

M G RAIL, INC.

FREIGHT TARIFF MGRI 8000-A

(Cancels Freight Tariff MGRI 8000)

SWITCHING TARIFF

Applicable AT and BETWEEN Stations On

M G RAIL, INC.

Governed, except as otherwise provided herein, by Uniform Freight Classification (UFC), as provided in Item 5.

NOTICE

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

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EFFECTIVE: MAY 31, 1990

ISSUED BY:

Gregory B. Cundiff, President

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TARIFF MGRI 8000-A

SECTION ONE

TABLE OF CONTENTS

SUBJECT	ITEM	PAGE
Addition or Change of Industries	65	3
Application of Charges in Articulated Cars	186	5
Application of Rates and Charges	80	3
Capacities and Dimensions of Cars	45	3
Cancelling Items	50	3
Connecting carriers	220	6
Consecutive Numbers	40	3
Demurrage, Rules & Charges	85	4
Exemption, Box Car Traffic	9	2
Empties, Ordered And Not Used	185	5
General Application	90	4
Governing Classification	5	2
Hazardous Materials	200	5
Improper Cars Furnished	190	5
Improperly Loaded Cars	180	5
Industries, Changes	65	3
Intermediate Application	95	4
Inter-Terminal Switch	130	4
Intra-Terminal Switch	125	4
Intra-Plant Switch	120	4
Less Than Carload (LCL)	75	3
Local Switching	160	4
Method of Denoting Reissued Matter in Supplements	55	3
National Service Orders	60	3
Order Notify Shipments	70	3
Order Notify Shipments From Connecting Lines	187	5
Overloaded Cars	180	5
Rates, General Rules	100	4
Rates, Charges, Application of	110	4
Rates, Table of	300 - 380	6
Reciprocal Switching	115	4
Rejected Cars	188	5
Reloading Cars	191	5
Reweighting	150	4
Station Lists and Conditions	10	3
Switching Limits, Definition of	210	6
Tariffs, Reference to	20	3
Team Track	192	5
Terminal or Transit Privileges or Services	25	3
Tolerance	155	4
Turning Of Cars	140	4
Weighing & Reweighing	189	5

RULES AND OTHER GOVERNING PROVISIONS

GENERAL RULES AND REGULATIONS

ITEM	SUBJECT	APPLICATION
5	DESCRIPTION OF GOVERNING CLASSIFICATION AND EXCEPTIONS	The term "Uniform Freight Classification", when used herein means ICC UFC 6000-series.
9	EXEMPTION FROM REGULATION BOX CAR TRAFFIC	Pursuant to the orders of the Interstate Commerce Commission in Ex Parte 346 (Sub No. 8), Exemption from Regulation - Boxcar Traffic, 367 ICC 424, 367 ICC 747, rates, charges, rules and regulations in connection with the transportation of commodities in box cars, to the extent of the exemption from regulation in cited Commission orders, will have no application on commodities transported in box cars to that extent.

For explanation of abbreviations and/or reference marks, see last page of tariff.

TARIFF MGRI 8000-A

SECTION 1 - RULES AND OTHER GOVERNING PROVISIONS

GENERAL RULES AND REGULATIONS

ITEM	SUBJECT	APPLICATION
10	STATION LISTS AND CONDITIONS	<p>This tariff is governed by the Official List of Open and Prepay Stations 6000-series, ICC OPSTL 6000-series, Station List Publishing Company, Agent, to the extent shown below:</p> <p align="center">PREPAY REQUIREMENTS AND STATION CONDITIONS</p> <p>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.</p> <p>When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station as published in this tariff are inapplicable on and after that date.</p>
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.
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, as provided in separately published, lawfully filed tariffs.
40	CONSECUTIVE NUMBERS	Where consecutive numbers are represented in this tariff by the first and last number connected by the word "to" or a hyphen they will be understood to include both of the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last numbers.
45	CAPACITIES AND DIMENSIONS OF CARS	For marked capacities, lengths, dimensions and cubical capacities of cars, see the Official Railway Equipment Register, ICC RER 6411-series.
50	METHOD OF CANCELLING ITEMS	<p>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 sequence starting with A.</p> <p>Example: Item 25-A cancels Item 25 and Item 50-B cancels 50-A in a prior supplement which in turn cancelled Item 50.</p>
55	METHOD OF DENOTING REISSUED MATTER IN SUPPLEMENTS	Matter brought forward without change from one supplement to another will be designated as "Reissued" by a reference mark in the form of a square enclosing a number, the number being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine the original effective date consult the supplement in which the reissued matter first became effective.
60	NATIONAL SERVICE ORDER TARIFF	This tariff is subject to provisions of various Interstate Commerce Commission Service Orders and General Permits as shown in Tariff NSO 6100-series, ICC NSO 6100-series.
65	CHANGE OF NAME OF INDUSTRIES	<p>When an industry at a private siding on the MGRI is mentioned by name, and a change of ownership occurs, the switching provisions herein for the named industry, will also apply to the successor industry at the same private siding.</p> <p>When an industry at a private siding on a connecting carrier is mentioned by name and a change of ownership occurs, the tariff of such connecting carrier, lawfully on file with the ICC, will contain the provisions applicable at such private siding.</p>
70	RECEIPT OF ORDER NOTIFY FREIGHT FROM CONNECTING LINES	Carload freight from connecting lines, when consigned to order notify, or when consigned to one party, notify, or advise another party, will not be accepted by MGRI until the road-haul carrier has taken up the order notify, bill of lading, written order or any other document required as a precedent to delivery, offering of such car (cars) by line-haul carrier shall be construed by MGRI that car (cars) are free of any encumbrances as noted above.
75	LESS THAN CARLOAD FREIGHT	Freight moving in less than carload shipments shall be subject to the provisions of, and treated the same as carload freight, insofar as charges and/or rates are concerned.
80	APPLICATION OF SWITCHING RATES OR CHARGES	Except as otherwise provided, switching rates or charges named herein will cover the handling of cars loaded one way and empty the other. If cars are loaded in both directions, regular rate or charge will be assessed for each loaded movement.

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TARIFF MGRI 8000-A

SECTION 1 - RULES AND OTHER GOVERNING PROVISIONS

GENERAL RULES AND REGULATIONS

ITEM	SUBJECT	APPLICATION
85	DEMURRAGE RULES AND CHARGES	Freight Tariffs ICC RPS 6008-series and ICC RPS 6004-series will apply on cars handled or switched under this tariff. EXCEPTION: Where switching service is performed on traffic moving on line-haul rates subject to special detention charges and rules, the traffic switched under this tariff will be subject to the same detention and rules applicable to the line-haul rates.
90	GENERAL APPLICATION	This tariff applies independently except when this tariff is in conflict with the provisions of other applicable tariff, agreement, or contract, as the case may be, the rates, charges, and provisions of the applicable tariff, agreement, or contract will take precedence.
95	INTERMEDIATE APPLICATION	Rates and charges named in this tariff are subject to intermediate application. Where rates are published from one origin to one destination, these rates will apply to such origins and destinations as the case may be, if no specific rates are named to or from such intermediate points.
100	RATES	Rates and charges named in this tariff are in addition to charges absorbed in whole, or in part by other rail carriers.
110	CHARGES	Unless otherwise noted, charges published in this tariff are per carload.
115	RECIPROCAL SWITCHING	A switching movement between private or assigned sidings located on tracks of the MGRI, also team tracks where such switch movements are specifically authorized herein, and interchange with tracks of connecting lines or traffic originating or destined to points beyond the switching limits of the station or industrial switching district.
120	INTRA-PLANT SWITCHING	A switching movement from one track to another, or from one location to another on the same track, within the same plant or industry located on the MGRI.
125	INTRA-TERMINAL SWITCHING	A switching movement (other than intra-plant) between private or assigned sidings located on tracks of the MGRI within the switching limits of one station or industrial switching district.
130	INTER-TERMINAL SWITCHING	a) A switching movement from private or assigned siding located on tracks of MGRI, to interchange tracks of connecting lines on traffic destined to private or assigned sidings located on connecting lines, when both tracks are within the switching limits of one station or industrial switching district. b) A switching movement from interchange tracks of connecting lines to private or assigned sidings located on MGRI on traffic originating at private or assigned sidings located on such connecting lines, when both tracks are within the switching limits of one station or industrial switching district.
140	TURNING OF CARS	The MGRI has no facilities (turntables, wye tracks, etc.) to permit turning of cars. When it is determined the lading cannot be removed from car(s) and shipper or consignee requests MGRI to move car(s) to interchange with inbound carrier, MGRI will do so at its applicable switch charge and such charges are in addition to charges assessed by inbound carrier. MGRI charges will apply to and from the interchange and be in addition to the charges applied for the initial placement. EXCEPTION: If it is determined that shipping document, bill of lading, or movement waybill specified that car was placarded and placard has disappeared, no charge other than the initial charge will be assessed Shipper or Consignee. The applicable switching charges published herein will be assessed against the railroad that tendered the car(s) for placement.
150	REWEIGHING	If the necessity arises that car (cars) must be reweighed due to discrepancy in prior railroad weights, the MGRI will handle car (cars) over its line to its interchange with line-haul carrier at charges provided in its tariffs. Charges will be assessed against the Industry or the line-haul carrier as the case may be. Tolerance shall be the basis on assessment of such charges (see Item 155).
155	TOLERANCE	The amount of allowable tolerance shall be one percent of the gross weight on loaded cars and 1,000 pounds on empty cars.
160	LOCAL SWITCHING	A local transportation or switch movement which begins and ends within the yard or switching limits which is not incident to the forwarding or delivery of a shipment to or from a point without said limits, and will be treated as such on the MGRI. The MGRI is not obligated or required to furnish equipment for handling of traffic in local switch movements. Under circumstances when such service is performed the charges published herein will be applied.

For explanation of abbreviations and/or reference marks, see last page of tariff.

TARIFF MGRI 8000-A

SECTION 1 - RULES AND OTHER GOVERNING PROVISIONS

GENERAL RULES AND REGULATIONS

ITEM	SUBJECT	APPLICATION
180	CHARGES ON OVERLOADED OR IMPROPERLY LOADED CARS	<p>When cars are discovered to be overloaded, or improperly loaded on the MGRI thereby necessitating transfer, trimming, adjusting or reloading in the interest of safe transportation, shipper or owner will be notified and requested to advise disposition. See Paragraphs (1) and (2) below.</p> <p>(1) Except as provided in Paragraph (2), cars discovered to be overloaded or improperly loaded, will be placed on carrier's track accessible for transfer, trimming, adjusting or reloading, and shipper or owner will be required to transfer, trim or adjust or reload car to meet loading requirements for safe transportation. A charge of \$100.00 per car will be assessed for the switching of overloaded or improperly loaded cars to and from the carrier's track where the transfer, trimming, adjusting or unloading is performed.</p> <p>(2) When cars are discovered to be overloaded or improperly loaded at point of origin, and cars are ordered returned to the shipper's plant or point of loading, the applicable intra-plant, intra-terminal or inter-terminal switching charges will be assessed.</p>
185	EMPTY CARS ORDERED BUT NOT LOADED	On empty cars that are ordered for loading and the service of switching or placing has been performed and the car is not loaded but returned to the railroad empty, a switching charge of \$50.00 per car will be assessed for this service and collected from the person, firm or corporation ordering such cars.
186	APPLICATION OF CHARGES IN ARTICULATED CARS	When shipments are loaded in or on so called articulated cars (two or more car units permanently or temporarily joined together), the charges published in this tariff will apply separately to each unit of the articulated equipment.
187	ORDER NOTIFY SHIPMENTS FROM CONNECTING LINES	MGRI will in no instances be responsible for the taking up or securing of order ladings, turn over orders, advising patrons, etc., in connection with shipments received in interchange delivery by connecting road-haul carriers to the interchange with MGRI, will be accepted by MGRI with the understanding that any and all such documents required as a precedent to delivery, are in possession of road-haul carrier.
188	REJECTED CARS	<p>When loaded cars are placed and subsequently rejected account grade or quality of the loaded product, MGRI will switch car (cars) as directed by owner. Notification of such rejection shall be the responsibility of party rejecting car (cars). Charges for such movement will be the applicable charges as published herein and will apply in both directions of the loaded move.</p> <p>NOTE: Such rejected cars are subject to 24 hours free time in computing demurrage charges, from the first 7:00 A.M. after initial placement.</p>
189	WEIGHING & REWEIGHING	MGRI does not perform track scale weighing, however, if such service is requested, MGRI will handle cars(s) to its interchange connection at the switching charges provided in its tariffs. These charges are in addition to the weighing charge assessed by carrier performing weighing.
190	IMPROPER CARS FURNISHED FOR LOADING BY CONNECTING LINES	When cars ordered by industries for loading are refused on account of not being in proper condition to load, a charge of \$50.00 per car will be assessed against the railroad furnishing the car.
191	RELOADING CARS	<p>When an empty car is appropriated by shipper, car shall be accepted by shipper's agent as being suitable to receive their product(s).</p> <p>NOTE: Nothing in this Item shall make it permissible to load an appropriated car with a product inferior to the inbound lading to the extent that car would be unsuitable to receive a similar or like class loading as it originally contained.</p>
192	TEAM TRACK	<p>Service: For industries not having private or assigned sidings, MGRI will perform switching service to and from its team track(s) at the applicable switch rate published herein.</p> <p>Location: MGRI team tracks(s) is located at Clarke Maritime Center.</p>
200	HAZARDOUS MATERIALS	Cars loaded with explosives, poison, compressed flammable gas or radioactive material, as shown in Tariff ICC BOE 6000-series, will not be accepted for movement. Hazardous materials other than those covered above are subject to movement only by permits issued by the Vice President. Customers anticipating movement of any hazardous materials should contact MGRI for permit authority at least 48 hours prior to shipment. MGRI reserves the right to decline to issue a permit for other hazardous materials in addition to those covered above.

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TARIFF MGRI 8000-A

SECTION 1 - RULES AND OTHER GOVERNING PROVISIONS

GENERAL RULES AND REGULATIONS

ITEM	SUBJECT	APPLICATION
210	DEFINITION OF SWITCHING LIMITS	Clark Maritime Center, IN, are stations on MGRI and are within the switching limits of Jeffersonville, IN.
220	CONNECTING CARRIERS	Clark Maritime Center, IN - CR, CSXT

SECTION 2 - RECIPROCAL SWITCHING CHARGES

ITEM	SUBJECT	FROM	TO	RATES PER CAR
300	All Commodities, except grain and grain products	Connecting lines	Industries on MGRI	\$50.00
		Industries on MGRI	Connecting lines	\$50.00
320	Grain and grain products	Connecting lines	Industries on MGRI	\$19.00
		Industries on MGRI	Connecting lines	\$19.00

INTRA-PLANT, INTRA-TERMINAL, INTER-TERMINAL SWITCHING CHARGES

ITEM	SUBJECT	INTRA-PLANT	INTRA-TERMINAL	INTER-TERMINAL
340	All Commodities, except grain and grain products	\$50.00	\$50.00	\$50.00
360	Grain and grain products	\$50.00	\$50.00	\$50.00
380	<p>EXCEPTION: When switching service cannot be performed by the regular train crew, on its regular scheduled switch and a special or additional switch is requested, the MGRI will, at its option, provide such special or additional switching service subject to the following:</p> <p>(1) Subject to availability of crew and locomotive.</p> <p>(2) Subject to a charge of \$100.00 per hour, minimum 3 hours. Time computed shall include servicing locomotive and travel time from and to terminal.</p>			

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

ABBREVIATION OR REFERENCE MARK	EXPLANATION
A.M. BOE CR CSXT ETC. ICC IN INC. MGRI NSO OPSL RER UFC	Ante Meridian Bureau of Explosives Consolidated Rail Corporation CSX Transportation Et Cetera Interstate Commerce Commission Indiana Incorporated M G Rail, Inc. National Service Order (Western Trunk Committee, Agent) Official List of Open and Prepay Stations (Station List Publishing Company, Agent) Official Railway Equipment Register, The (R.E.R. Publishing Company, Agent) Uniform Freight Classification (National Railroad Freight Committee, Agent)
[D]	Denotes Reduction.
[I]	Denotes Increase.
[C]	Change in wording which results in neither increase nor reduction in charges.
<input type="checkbox"/>	(With number enclosed) -- Reissued from supplement bearing number enclosed within the square.
O	Applies on Interstate traffic only.
+	Applies on Intrastate traffic only.