COLORADO & WYOMING RAILWAY COMPANY

FREIGHT TARIFF CW 8800-O

(Cancels Freight Tariff CW 8800-N)

LOCAL CHARGES

ON

WEIGHING

AT

MINNEQUA, CO

WEIGHING TARIFF

ISSUED: September 25, 2007

EFFECTIVE: October 1, 2007
(Except as otherwise provided)

ISSUED BY

Rob A. Simon, VP & COO
Colorado & Wyoming Railway Company
2100 South Freeway
Pueblo, CO 81004-3406

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

RULES AND OTHER GOVERNING PROVISIONS
RULES AND REGULATIONS - GENERAL

ITEM 5

This tariff is governed by The Official Railway Equipment Register, Tariff RER 6412-series.

ITEM 10

SUPPLEMENTS AND REISSUES

When reference is made in this tariff, or supplements, to other publications for rates or other information, it includes "Supplements thereto or successive issues thereof."

Where reference is made in this tariff to items, it includes "reissues" of such items.

ITEM 15

METHOD OF CANCELING ITEMS

As this tariff is supplemented, numbered items with letter suffixes cancel correspondingly numbered items in the original tariff, or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 100-A cancels Item 100 and Item 300-B cancels Item 300-A in a prior supplement, which, in turn, canceled Item 300.

WEIGHING

ITEM 100

WEIGHING CHARGES

When cars are weighed or reweighed , loaded or empty, at request of consignor or consignee, a charge of $55.00 per car will be assessed.

ITEM 110
[I][E]

OVERLOADS

The charges in this section are published as a deterrent to the unsafe practice of overloading rail cars and are not connected in any way with other transportation charges. When a loaded car is weighed and the gross weight (commodity plus tare weight) exceeds the maximum gross weight as determined by the car's capacity by 5,000 pounds or more, (See Note) car shall be considered "overloaded" and an overload charge will be assessed delivering Carrier on inbound and CW Customer on outbound as stated below in addition to the intra-plant switch charge set forth in CW Tariff 8894-series Item 150. Railroad scale weights shall govern.

OVERLOAD CHARGE…...……..$350.00 Per Car

NOTE:

Car Capacity (stated in pounds)	Maximum Gross Weight (Lading plus tare weight of car) (stated in pounds)
80,000 to 88,000	142,000
110,000	177,000
140,000 to 154,000	220,000
200,000	263,000
220,000	286,000
250,000	315,000

ITEM 120

FURNISHED EQUIPMENT USED FOR OFFLINE MOVEMENTS

Colorado and Wyoming Railway Co. (CW) will assess a $1000 per car charge against shippers or carriers routing CW owned, leased or controlled equipment via routes that exclude CW from participation in the route and/or linehaul revenue. This charge is in addition to any other charges which may be due from shipper or carrier.

Exception 1: With prior permission from the Colorado & Wyoming Railway Co., (719) 561-6358, a shipper or carrier can utilize such equipment, without penalty, for outbound shipment via a carrier other than CW.

Exception 2: This charge does not apply on cars assigned to pools, when loaded and routed in accordance with applicable AAR car Service Rules, Car Service Directives and Transportation Directives.

EXPLANATION OF ABBREVIATIONS
AND REFERENCE MARKS:

FT - Freight Tariff

[A] - Addition
[E] - Effective October 15, 2007
[I] - Increase
[NC] - Brought Forward without change
[R] - Reduction

(Underscored portion denotes change/addition.)

- END -