ARKANSAS AND MISSOURI RAILROAD COMPANY

FREIGHT TARIFF AM 3000-A

(Cancels Freight Tariff AM 3000)

NAMING
LOCAL AND PROPORTIONAL RATES
APPLYING ON
COMMODITIES
(Described Herein)

BETWEEN

STATIONS ON ARKANSAS AND MISSOURI RAILROAD COMPANY (Shown Herein)

AND SWITCHING, ABSORPTIONS, MISCELLANEOUS TERMINAL AND TRANSIT SERVICES AT

STATIONS ON THE ARKANSAS AND MISSOURI RAILROAD COMPANY

This tariff is applicable also on Intrastate Traffic in the States of:

ARKANSAS

MISSOURI

LOCAL FREIGHT TARIFF

Governed, except as otherwise provided herein, by Uniform Freight Classification 6000-series.

ISSUED: April 25, 2003 EFFECTIVE: May 15, 2003

ISSUED BY

G. Brent McCready, President Arkansas and Missouri Railroad Company 306 East Emma Avenue Springdale, AR 72764

(The provisions published herein, if effective, will not result in an effect on the quality of the human environment.)

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SECTION 1

RULES AND REGULATIONS

ITEM 5

DESCRIPTION OF GOVERNING CLASSIFICATION AND RULES TARIFF

The term "Uniform Classification," when used herein, means Uniform Freight Classification, UFC 6000-Series.

ITEM 10

STATION LISTS AND CONDITIONS

This tariff is governed by the Official Railroad Station List, OPSL 6000-series, issued by RAILINC, Agent, to the extent shown below:

PREPAY REQUIREMENTS AND STATION CONDITIONS

For additions and abandonments of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight, and changes in station facilities

When a station is abandoned as of date specified in the above named tariff, the rates from and to such stations as published in this tariff are inapplicable on and after that date.

GEOGRAPHICAL LIST OF STATIONS

For geographical locations of stations referred to in this tariff by station numbers.

STATION NUMBERS

For the identification of stations when stations are shown or referred to by numbers in this tariff

ITEM 15

EXPLOSIVES, DANGEROUS ARTICLES

For rules and regulations governing the transportation of explosives and other dangerous articles by freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Tariff BOE 6000-Series.

ITEM 20

REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

Where reference is made in this tariff to tariffs, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such tariffs, and reissues of such items, notes, rules, etc.

ITEM 25

TERMINAL OR TRANSIT PRIVILEGES OR SERVICES

Shipments made under the rates contained in this tariff are entitled also to terminal and transit services and privileges and are subject to the charges, allowances, rules and regulations legally applicable thereto.

EXCEPTION: When provisions of this tariff specifically cover any such charge, allowance, rule or regulation, conflicting provisions will not apply.

SECTION 1

RULES AND REGULATIONS

ITEM 35

TRANSFER BETWEEN CONNECTING CARRIERS

The rates published herein include all charges for switching, drayage or other transfer services at intermediate interchange points on shipments handled through and not stopped for special services at such intermediate interchange points.

ITEM 40

CONSECUTIVE NUMBERS

Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown.

ITEM 45

CAPACITIES AND DIMENSIONS OF CARS

For marked capacities, lengths, dimensions and cubical capacities of cars, see the Official Railway Equipment Register RER 6413-Series.

ITEM 75

METHOD OF CANCELING ITEMS

As this tariff is supplemented, numbered items with lettered suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequences starting with A. Example: Item 100-A cancels Item 100 and Item 200-B cancels Item 200-A in a prior supplement which in turn cancelled Item 200.

ITEM 80

DEMURRAGE AND STORAGE RULES AND CHARGES

Except as otherwise provided herein, demurrage and storage rules and charges will apply in addition to the rates and charges shown herein.

ITEM 85

CLAIMS, LOSS OR DAMAGE

Claims for loss, damage, injury or delay to property transported or accepted for transportation will be processed according to the regulations set forth in 49 CFR Part 1005.

ITEM 95

APPLICATION OF RATES TO AND FROM FORT SMITH, AR

Shipments from or to points in the Fort Smith, AR switching limits located between U.S. Highway 271 and Jenny Lind Road will be assessed an arbitrary charge of \$120.00 per car.

Shipments from or to points in the Fort Smith, AR switching limits located east of Jenny Lind Road will be assessed an arbitrary charge of \$250.00 per car.

These charges will be in addition to all other applicable charges and apply only on shipments moving in line-haul services via AM.

SECTION 2 COMMODITY RATES ITEM 1025 COMMODITY: FREIGHT, ALL KINDS, EXCEPT MASONRY AND CONSTRÚCTION SAND (See Item 1050) (See Notes 1 and 2) FROM: TO: RATE: Fort Smith, AR Fayetteville, AR \$600.00[1] Van Buren, AR Johnson, AR \$500.00 (See Springdale, AR Note 3)[1] Lowell, AR Rogers, AR Bentonville, AR Gateway, AR Purdy, MO Monett, MO FROM: TO RATE: Fayetteville, AR Johnson, AR Fort Smith, AR \$550.00[I] Van Buren, AR \$475.00 (See Springdale, AR Note 3)[1] Lowell, AR Rogers, AR Bentonville, AR Gateway, AR Purdy, MO Monett, MO BETWEEN: AND: RATE: Van Buren, AR Fort Smith, AR \$200.00

Note 1: Not subject to Rule 13 of Governing Classification.

Note 2: No switching will be absorbed.

Note 3: Applies only when five or more cars are tendered on one bill of

lading.

ROUTE: AM direct.

ITEM 1050 [I][R]

COMMODITY: MASONRY AND CONSTRUCTION SAND (STCC's 32 952 35/14 411 90)

Equipment: Open-top Hoppers Minimum Weight: 160,000 pounds

FROM:	TO:	RATE: (Per Ton of 2,000 lbs.)
Van Buren, AR	Fayetteville, AR Johnson, AR Springdale, AR Bethel Heights, AR Lowell, AR Rogers, AR Bentonville, AR Gateway, AR Monett, MO	\$5.10 \$5.10 \$5.25 \$5.25 \$5.35 \$5.45 \$5.50 \$5.75 \$6.00

ROUTE: AM direct.

SECTION 3

SWITCHING GENERAL RULES, REGULATIONS AND CHARGES

ITEM 2010

LIST OF INDUSTRIES AT FORT SMITH, AR

Allen Canning [A] Arkansas and Missouri Reloads Arkansas Refrigerated Services [A] Arkansas Warehouse [A] Baker, H.J. Pro Pak Division C-Bean Transport [A]
Ft. Smith Waste Paper Co. GMS Port Terminal GMS Warehouse [A] Georgia Pacific [A] Gerber Products Co. Hickory Springs Mfg. Co. of AR, Inc. (South Plant) Midland Commodities [A] Norton Alcoa OK Feeds Cold Storage [A] Ozark Transmodal, Inc. [A] Riverside Distribution Center Riverside Furniture Corp. Plants 1 and 5 Whirlpool Corporation

(Industries formerly shown herein and not brought forward eliminated account no applicant.)

ITEM 2015

APPLICATION AND DEFINITIONS

Switching charges named (unless otherwise specified) will apply for handling loaded cars one-way and empty the other. If cars move empty in both directions charges for one-way movement will apply. If cars are moved empty one-way and are returned, they will be charged as if loaded and switching of other cars loaded will not be considered as offsetting one-way movement of empty cars.

DEFINITIONS

The terms shown below, as used in this tariff, are defined as follows:

INTRA-PLANT SWITCHING: A switching movement from one point to another point within the trackage limits of the same plant or industry.

INTRA-TERMINAL SWITCHING: A switching movement (other than intra-plant switching) from one point to another on the Arkansas and Missouri Railroad within the switching limits of one station or industrial switching district.

INTER-TERMINAL SWITCHING: A switching movement between an Arkansas and Missouri Railroad track and a track of another railroad when both tracks are within the switching limits of the same station or industrial switching district.

RECIPROCAL SWITCHING: A switching movement between the track of a firm or industry, served by the Arkansas and Missouri Railroad, and listed in Item 2010, and an interchange track of connecting carriers on line-haul traffic.

SECTION 3 SECTION 3 SWITCHING SWITCHING GENERAL RULES, REGULATIONS AND CHARGES GENERAL RULES, REGULATIONS AND CHARGES ITEM 2060 ITEM 2020 CHARGES PER CAR USE OF SPECIAL EQUIPMENT IN SWITCHING MOVEMENTS (For application see Item 2015) Rates or charges published herein for application on intra-plant, intra-\$200.00 (Note 4) Reciprocal Switching terminal or inter-terminal switching service apply to shipments which are both loaded and unloaded within the same switching district, only Intra-Plant Switching \$125.00 (Note 1)[I] when loaded in or on ordinary equipment. \$175.00 (Note 2)[I] ORDINARY EQUIPMENT MEANS: Intra-Terminal Switching \$200.00 (Note 3)[I] Box cars not exceeding 65 feet in length, inside measurement, but not including box cars of any length which are cushioned under Inter-Terminal Switching \$245.00 frame, insulated or equipped with any type of loading devices or XF cars. Note 1: Applies when distance involved is not over 2,500 feet. Flat cars not exceeding 65 feet in length and having marked capacity not greater than 180,000 pounds; but not including flat Note 2: Applies when distance involved is over 2,500 feet. cars of any length equipped with racks, frames, bulkheads, tie down devices, hoods or other appurtenances extending above the Note 3: Applies only on inbound shipments held on private tracks and deck of the car, nor on special type flat cars with mechanical designations "FD," "FG," "FW," "FM," as listed under the subsequently switched to point of unloading heading of Heavy Capacity and Special Type Flat Cars in the Note 4: An additional charge of \$50.00 per car will be assessed on cars switched to or from the facilities of Whirlpool Corporation or to or from the facilities of Riverside Furniture Company Distribution Center at Fort Official Railway Equipment Register. Gondola cars having marked capacity not greater than 180,000 pounds; but not including gondola cars of any length equipped Smith, AR. with covers, hoods, containers or cradle floors. Open top hopper cars not exceeding 60 feet in length, inside measurement, or having marked capacity not exceeding 180,000 pounds. Cars other than described as ordinary equipment in Paragraphs 1 to 4, owned or leased by shipper or consignee. When shipments that are both loaded and unloaded within the same switching district are loaded in cars that are other than ordinary equipment the rate or charge to apply will be the rate or charge published herein for application to shipments loaded in ordinary equipment as described in 1 to 5 above, plus [I]\$125.00 per car for use of other than ordinary equipment. **ITEM 2050** SWITCHING - TURNING OF CARS TO PERMIT LOADING AT STOP-OFF POINTS OR UNLOADING AT STOP-OFF POINTS OR DESTINATION In instances where it is desired that freight in carloads be placed on delivery tracks for loading at stop-off points or unloading at stop-off points or destination from one particular side or end of car, cars must be properly placarded on both sides and notation made on Bill of Lading and waybill substantially as follows: NOTICE TO CARRIER Deliver Car for loading or unloading from door or end specified by placard. 2. On freight in carloads, not properly placarded on both sides of car to load or unload from one particular side or end of car, which shipper or consignee, after initial placement of car, directs carrier to turn and return to the same track for loading or unloading from opposite side or end of car, the following shall apply: CHARGES (See Note) If the car is turned outside the confines of the industry, apply intraterminal switching charge subject to a minimum charge of \$150.00[I] NOTE—If Bill of Lading carrier notation that car has been placarded, and placard has disappeared before placement, the charge herein will not apply.

SECTION 4 SECTION 5 ABSORPTION OF SWITCHING CHARGES MISCELLANEOUS TERMINAL AND TRANSIT SERVICES **ITEM 3000** ITEM 4000 ABSORPTION OF SWITCHING CHARGES DIVERSION OR RECONSIGNMENT (A) Connecting line switching charges at point of origin and/or One diversion or reconsignment will be allowed on a shipment received destination will be absorbed when the total net freight revenue after the absorption of switching charges is not less than shown in on the tracks of the AM, provided no previous diversion or reconsignment has taken place on the same shipment, subject to the paragraph (B). Total freight charges after first deducting connecting carriers following conditions: (See Note) switching charges. (See Note) Definition—A single change in name of consignor and/or consignee, and/or a single change in destination or place of delivery at destination. Minimum Charge Per Car 2. Diversion or reconsignment may be made only at a point intermediate between interchange with line-haul carrier and origin or original destination on the AM. Joint..... \$750.00[I] 3. The rate to be used will be the through rate from point of origin to final destination, subject to the rate from point of origin to diversion point, or from diversion point to final destination, whichever is higher, as a minimum. Local—Means traffic handled from origin to destination via the 4. Diversion or reconsignment will only be accorded when order is placed with an authorized agent of the AM prior to arrival of car at destination and in time to permit instructions to be relayed to yard Joint-Means traffic handled from origin to destination via the AM personnel. The charge for diversion or reconsignment shall be \$130.00 per single car and \$35.00 per car on shipments of 5 cars or more. On a "straight" Bill of Lading consignment, the original Bill of and one or more other carriers. 5. NOTE: When the freight charges per car are not sufficient to absorb the entire amount of switching charges, such 6. Lading should be surrendered or other proof of ownership established. proportion of same will be absorbed as to leave the required net freight revenue after switching charges are absorbed as shown in the following example: On a shipment consigned "To Order," an order to divert or reconsign under these rules will not be effective until the original Bill of Lading is surrendered for cancellation, endorsement of Gross freight revenue: Maximum revenue as shown in paragraph (B) \$450.00[1] diversion or reconsignment, or exchange, or in its absence the Maximum amount to be absorbed \$ 50.00[R] property may be diverted or reconsigned in advance of the surrender of the Bill of Lading only under the provisions of Uniform Freight Classification (see Item 5) concerning the delivery of shipments consigned "To Order." Shipments on "straight" Bill of Lading, showing consignment to one party with instructions therein, or on which instructions are 8 otherwise given to: a) Notify or advise another party and deliver only upon surrender of written order; or Deliver only upon surrender of the original Bill of Lading; or when Consigned in any other manner which imposes upon the carrier the obligation not to make delivery or permit diversion except upon surrender of original Bill of Lading or written order should be treated as shipments billed "To Order" unless the reconsignment or diversion order is given by or the delivery is to such original billed consignee or his agent. The 'Advise" or "Notify" party must be considered as the consignee. 9. A request for diversion or reconsignment must be made or confirmed in writing, and an order for diversion or reconsignment which specifies that through rate is to be protected will not be construed as obligating carriers to protect other than the lawful rate and charges under these rules. When an order for diversion or reconsignment requires the application of a rate and/or route which cannot be lawfully applied via the point at which the diversion or reconsignment is made, prompt notice shall be given to the party requesting the diversion or reconsignment. When delivery to consignee cannot be accomplished due to gross weight of car and contents exceeding carrier's track limitations, no charge will be assessed for the diversion or reconsignment of shipment. NOTE—This item will not apply when the provisions of Item 4200 apply.

SECTION 5

MISCELLANEOUS TERMINAL AND TRANSIT SERVICES

ITEM 4100

FORWARDING CHARGE

Except as otherwise provided for in this tariff, when on shipper's order, cars are moved by carrier from industry or team tracks, and held on carrier's tracks awaiting forwarding directions as defined in Item 1005 Series, Part 1, Tariff ASLG 6004, Demurrage Tariff, a charge of \$25.00 per car will be assessed against the party responsible for furnishing such forwarding directions and the cars will remain on continuous demurrage or detention (See Note) in the demurrage account of the party in whose name the car was ordered until such forwarding directions are received by carrier's agent. (See Exceptions 1 and 2)

EXCEPTION 1: The charge of \$25.00 per car will not apply when carrier's agent receives forwarding directions by noon of the day following performance of this service excluding Saturdays, Sundays and Holidays as defined in Item 525, Part 1, Tariff <u>ASLG 6004</u> Series, Demurrage Tariff.

EXCEPTION 2: These provisions will not apply on shipments coal, coke, (the direct product of coal) or iron ore.

NOTE: On cars under special detention rules and charges, the same detention rules and charges will be applied as governed in connection with the line-haul rates.

ITEM 4105

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CARS RELEASED PRIOR TO UNLOADING

Cars released by industry without being completely unloaded, as defined in Rule 27 of the Governing Classification, will be returned to industry to complete unloading subject to a charge of \$200.00 per car.

EXCEPTION: Applies only when request is received from industry while car is on this railroad's tracks.

ITEM 4150

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CARS FURNISHED AND RELEASED EMPTY

Whenever empty cars are ordered (See Note) but not use in transportation services, a charge of \$250.00 per car will be assessed. The charge is to be collected from the party who orders the car and will be in additional to all other applicable charges.

NOTE: If instructions canceling the car order are received before a car has been assigned, no charge will be assessed.

ITEM 4200

PLACEMENT OF INBOUND CARLOAD SHIPMENTS AT STATIONS ON THE AM

At the request of consignee, the AM will spot inbound carload shipments at any site it serves within the switching limits of the billed destination at no additional charge. This service will only apply when requests are received by this railroad prior to spotting at the original billed unloading site.

SECTION 5

MISCELLANEOUS TERMINAL AND TRANSIT SERVICES

ITEM 4205

PLACEMENT OF INBOUND CARLOAD SHIPMENTS AT FAYETTEVILLE, AR AND SPRINGDALE, AR

At the request of the consignor or consignee, the AM will spot inbound carload shipments billed to Fayetteville, AR or Springdale, AR at any site it serves at Fayetteville, AR or Springdale, AR at no additional charge. This service will only apply when requests are received by this railroad prior to the shipment being placed for unloading at the original billed destination. If the request is made after the shipment has been placed for unloading an additional charge of \$35.00 per car will be assessed. Whenever this item is utilized, Fayetteville, AR and Springdale, AR will be considered in the same switching limits.

ITEM 4210

CHARGES FOR WEIGHING OR REWEIGHING CARLOAD SHIPMENTS

When the AM is requested to weigh carload shipments for purposes other than to determine freight charges, the following charges will be assessed:

Weighing at:	Charge Per Car
Fort Smith, AR	\$75.00 (Note 1) \$50.00 (Note 2)
Fayetteville, AR when en route and contiguous cars: One car	\$75.00 \$60.00 \$50.00 \$45.00 \$40.00
Out of route cars: Fayetteville and Springdale, AR Rogers and Lowell, AR	add \$ 50.00 add \$100.00

Note 1: Applies only on shipments originating, terminating or handled in switching service at Fort Smith, AR

Note 2: Applies only on shipments originating, terminating, or handled in switching service at Fort Smith or Van Buren, AR in lots of five or more cars.

EXPLANATION OF ABBREVIATIONS AND REFERENCE **SECTION 5** MARKS MISCELLANEOUS TERMINAL AND TRANSIT SERVICES ABBREVIATION OR **EXPLANATION** REFERENCE MARK ITEM 4215 AM..... Arkansas and Missouri Railroad Company [I] TRANSFER FROM CAR TO TRUCK AT FORT SMITH, AR BOE..... Bureau of Explosives CFR..... Code of Federal Regulations (See Notes 1, 2, 4, and 5) Official Railroad Station List OPSL..... RER..... Railway Equipment Register When requested, the AM will transfer non-hazardous bulk commodities UFC..... Uniform Freight Classification into trucks at Fort Smith, AR, subject to the following charges: [A]..... Addition CHARGES: \$100.00 per hour or fraction thereof when entire [I]..... Increase movement (see Note 3) is transferred in not more than four No Change (4) hours. [R]..... Reduction United States dollar or dollars \$80.00 per hour or fraction thereof when entire movement (see Note 3) is transferred in more than four (4) hours. Note 1: Except as provided in Note 6, applies only on cars which have (Underscored portion denotes change.) been handled in road haul service by the AM. Note 2: Except as provided in Note 6, applies only when instructions to move cars are received prior to placement for unloading at original billed destination. Note 3: As used herein the term "movement" includes all cars moved to transfer point under one Bill of Lading or shipping order. Note 4: Time will be computed only during the transfer operation. Note 5: Except as provided in Note 6, in addition to transfer charges, a charge of \$150.00 per car will be assessed for movement of car to Fort Smith, AR. Note 6: Charges will also apply when cars are received from connecting carrier at Fort Smith, AR, subject to an additional charge of \$150.00 per car. ITEM 4300 STOPPING-IN-TRANSIT TO COMPLETE LOADING OR TO PARTIALLY UNLOAD (See Note 2) Cars containing carload freight on which the AM receives a line-haul revenue may be stopped in transit on the AM for the purpose of completing the load, or to partially unload, subject to the following conditions: The stop-off point must be intermediate between the origin and ultimate destination. The charge for each stop-off in transit shall be \$200.00 per car. Shippers at point of origin must designate on shipping order and Bill of Lading: (a) Stop-off privilege desired, i.e., whether to complete loading or to partially unload. (b) Point or points at which car is to be stopped. (c) Name and address of party who will load or unload at stopoff point. (See Note 1). No freight may be loaded after first stop-off for unloading and no freight may be unloaded before last stop-off to complete load/ Note 1: Only one party will be permitted to load or unload at stop-off point. No notation is to be made as to the portion of the shipment to be loaded or unloaded at stop-off point. Note 2: Demurrage charges as defined in Freight Tariff ASLG 6004 shall apply until car is released from being unloaded at the stop-