

WOLF CREEK RAILROAD LLC

FREIGHT TARIFF WCKR 8000 (NEW)

NAMING
MISCELLANEOUS RULES AND CHARGES,
SWITCHING,
AND STORAGE RULES AND CHARGES,
APPLYING
FROM, TO AND AT
STATIONS ON THE
WOLF CREEK RAILROAD LLC

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: November 30, 2018

EFFECTIVE: January 1, 2019

ISSUED BY

Eyal Shapira, President
Wolf Creek Railroad LLC
One Gateway Center, Suite 501B
Newton, MA 02458

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<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>
<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 WCKR (See Note).</p> <p>Note: On shipment of any hazardous material accepted by the WCKR, shipper shall indemnify the WCKR and hold the WCKR harmless for any and all loss, liability or cost whatsoever that the WCKR may incur or be held responsible for, to the extent that such liability is due to, or arises from:</p> <ul style="list-style-type: none"> (a) defects in or failure of shipper's cars and equipment, (b) a failure of shipper or shipper's agent to conduct proper or appropriate pre-shipment inspection of the cars as described in 49 CFR Sec. 173.31 (d) or (c) misidentification of commodity shipped. <p>The foregoing indemnification shall not apply to any loss or liability caused by or due to the WCKR's failure to conduct pre-departure inspections as described in 49 CFR Sec. 174.9 or failure to follow AAR interchange rules, or any other liability resulting from the WCKR's negligence.</p> <p>The above provisions apply to shipments of Classes A, B or C explosives, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, and hazardous materials, substances or wastes requiring the use of a 4-digit identification number on shipping papers, placards or panels, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, while held on WCKR premises.</p>	<p>ITEM 125</p> <p align="center">IMPROPER CARS FURNISHED FOR LOADING BY CONNECTING LINES</p> <p>When cars ordered by industries for loading are refused on account of not being in proper condition to load, a charge of \$400.00 per car will be assessed against the railroad furnishing the car.</p>
<p>ITEM 110</p> <p align="center">CARS INTERCHANGED IN ERROR</p> <p>A charge of \$500.00 per car will be assessed delivering carriers on all cars interchanged to the WCKR in error.</p>	<p>ITEM 130</p> <p align="center">LOADED CARS REFUSED</p> <p>Consignee will be assessed a charge of \$400.00 per car on cars refused or rejected. The charge will be in addition to any and all other applicable charges associated with the handling of the car.</p>
<p>ITEM 120</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 \$400.00 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, See Item 125, this tariff.)</p>	<p>ITEM 135</p> <p align="center">CARS HELD AWAITING BILLING OR FORWARDING INSTRUCTIONS</p> <p>A. It is WCKR's policy NOT to move cars without complete billing from the customer or shipper; however, when exceptions are made, and when on shipper's request a car is moved from industry or storage tracks and held on Railroad's tracks awaiting forwarding instructions, the party responsible for furnishing such forwarding instructions will be subject to a "Car Held for Billing" charge of \$150.00.</p> <p>B. The car will remain on continuous demurrage or storage in the account of the party in whose name the car was ordered until forwarding instructions are received.</p> <p>C. When a car is removed from industry or storage tracks on shipper's order and held awaiting billing instructions on railroads' tracks, and such car is ordered back to the original industry or team track, an intra-terminal switching charge (See Item 330) will be assessed for the movement of the car in each direction and the car will remain on continuous demurrage.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 140</p> <p align="center">“OVER-DIMENSION” SHIPMENTS</p> <p>Any shipment with one or more of the following characteristics may be considered “Over-Dimension”:</p> <ol style="list-style-type: none"> (1) Width exceeding 10 feet 8 inches. (2) Height exceeding 15 feet 10 inches (above top of rail). (3) Net weight exceeding 220,000 lbs. (or any shipment requiring non-articulated cars with more than four axles). (4) Overhangs the end(s) of a car or is bolstered on two or more cars. (5) Uses a car with truck centers of less than 28 feet or greater than 66 feet. (6) Locomotives, cranes, work equipment, passenger cars, track inspection cars, or similar types of rolling stock moving on their own wheels. (7) Must move in “Special Train Service” (See Item 160 of this tariff) due to its physical characteristics. 	<p>ITEM 155</p> <p align="center">ORDERING CARS FROM STORAGE TRACKS BY SPECIFIC NUMBER (“CHERRY PICKING”)</p> <p>When cars are held by railroad for a customer, either under a storage agreement or on demurrage, and customer requests a specific car for shipment or placement from storage (as opposed to ordering “any car” or “the next car in line”), then a charge of \$40.00 per car applies, unless otherwise noted in this tariff. Charge applies regardless of car ownership and whether the cars are stored or held on railroad tracks or on customer lease tracks.</p>
<p>ITEM 150</p> <p align="center">OVERLOADED CARS</p> <p>Cars found to be overloaded will be subject to the following additional charges, plus Special Freight Train charge:</p> <ol style="list-style-type: none"> (1) \$500 per car - When a car is discovered to be overloaded at loading point or within the confines of the industry. Charge to be assessed consignor. (2) \$500.00 per car - When a car is discovered to be overloaded beyond loading point or confines of the industry. Charge to be assessed consignor. <p>(It will be the responsibility of the consignor to adjust the lading at their own expense sufficient to eliminate the overload condition.)</p> <ol style="list-style-type: none"> (3) \$500.00 per car - When a car is received in interchange from connections and is found to be overloaded, such car will be returned to delivering carrier for adjustment to lading to eliminate the overload condition. Charge to be assessed delivering carrier. 	<p>ITEM 160</p> <p align="center">SPECIAL FREIGHT TRAIN SERVICE (Applies only during normal hours of operation - Monday through Friday, 6 am to 6 pm)</p> <p>Special Freight Train Service is the movement of a train in other than normal freight train service at the specific request of the shipper or consignee, or as may be required due to other conditions outside normal train operations.</p> <p>The charge for special freight train service will be \$1,000.00, plus \$200.00 per hour (minimum 4 hours), per occurrence, and will be in addition to all other charges associated with the movement.</p> <p>Charges to be calculated from the time the crew and locomotive report for special service until the return of crew and locomotive to starting point.</p> <p>All request for Special Freight Train Service must be approved by WCKR General Manager prior to move. The WCKR reserves the right to restrict or modify any request for special freight train service.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	<p>ITEM 170</p> <p align="center">IDLER CAR</p> <p>When shipments require idler cars, a charge of \$250.00 will be assessed for each idler car.</p>

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<p align="center">SECTION 2 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>	<p align="center">SECTION 2 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</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 230</p> <p align="center">CONSTRUCTIVE PLACEMENT</p> <p>When a car consigned or ordered to a private track, industrial interchange track or other-than-public-delivery track cannot be actually placed because of a condition attributable to the consignor or consignee, such car will be held at available hold point and 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; however, if car is placed on private track, industrial interchange track or other-than-public delivery track serving the consignor or consignee, the car will be considered constructively placed without notice.</p>
<p>ITEM 200</p> <p align="center">DEMURRAGE LIABILITY</p> <p>Any person or entity receiving rail cars from this railroad for loading or unloading who detains the cars beyond the period of free time set forth herein will be held liable for any applicable demurrage if this railroad has provided that person or entity with actual notice of the demurrage rules and charges contained herein providing for such liability prior to the placement of rail cars. The notice shall be in written or electronic form.</p>	<p>ITEM 240</p> <p align="center">FREE TIME</p> <p>Free time as follows will be allowed for each car:</p> <p>Seventy-Two (72) hours to complete unloading. Seventy-Two (72) hours to complete loading.</p> <p>Free time will be computed from the first 7:00 AM after placement, or after notification has been sent or given where required. For the purpose of computing free time, Saturdays, Sundays and holidays will be included.</p>
<p>ITEM 210</p> <p align="center">HOLIDAYS</p> <p>Wherever reference is made to "holidays," it shall mean only the days listed below:</p> <p>New Year's Day - January 1 (See Note 1) Washington's Birthday - Third Monday of February Memorial Day - Last Monday of May Independence Day - July 4 (See Note 1) Labor Day - First Monday of September Thanksgiving Day - Fourth Thursday of November Christmas Day - December 25 (See Note 1)</p> <p>Note 1: When this date occurs on a Sunday, the following Monday will be observed as the holiday.</p>	<p>ITEM 250</p> <p align="center">DEMURRAGE CHARGES</p> <p>After expiration of free time allowed a charge of \$50.00 per car per day, or fraction of a day, will be made until car is released.</p> <p>The applicable charge will accrue on all days, including Saturdays, Sundays and holidays, immediately following the day on which the first chargeable day begins to run.</p> <p>Note 1: Not applicable on privately-owned cars on private tracks.</p> <p>Note 2: Privately-owned cars which are first held on railroad tracks under constructive placement will be subject to demurrage charges provided for herein after expiration of free time (See Item 230) until such time car is placed on private tracks.</p>
<p>ITEM 220</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>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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<p align="center">SECTION 2 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>	<p align="center">SECTION 3 SWITCHING RULES AND CHARGES</p>
<p>ITEM 260</p> <p align="center">STORAGE OF PRIVATE CARS</p> <p>For storage availability and charges, please contact Eyal Shapira (President) at eyalshapira@aol.com, or Ron Klein (VP Marketing) at ronk@raritancentralrr.com)</p>	<p>ITEM 300</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 270</p> <p align="center">MOVING CARS TO AND FROM STORAGE TRACKS</p> <p>The WCKR will move cars to/from storage at the following charges in each direction (See Note):</p> <p>(1) Empty Cars.....\$250.00 Per Car</p> <p>(2) Loaded Cars.....\$550.00 Per Car</p> <p>Note: Charge includes "Cherry Picking", if needed, (See Item 155)</p>	<p>ITEM 310</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 railroad, or between the track(s) of an industry and the track of the railroad or between the tracks of two separate industries served by the same railroad.</p>
	<p>ITEM 320</p> <p align="center">INTRA-PLANT SWITCHING CHARGE</p> <p>The WCKR will perform intra-plant switching at a charge of \$250.00 per car.</p>
	<p>ITEM 330</p> <p align="center">INTRA-TERMINAL SWITCHING CHARGE</p> <p>The WCKR will perform intra-terminal switching at a charge of \$250.00 per car.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 3 SWITCHING RULES AND CHARGES			
ITEM 340			
RECIPROCAL /INTERCHANGE SWITCHING			
The WCKR will perform reciprocal /interchange switching between all customers at stations on its line and interchange with connections shown below at charges indicated:			
PART A Interchange with CSXT			
(Rates are per car, unless otherwise noted)			
STATION: MILAN, TN			
COMMODITY	CONNECTIONS	INTERCHANGE	CHARGE
Freight, all kinds, except as shown Below:	CSXT	Milan, TN	\$550.00
Chemicals, Non-hazardous: STCC 28 (Except STCC 28 211) and STCC 29			\$700.00
Plastics (STCC 28 211)			\$600.00
Over-Dimension Shipments			See Note 1
Hazardous Materials			See Item 100
Note 1: For charges on Over-Dimension Shipments (See Item 140) please contact Eyal Shapira (President) at eyalshapira@aol.com, or Ron Klein (VP Marketing) at ronk@raritancentralrr.com).			
(Continued in Next Column)			

SECTION 3 SWITCHING RULES AND CHARGES			
ITEM 340 (Cont'd)			
RECIPROCAL /INTERCHANGE SWITCHING			
The WCKR will perform reciprocal /interchange switching between all customers at stations on its line and interchange with connections shown below at charges indicated:			
PART B Interchange with WTNN			
(Rates are per car, unless otherwise noted.)			
STATION: MILAN, TN			
COMMODITY	CONNECTIONS	INTERCHANGE	CHARGE
Freight, all kinds, except as shown Below:	WTNN	Milan, TN	\$550.00
Chemicals, Non-hazardous: STCC 28 (Except STCC 28 211) and STCC 29			\$700.00
Plastics (STCC 28 211)			\$600.00
Over-Dimension Shipments			See Note 1
Hazardous Materials			See Item 100
Note 1: For charges on Over-Dimension Shipments (See Item 140) please contact Eyal Shapira (President) at eyalshapira@aol.com, or Ron Klein (VP Marketing) at ronk@raritancentralrr.com).			

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EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS	
	FT - Freight Tariff BOE - Bureau of Explosives CSXT - CSX Transportation WCKR - Wolf Creek Railroad WTNN - West Tennessee Railroad Corp.
	[A] - Addition [I] - Increase [NC] - Brought forward without change [R] - Reduction
	(<u>Underscored</u> portion denotes Addition/Change)

END