

ROGUE VALLEY TERMINAL RAILROAD CORPORATION



FREIGHT TARIFF RVT 8000-B

(For cancellations, see Item 1, this tariff)

NAMING

MISCELLANEOUS RULES AND CHARGES

ALSO

SWITCHING AND DEMURRAGE RULES AND CHARGES,

APPLYING

FROM, TO AND AT STATIONS ON THE

ROGUE VALLEY TERMINAL RAILROAD CORPORATION

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: September 11, 2013

EFFECTIVE: October 1, 2013

ISSUED BY

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		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.
For explanation of terms and explanation of abbreviations and reference marks not shown herein, see last page of tariff.		

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RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED	RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED
<p>ITEM 50</p> <p align="center">NORMAL BUSINESS HOURS</p> <p>The normal business hours of operation of the RVT are from 8:00 AM to 4:30 PM, PST, Monday through Friday, except holidays (See Item 60).</p>	<p>ITEM 80 [A]</p> <p align="center">GOVERNING JURISDICTION OF TARIFF TERMS</p> <p>Customers tendering or receiving railcars whose movement is not governed by a duly-executed written agreement with RVT, hereby agree that the laws and courts governing any billing dispute, tariff dispute or related litigation shall be those whose jurisdiction is applicable to the County of Jackson, State of Oregon, United States of America unless otherwise expressly prohibited by law.</p>
<p>ITEM 60</p> <p align="center">HOLIDAYS</p> <p>Holidays, as referred to in this tariff, shall mean only the days listed below:</p> <p>New Year's Day - January 1 (See Note, this item) President's Day - Third Monday of February Good Friday - Friday before Easter Sunday Memorial Day - Last Monday of May Independence Day - July 4 (See Note, this item) Labor Day - First Monday of September Thanksgiving Day - Fourth Thursday of November Day after Thanksgiving Christmas Eve - December 24 (See Note, this item) Christmas Day - December 25 (See Note, this item) New Year's Eve - December 31</p> <p>Note - When this date occurs on a Saturday, the previous Friday will be observed. When this date occurs on a Sunday, the following Monday will be observed as the holiday.</p>	
<p>ITEM 75</p> <p align="center">PAYMENT OF CHARGES</p> <p>Customer shall be liable for the payment of any and all demurrage and other charges accruing on traffic from, to and at stations on the RVT. Nothing herein shall limit the right of the RVT to require at time of movement, shipment or delivery the prepayment or guarantee of such charges. Customer will pay RVT immediately upon presentation of a bill therefor by the RVT. The RVT will not accept shipment from customer, make delivery of shipment to customer, or accept request for any other movement of car without payment or guarantee of all outstanding and current charges, unless customer has entered into an agreement for credit with the RVT. RVT reserves the right, in its sole discretion, to cancel the credit of any customer at any time.</p> <p>When cars are held by the RVT, such cars will be considered constructively placed and subject to demurrage charges in Item 340 when held beyond the free time allowed in Item 330.</p>	
<p align="center">For explanation of terms and explanation of abbreviations and reference marks not shown herein, see last page of tariff.</p>	

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SECTION 1 MISCELLANEOUS RULES AND CHARGES	SECTION 1 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 100</p> <p align="center">HAZARDOUS MATERIALS</p> <p>Shipments of Hazardous Materials will not be accepted in interchange unless prior arrangements have been made with the RVT.</p> <p>A \$250.00 additional service charge will be applied to all accepted hazardous materials shipments. RVT reserves the right to reduce or waive this charge at its sole discretion.</p>	<p>ITEM 140</p> <p align="center">INTERCHANGE SWITCHING CHARGE - CORP (Traffic moving in connection with CORP)</p> <p>RVT will assess the following service charges on all traffic to or from customers on RVT moving via the CORP (excluding cars that continue to move via the UP in the same continuous movement that are assessed charges under Item 130):</p> <p align="center">Timber & Timber Products.....\$145.00 per car All Other Traffic.....\$200.00 per car</p> <p>This charge will be in addition to all other applicable charges that are associated with the movement.</p>
<p>ITEM 110</p> <p align="center">EMPTY CARS ORDERED BUT NOT LOADED</p> <p>On empty cars that are ordered for loading and order is canceled and car is in route, or the service of switching or placing of car has been performed and the car is not loaded but returned to this railroad empty, a charge of \$200.00 per car will be assessed and collected from the person, firm or corporation ordering such cars. (See Note, this item.)</p> <p>Note - Charge will not apply on cars unfit for loading.</p>	<p>ITEM 150</p> <p align="center">SPECIAL TRAIN SERVICE</p> <p>The RVT, subject to prior written approval of the RVT, will provide Special Train Service at the following rate:</p> <p align="center">\$2,000.00 per request with additional \$300.00 per hour after eight (8) hours.</p>
<p>ITEM 120</p> <p align="center">TURNING OF CARS TO PERMIT LOADING OR UNLOADING, ETC.</p> <p>If cars are turned at request of customer to facilitate loading or unloading, or for any other purpose, a charge of \$145.00 per car per occurrence will be assessed and will be in addition to all other applicable charges. (See Note, this item.)</p> <p>Note - Charge will not apply to properly placarded boxcars.</p>	
<p>ITEM 130</p> <p align="center">INTERCHANGE SWITCHING CHARGE - UP (Traffic moving in connection with UP)</p> <p>RVT will assess the following service charges on all traffic to or from customers on RVT moving via the UP:</p> <p align="center">Timber & Timber Products..... \$70.00 per car All Other Traffic..... \$145.00 per car</p> <p>This charge will be in addition to all other applicable charges that are associated with the movement.</p>	
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SECTION 2 SWITCHING RULES AND CHARGES	SECTION 3 CAR DEMURRAGE RULES AND CHARGES
<p>ITEM 200</p> <p align="center">DEFINITION OF INTRA-PLANT SWITCHING</p> <p>A switching movement from one track to another within the same plant or industry, or from one location to another location on the same track within the same plant or industry.</p>	<p>ITEM 300</p> <p align="center">APPLICATION</p> <p>Except where provided to the contrary, Demurrage Rules and Charges contained herein apply to all railroad and privately-owned cars held for or by consignors and consignees for any purpose.</p>
<p>ITEM 210</p> <p align="center">DEFINITION OF INTRA-TERMINAL SWITCHING</p> <p>A switching movement (other than intra-plant switching) from one track to another track of the same carrier, within the switching limits of one station or industrial switching district.</p>	<p>ITEM 310</p> <p align="center">ACTUAL PLACEMENT</p> <p>Actual Placement is made when a car is placed in an accessible position for loading or unloading or at a point previously designated by the consignor or consignee.</p>
<p>ITEM 220</p> <p align="center">INTRA-PLANT SWITCHING CHARGE</p> <p>The RVT will perform intra-plant switching at a charge of \$145.00 per car.</p>	<p>ITEM 320</p> <p align="center">CONSTRUCTIVE PLACEMENT</p> <p>When a car consigned or ordered to a private track or other-than-public-delivery track and cannot be actually placed because of a condition attributable to the consignor or consignee, such car will be held at available hold point, notice shall be sent or given the consignor or consignee that the car is being held and that this railroad is unable to effect placement, such car will be considered constructively placed at such time; or if a car is placed on private track or other than public delivery track serving the consignor or consignee, such car will be considered constructively placed at such time.</p>
<p>ITEM 230</p> <p align="center">INTRA-TERMINAL SWITCHING CHARGE</p> <p>The RVT will perform intra-terminal switching at a charge of \$145.00 per car.</p>	<p>ITEM 325</p> <p align="center">RELEASES</p> <p>RVT will only accept releases from the online customers in writing by one of the following two methods:</p> <p align="center">Fax: (541) 826-2631 E-mail: Office@RougeValleyRR.com</p> <p>RVT may accept releases by other methods from individual customers at its sole discretion if approved by the RVT General Manager prior to utilization of alternate release notification methods.</p> <p>All loaded freight cars, residue hazardous materials cars and all excess dimension cars/special movements requiring clearance documents must indicate the name and final destination location of the Consignee at the car(s) next destination before RVT will accept the release notification and make the release time effective. This information may be given simultaneously with the written release notification. Additionally, all hazardous materials cars (loaded and residue) must have all required hazardous materials documents sent to RVT (or immediately available to RVT train crew upon pickup) before the release notification will be accepted.</p> <p align="right">(Continued on next page)</p>
<p>ITEM 240</p> <p align="center">INTERCHANGE IN ERROR</p> <p>Unless otherwise covered under a current written agreement, RVT will assess a \$200.00 per car service charge for all cars interchanged to RVT in error against the account of the delivering rail carrier.</p>	
<p>ITEM 250</p> <p align="center">SPECIAL SWITCHING SERVICE</p> <p>The RVT, subject to prior written approval of the RVT, will provide Special Switching Service at the following rate:</p> <p>\$1,100.00 per request with additional \$250.00 per hour after four (4) hours.</p>	
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SECTION 3 CAR DEMURRAGE RULES AND CHARGES	SECTION 3 CAR DEMURRAGE RULES AND CHARGES
<p>ITEM 325 (Cont'd)</p> <p align="center">RELEASES (Cont'd)</p> <p>Any car that is released by an online customer, that is subsequently found by the RVT train crew as not ready to be pulled due to an issue caused by or under the control of the customer will incur an Intra-Plant Switching Charge (Item 220). Examples of such issues include, but are not limited to:</p> <ul style="list-style-type: none"> * Partially-loaded cars that the customer is not done loading/unloading. * Hazardous materials cars missing placards, missing proper documentation, leaking contents, insecure valves / hatches. * Cars leaking contents or otherwise unsafe to move due to improper loading or improper securement of doors, tie-downs, hatches or valves. * Cars with loading equipment (hoses, pulleys, cables, dock plates, etc.) still attached. * Industry tracks that are inaccessible due to placement of customer-owned blue flags, red flags, derails, doors or gates that are not promptly removed/cleared upon the arrival of the RVT train crew to pull the designated car. * Industry tracks that are blocked or fouled by customer or other non-railroad equipment (i.e. trucks or forklifts obstructing tracks). * Industry tracks that are unusable due to unacceptable track condition (permanent or temporary), provided that the customer did or should have known the condition of the track(s) in advance. <p>Release notifications for loaded cars or special movements will not be accepted or made effective until pre-payment of all freight charges have been submitted to RVT per Item 75 unless the customer releasing the car has an established credit agreement with RVT in effect at the time of release.</p> <p>Cars released outside of normal business hours (as defined by Items 50 and 60) will be considered released at the earlier of the following events:</p> <ol style="list-style-type: none"> (1) Actual time the car is pulled from the industry track by RVT. (2) The first minute of business hours on the next business day (i.e. 8 AM the next business day). 	<p>ITEM 330</p> <p align="center">FREE TIME</p> <p>Free time as follows will be allowed for each car:</p> <p align="center"><u>Forty eight (48)</u> hours to complete unloading.</p> <p align="center"><u>Seventy two (72)</u> hours to complete loading.</p> <p>Free time will be computed from the first <u>11:59 PM</u> on the day of placement, or after notification has been sent or given where required. For the purpose of computing free time, Saturdays, Sundays and holidays will be <u>excluded</u>.</p> <hr/> <p>ITEM 340</p> <p align="center">DEMURRAGE CHARGES</p> <p>After expiration of free time allowed, the following charges per car per day, or fraction of a day, including Saturdays, Sundays and holidays, will be made until car is released:</p> <p align="center">\$35.00 for each of the first four chargeable days,</p> <p align="center">\$60.00 for each subsequent day.</p> <p>Note 1: Not applicable on privately-owned cars on private tracks.</p> <p>Note 2: Privately-owned cars, loaded or empty, which are first held on railroad tracks under constructive placement (see Item 320) will be subject to demurrage charges provided for herein after expiration of free time (see Item 330) until such time car is actually placed (see Item 310).</p> <p>Note 3: Cars are considered released only when notification is accepted and made effective by RVT pursuant to Item 325.</p> <p>Note 4: Fractions of a day following the expiration of free time will be rounded up to the next whole day for computing demurrage charges owed (e.g. 2.5 days following the expiration of free time will be assessed at 3 whole days x \$35.00 = \$105.00). [A]</p> <p>Note 5: Credit will be issued in whole-day increments to offset extra days incurred solely due to the early arrival of empty cars that are subsequently loaded. [A]</p>
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	EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS
	FT - Freight Tariff CORP - Central Oregon & Pacific Railroad Inc. UP - Union Pacific Railroad Company RVT - Rogue Valley Terminal Railroad Corporation [A] - Addition [C] - Change [I] - Increase [NC] - Brought forward without change [R] - Reduction (<u>Underscored</u> portion denotes change)