

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# SUPPLEMENT 42 TO TARIFF RIC 6740-G

## ITEM 2.10 [PA]

### LIST OF PARTICIPATING CARRIERS ALPHABETIZED BY STANDARD CARRIER ABBREVIATION (See Note 1)

CARR ABBR	AAR CODE	NAME OF CARRIER	ITEM (S) (Note 2)
ALT	033	Airlake Terminal Railway Company.....	600
BNSF	777	BNSF Railway Company [A-1] .....	630, 631
BNSF	777	Burlington Northern and Santa Fe Railway Company, The [B-1] .....	630, 631
CFE	612	Chicago, Ft. Wayne & Eastern Railroad	
CWA	872	Central Washington Railroad Company	
IOY	969	Indiana & Ohio Railway Company	
NYSW	546	New York, Susquehanna & Western Railway Corp. [A]	
PGR	668	Progressive Rail Inc. ....	694

### EXPLANATION OF NOTES

1. The code numbers shown opposite the abbreviations of the participating rail carriers are the Association of American Railroads Mandatory Accounting Rules, Rule 260 code numbers, and have no bearing on the rate application in this tariff.
2. Items of general application affecting the participation of all or large groups or numbers of carriers are not listed in this column.

## ITEM 2.20

### CUMULATIVE INDEX OF NEW AND CHANGED ITEMS (See Item 75 for Method of Cancellation)

ITEM	SUP	ITEM	SUP
2.10 [PA].....	42	680-D.....	26
2.20 .....	42	683-K.....	29
600 .....	42	688-C.....	42
630-C.....	24	694-B.....	37
631-A.....	7	705-A.....	17
650-A.....	22	720-U.....	39
660-A.....	21		
665-B.....	14		

### EXPLANATION OF REFERENCE MARKS SHOWN HEREIN

- [A-1] - Name changed pursuant to BNSF Adoption Notice 9000, effective January 24, 2005.  
[B-1] - Canceled – See [A-1] above.  
[PA] - Partial Amendment.

**SUPPLEMENT 42 TO TARIFF RIC 6740-G****GENERAL APPLICATION OF CHARGES****40 ITEM 600****ALT CHARGES FOR USE, NON-USE AND DETENTION OF HEAVY CAPACITY OR SPECIAL TYPE FLAT CARS**

(All charges herein are stated and payable in United States currency)

1. Charges assessed under this item will accrue to Airlake Terminal Railway Co. and are assigned and payable to Progressive Rail Specialized Logistics, agent for Airlake Terminal Railway Co., P. O. Box 578, Lakeville, MN 55044. The use or additional detention charges will apply on ALT cars when these cars are furnished for use in:
  - A. Line haul service for all carriers.
  - B. Switching service for all carriers.
2. By using ALT heavy-capacity cars covered by this tariff, Customer agrees to the following:
  - A. Customer agrees that all charges are due within 15 days of invoice date. All invoices are subject to a 1.5% per month finance charge if unpaid within 30 days from the date of invoice. Customer agrees to pay all collection costs, including attorney fees, if required to collect in this manner.
  - B. Customer agrees that all charges owed by the customer including use fees, detention, dunnage removal, or repairs to the railcar are payable by the party ordering the car and in no case will charges be divided among parties.
  - C. Customer agrees to assume responsibility to remove all dunnage from the cars in such a manner as to cause no damage to the cars before the cars are released empty to serving railroad. Customer further agrees to pay Airlake Terminal Railway Co. within credit terms referenced in this tariff for any invoiced charges associated with dunnage removal or car repair due to improper loading or unloading.
  - D. Customer agrees to consult the current copy of The Official Railway Equipment Register for proper lading weight distribution and any other restrictions.
  - E. Customer agrees to recognize Progressive Rail Specialized Logistics as the authorized agent for Airlake Terminal Railway Co.
3. Charges assessed under this item will be in addition to any other charges, including normal demurrage charges, and will be billed and collected by ALT.
4. These charges will apply at or between all stations in the United States, and/or Canada and/or Mexico.
5. ALT cars and their basis for charges. If a ALT car is not listed in this item, but is listed in the Heavy Duty and Special Flat Car Section of Tariff RER 6414 Series, the use charge will be that provided under basis for charges "1", also the additional detention charges or non-use charge will apply to the unlisted car.

**CAR NUMBER AND BASIS FOR CHARGES**

CAR NUMBER	BASIS FOR CHARGES	CAR NUMBER	BASIS FOR CHARGES
ALT 110201__	2	ALT 225104__	1
ALT 110202__	2	ALT 225105__	1
ALT 170201__	3	ALT 235101__	4
ALT 225101__	1	ALT 370101__	5
ALT 225102__	1	ALT 370102__	5
ALT 225103__	1	ALT 370103__	5

Note: ALT cars shown herein are PGR cars in Item 694-series which will be re-marked to ALT mark.

**USE CHARGES**

A. Application on BASIS FOR CHARGES (Dollars Per Car):

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
2,300	2,500	2,800	3,200	4,400

**ADDITIONAL DETENTION CHARGES**

A. When ALT cars are held, the following detention charges (in dollars per car) will be assessed for each 24-hour period, or fraction thereof, after the First 0001-hour after placement, or after notification if car is held enroute:

<b>DETENTION RATE TABLE NO. 1</b>					
<b>APPLIES TO CARS WITH "BASIS FOR CHARGES" NOS:</b>					
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
1st 24 hours_____	FREE	FREE	FREE	FREE	FREE
2nd 24 hours_____	FREE	FREE	FREE	FREE	FREE
3rd & 4th 24 hours_____	160	170	170	180	200
5th & 6th 24 hours_____	260	320	320	340	400
7th 24 hours_____	380	470	470	520	600
8th 24 hours and each subsequent 24 hours_____	480	600	600	680	800

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**SUPPLEMENT 42 TO TARIFF RIC 6740-G**

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**GENERAL APPLICATION OF CHARGES**

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**40 ITEM 600 (Cont'd)****ALT CHARGES FOR USE, NON-USE AND DETENTION OF HEAVY CAPACITY OR SPECIAL TYPE FLAT CARS****ADDITIONAL DETENTION CHARGES** (Cont'd)

B. Placement is defined as follows:

1. ACTUAL - When a car is placed in an accessible position for loading or unloading, or at a point designated by the consignor or consignee.
2. CONSTRUCTIVE - When a car cannot be actually placed because of any condition attributable to the consignor or consignee and the car is held on railroad tracks.

**NON-USE CHARGE**

- A. When an ALT car has been ordered and shipper is notified by carrier representative of car number assigned, and car is enroute empty to assignee, and the car order is subsequently cancelled or postponed, shipper ordering car will be assessed a charge of \$750.00 per car. This charge will not apply if carrier is unable to place car on date ordered for placement.

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**41 ITEM 688-C****NS CHARGES FOR USE, NON-USE AND DETENTION OF HEAVY CAPACITY OR SPECIAL TYPE FLAT CARS**

1. The use or additional detention charges will apply on cars of NS ownership when these cars are furnished for use in:
  - A. Line-haul service for all carriers.
  - B. Switching service for all carriers.
  - C. Charges for switching service by NS are published in Tariff NS 8001 Series.
2. The NON-USE charge will apply on cars of all ownership, except it will not apply to cars of TTX ownership.
3. Charges assessed under this item will accrue to NS. Origin detention charges will be paid to NS by the origin line-haul carrier. Destination detention charges will be paid to NS by the destination line-haul carrier.
4. Charges assessed under this item will be in addition to any other charges, including normal demurrage charges.
5. These charges will apply at or between all stations in the United States and/or Canada.
6. Cars of NS ownership and their basis for charges. If a car of NS ownership is NOT listed in this item, but is listed in the HEAVY DUTY AND SPECIAL FLAT CAR section of Tariff RER 6413, the use charge will be that provided under basis for charges "4": also the additional detention charges or non-use charge will apply to the unlisted car.

<b><u>CAR INITIAL AND NUMBER</u></b>	<b><u>CAR NUMBER AND BASIS FOR CHARGES</u></b>	<b><u>BASIS FOR CHARGES</u></b>
NS 185002 - 185008		4
NS 185009		4
NS 185010 - 185012		5
NS 185100 - 185108		4
NS 185205		1
NS 185209 - 185210		3
NS 185220 - 185221		3
NS 185233 - 185242		2
NS 185300 - 185301		4
NS 185400 - 185423 (SOU 50042)		3
NS 185500 - 185520 (NW 70103)		4
NS 185521		3
NS 185522 - 185555 (NW 70111)		4

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**SUPPLEMENT 42 TO TARIFF RIC 6740-G**  
**GENERAL APPLICATION OF CHARGES**

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**41 ITEM 688-C (Cont'd)**

**NS CHARGES FOR USE, NON-USE AND DETENTION OF HEAVY CAPACITY OR SPECIAL TYPE FLAT CARS**

**USE CHARGES**

A. Application of BASIS FOR CHARGES (Dollars Per Car):

$\frac{1}{0}$	$\frac{2}{1,000}$	$\frac{3}{2,000}$	$\frac{4}{3,000}$	$\frac{5}{4,000}$	$\frac{6}{6,000}$
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**ADDITIONAL DETENTION CHARGES**

A. When cars of NS ownership (except for those cars with "Basis for Charges" equal to "1") are held, the following detention charges (in Dollars Per Car) will be assessed for each 24-hour period, or fraction thereof, after the First 0001-hour after placement, or after notification if the car is held enroute:

1st 24 hours	FREE
2nd 24 hours	FREE
3rd 24 hours	250
4th 24 hours	325
5th 24 hours	400
6th 24 hours	500
7th 24 hours	500
8th 24 hours	500
9th 24 hours and each subsequent 24 hours	1,000

B. When a car, other than NS ownership, is held in NS's account, a charge of \$55.00 dollars per car will be assessed for each 24-hour period, or fraction thereof, after the First 0001-hour after placement or after notification if the car is held enroute.

EXCEPTION - Detention charge will not apply to cars of TTX Company ownership, or on NS cars with basis for charges "1". For charges to apply on cars of TTX Company ownership, see Item 690 Series.

C. Placement is defined as follows:

ACTUAL - When a car is placed in an accessible position for loading or unloading, or at a point designated by the consignee or consignor.

CONSTRUCTIVE - When a car cannot be actually placed because of any condition attributable to the consignor or consignee and the car is held on railroad tracks.

**NON-USE CHARGE**

A. When an NS car has been ordered and shipper is notified by carrier representative of car number assignee, and car is enroute empty to assignee, and the car order is subsequently cancelled or postponed, shipper ordering car will be assessed a charge of \$500.00 per car. This charge will not apply if carrier is unable to place car on date ordered for placement.

**NON-USE CHARGE**

B. NS may, at its discretion, secure a special type flat car owned or leased by another carrier (foreign line). If a shipper cancels or postpones an order for such foreign line car after the car is billed and forwarded, whether on NS or not, shipper ordering car will be assessed a charge of \$500.00 per car. This charge will not apply if carrier is unable to place car on date ordered for placement, provided that a reasonable period of time is allowed to furnish a car. If a shipper orders a car for "as soon as possible" delivery and then cancels the order the charge will still apply if the car has been billed and forwarded.

**ESCALATION OF CHARGES**

A. Charges named in this item are NOT subject to RCCR, selective or any other form of tariff increase provisions.

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END

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