

OGEECHEE RAILROAD COMPANY

FREIGHT TARIFF ORC 8001 (NEW)

SWITCHING
AND
MISCELLANEOUS
RULES AND CHARGES
APPLYING
AT
POINTS ON THE
OGEECHEE RAILROAD COMPANY

LOCAL TARIFF

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular rates and provisions contained herein.

ISSUED: January 18, 2008

EFFECTIVE: February 1, 2008

ISSUED BY

Thomas L. Clark, President
Ogeechee Railroad Company
P.O. Box 306
197 Old Kenfield Road
Stillmore, GA 30464

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For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.

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SECTION 1 MISCELLANEOUS RULES AND CHARGES	SECTION 1 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 60</p> <p align="center">HAUL OF EMPTY CARS NOT USED</p> <p>When cars placed or tendered for loading are not used, the party ordering same shall be subject to a charge of \$100.00 per car.</p>	<p>ITEM 110</p> <p align="center">SPECIAL TRAIN OR SWITCHING SERVICE</p> <p>Special Freight Train or Switching Service is the movement of a train or a car in other than normal freight train or switching service at the specific request of the shipper or consignee, or as may be required due to excessive weight, height, width or length. The charge for special freight train or switching service will be a minimum of \$900.00 for the first three hours, plus \$300.00 for each additional hour or fraction thereof over three (3) hours per occurrence, and will be in addition to all other charges associated with the movement.</p> <p>Note: When special freight train or switching service is provided on a holiday, the minimum charge will be \$1,200.00 for the first three (3) hours, plus \$450.00 for each additional hour or fraction thereof over three (3) hours per occurrence, and will be in addition to all other charges associated with the movement. (For the purpose of this Note, "holidays" shall mean only the days listed in Item 120 of this tariff.)</p> <p>The time for the purposes of these charges is to be calculated from the time the crew goes on duty until the crew goes off duty.</p> <p>(The ORC reserves the right to restrict or modify any request for special freight train service.)</p>
<p>ITEM 70</p> <p align="center">CHARGES FOR TURNING RAIL CARS</p> <p>A charge of \$215.00 per car will be assessed for turning and respotting rail cars. Applies on cars not properly placarded or marked to unload from one particular side or end of car, which after initial placement has been made, either shipper, consignee, or owner directs carrier to turn car for unloading from opposite side or end of car. If Bill of Lading carries notation that car has been placarded and placard has disappeared before placement, the charge named herein will not apply.</p>	
<p>ITEM 80</p> <p align="center">WEIGHING OF CARS</p> <p>All cars which require weighing for the purpose of assessing freight charges will be weighed by NS and NS published tariff charges for weighing will be billed directly to the party requesting weighing service. ORC assumes no liability for correctness of weights or failure of NS to weigh cars as requested.</p>	
<p>ITEM 90</p> <p align="center">CARS INTERCHANGED IN ERROR</p> <p>A charge of \$275.00 per car will be assessed on all cars interchanged from NS in error.</p>	
<p>ITEM 100</p> <p align="center">HOLD CHARGE</p> <p>All cars held at the request of a shipper or receiver prior to release or disposition of the cars will be subject to a holding charge of \$75.00 plus the applicable demurrage charges specified in Section Four.</p>	
	<p>ITEM 120</p> <p align="center">HOLIDAYS</p> <p>Wherever reference is made to "holidays", it shall mean only the following days:</p> <p>New Year's Day - January 1 (see NOTE)</p> <p>Memorial Day - Last Monday in May</p> <p>Independence Day - July 4 (see NOTE)</p> <p>Labor Day - First Monday in September</p> <p>Thanksgiving Day - Fourth Thursday in November</p> <p>Christmas Day - December 25 (see NOTE)</p> <p>NOTE: When this holiday occurs on a Sunday, the following Monday will be observed as the holiday.</p>
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

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SECTION 2 SWITCHING RULES AND CHARGES	SECTION 3 DIVERSION PROVISIONS
<p>ITEM 220</p> <p align="center">INTRA-TERMINAL SWITCHING</p> <p>A charge of \$150.00 per car will be assessed on all cars relocated within the same switching limits unless caused by ORC error or as a result of placing or removing other cars to or from the same track. The same switching limits refers to industries and/or tracks within the same station.</p>	<p>ITEM 300</p> <p align="center">APPLICATION</p> <p>A. Provisions of this section are not applicable to coal or coke shipments.</p> <p>B. Provisions of this section are applicable only to cars that are in ORC's account as a linehaul carrier.</p> <p>C. Orders for diversions will only be accepted from:</p> <ol style="list-style-type: none"> 1. Consignor. 2. Consignee. 3. Freight payer. 4. Another railroad participating in the linehaul movement. 5. Authorized representatives of the consignor, consignee, or freight payer, effected by these provisions. <p>D. After a car has reached its billed destination on ORC, diversion orders must be requested prior to the car being:</p> <ol style="list-style-type: none"> 1. Interchanged to a switching railroad for delivery to the consignee, or 2. Actually or constructively placed by ORC. <p>EXCEPTION 1: A change in the freight payer may be requested after a car has been interchanged to a switching railroad or placed by ORC.</p> <p>EXCEPTION 2: After placement, an order for delivery of the car to other than the billed consignee will be accepted by ORC as follows:</p> <ol style="list-style-type: none"> 1. If no additional movement of the car is required, subject to the charge for "all other diversions". 2. If additional movement of the car to a location within the switching limits of the destination station is required, it will be considered a new movement and subject to switching charges. 3. If additional movement of the car to a location outside the switching limits of the destination station is required, it will be considered as a new movement subject to linehaul charges from the diversion location.
<p>ITEM 230</p> <p align="center">INTER-TERMINAL SWITCHING</p> <p>The term "inter-terminal switching" refers to a movement from one railroad to another railroad when such movement is within the switching limits of the same station or industrial district. There will be a charge of \$225.00 per car for each inter-terminal switch.</p>	
<p>ITEM 240</p> <p align="center">INTRA-PLANT SWITCHING</p> <p>When a car is moved from one spot at any facility located on ORC to another spot at the same facility, a charge of \$75.00 per car per switch will be assessed</p>	
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

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SECTION 3 DIVERSION PROVISIONS	SECTION 3 DIVERSION PROVISIONS
<p>ITEM 300</p> <p align="center">APPLICATION</p> <p>E. Order Notify Shipments</p> <ol style="list-style-type: none"> 1. Diversion orders will not be accepted on "Order Notify" bill of lading consignments. 2. Orders will not be accepted to change the status of a shipment from a "Straight" bill of lading consignment to an "Order Notify" bill of lading after the "Straight" bill of lading has been executed. <p>F. Diversion orders must be made or confirmed in writing as follows:</p> <ol style="list-style-type: none"> 1. Verbal orders may be given to: <ol style="list-style-type: none"> a. Customer Service Desk (912) 562-3216. b. Local freight agencies. 2. Written confirmation of verbal orders must be sent to the ORC Billing Desk at : <p align="center">Ogeechee Railroad Company 197 Old Kenfield Road Stillmore, GA 30464</p> <p>G. All charges against the consignment, whether accrued or accruing, must be paid or guaranteed to the satisfaction of ORC before the car is diverted.</p>	<p>ITEM 320</p> <p align="center">LINEHAUL FREIGHT CHARGES</p> <p>A. The through rate (local, joint or combination rates) will be that applicable from origin to destination, via the diversion station, on the date shipment is originally billed.</p> <p>B. ORC assumes no responsibility that the lowest through rate, origin of the shipment to the diverted destination, can be protected via the diversion station.</p>
<p>ITEM 310</p> <p align="center">GLOSSARY OF TERMS</p> <p>For the purpose of applying provisions of this section, the following are defined and will govern:</p> <p>ACTUAL PLACEMENT - Placement of a car in an accessible position for unloading or at a point designated by the consignee at the billed destination.</p> <p>CONSTRUCTIVE PLACEMENT - Notification to consignee that a car is available for placement, when a car cannot actually be placed due to any condition attributable to the consignee.</p> <p>DIVERSION - Any order received by ORC that requires:</p> <ol style="list-style-type: none"> A. A change in the billing/shipping document of a shipment, or B. A change in the party responsible for the payment of transportation charges (freight payer) of a shipment, or C. Stopping a car for the purpose of delivery or reforwarding. 	<p>ITEM 330</p> <p align="center">TERMINAL SERVICES</p> <p>ORC will not be responsible for any charges accruing on cars delivered to connecting railroad, other than the absorption of reciprocal or intermediate switching charges that are authorized by ORC switching absorption provision.</p>
	<p>ITEM 340</p> <p align="center">HOLDING IN TRANSIT PRIOR TO DESTINATION ARRIVAL</p> <p>A. Prior to arrival of car at billed destination:</p> <ol style="list-style-type: none"> 1. Notification of arrival will be given to the party on whose order the car is held when the car reaches the holding station. 2. The car will be held at a location on ORC tracks and will be subject to the diversion charge for "holding". 3. If car is ordered to the original billed destination following the initial holding of the car, it will be subject to the diversion charge for "change in destination". 4. Additional movement of the car at the station where the car is held: <ol style="list-style-type: none"> a. If the car is ordered to be moved to another location at the hold station, it will be subject to the local switching charge. b. Any additional orders for movement of the car at the hold station will be subject to the local switching charges for each ordered movement. c. If the car is ordered to the original billed destination or diverted to another destination after either of the preceding additional movements (a or b), it will be subject to the diversion charge for "change in destination".
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SECTION 3 DIVERSION PROVISIONS	SECTION 3 DIVERSION PROVISIONS
<p>ITEM 350</p> <p align="center">HOLDING IN TRANSIT AFTER ARRIVAL AT DESTINATION</p> <p>A. After arrival of the car at billed destination:</p> <ol style="list-style-type: none"> 1. Notification of arrival will be given to the party on whose order the car is held when it reaches the billed destination. 2. The car will be held at a location on ORC tracks and will be subject to the diversion charge for "holding". 3. Cars completely unloaded at the billed destination: <ol style="list-style-type: none"> a. If the car is ordered to the original billed consignee for complete unloading, it will be subject to the diversion charge for "all other diversions". b. If the car is ordered for complete unloading at other than the billed consignee, it will be subject to the diversion charge for "change in consignee after arrival of car at destination". c. Any additional orders for movement of the car prior to an order for complete unloading will be subject to the local switching charge. 4. Cars diverted beyond the billed destination: <ol style="list-style-type: none"> a. Any additional orders for movement of the car prior to an order for diversion will be subject to the local switching charge. b. If the car is diverted beyond the billed destination, it will be subject to the charge for "change in destination". 	<p>ITEM 370</p> <p align="center">RESPONSIBILITY TO EFFECT DIVERSIONS</p> <p>A. ORC will make a diligent effort to effect a desired diversion when the car is in ORC possession.</p> <p>B. ORC will not assume any responsibility for effecting a diversion after a car has been interchanged to a connecting railroad for a linehaul movement.</p> <p>C. ORC will not assume any responsibility for effecting a diversion at a specified location under the following circumstances:</p> <ol style="list-style-type: none"> 1. When a car has been classified or assembled into a train for outbound movement. In this situation, a car may be diverted at the next classification yard or interchange location and the diversion will be governed by the rules and charges at that location. 2. When a car has been placed in "pre-blocked" or "run-through" train service. In this situation, a car may be diverted: <ol style="list-style-type: none"> a. When billed to a ORC destination, after the car reaches the next ORC classification yard, and the diversion will be governed by the rules and charges at that location. b. When billed to a destination not served by ORC, after the car reaches the next railroad classification yard, and the diversion will be governed by the rules and charges at that location. (If the car is not scheduled to be reclassified prior to interchange the connecting railroad, the car may not be diverted under these provisions.) <p>D. ORC will not be responsible for executing a diversion order on a specified day or time of day. ORC will not be responsible for increased charges when the diversion cannot be accomplished at the desired location.</p>
<p>ITEM 360</p> <p align="center">CHANGING A DIVERSION ORDER</p> <p>A. Requests to cancel a previous order to "change destination or route" will be subject to the diversion charge for "change in destination or route".</p> <p>B. Requests for an additional change in "destination" or "route" will be executed as a shipment terminating and originating at the diversion station.</p> <p>C. Requests for changes (including cancellations) of a previous order, other than a change in "destination" or "route" will be subject to the diversion charge for "all other diversions".</p> <p>D. If a car that is billed for "stopping-in-transit" is completely unloaded at the stop-off station, that transaction will be considered a diversion and the charge for "all other diversions" will be assessed.</p>	
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<p align="center">SECTION 3 DIVERSION PROVISIONS</p>	<p align="center">EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</p>
<p>ITEM 380</p> <p align="center">DIVERSION CHARGES</p> <p>A. When the applicable diversion provisions have been met and the linehaul transportation price authorizes diversions, the following diversion charges will apply:</p> <ol style="list-style-type: none"> On changes in the following: <ul style="list-style-type: none"> Consignee after arrival of car at destination. Destination. Route. The charge will be \$175.00 per car. Holding - \$100.00 per car. All other diversions - \$70.00 per car. <p>EXCEPTIONS:</p> <ol style="list-style-type: none"> The diversion charge will not apply when a combination of rates has been assessed as if the shipment had terminated and originated at the diversion station. A diversion charge will not be assessed when the only change in the billing/shipping document is the name of the consignee and the order is received prior to the arrival of car at destination. <p>B. When the applicable diversion provisions have not been met or the linehaul transportation price does not authorize diversions, the shipment will be subject to the combination of rates on a shipment terminating and originating at the diversion station.</p>	<p>ITEM 99999</p> <p align="center">EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</p> <p>AAR - Association of American Railroads OPSL - Official Railroad Station List, RAILINC, Agent ORC - Ogeechee Railroad Company</p> <p>[A] - Addition [C] - Change [D] - Canceled [I] - Increase [R] - Reduction [NC] - Brought forward without change</p> <p>(<u>Underscored</u> portion denotes addition change.)</p>