

FT WCTR 8005-P
(Cancels FT WCTR 8005-O)

WCTU RAILWAY LLC*

FREIGHT TARIFF WCTR 8005-P

(For cancellations, see Item 1 of this tariff)

NAMING

MISCELLANEOUS RULES AND CHARGES

ALSO

SWITCHING AND DEMURRAGE RULES AND CHARGES,

APPLYING

FROM, TO AND AT STATIONS ON THE

WCTU RAILWAY 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: September 4, 2008

EFFECTIVE: October 1, 2008

ISSUED BY

Timothy Benjamin
1691 Phoenix Boulevard, Suite 100
Atlanta, GA 30349

* - Name change from WCTU Railway Company to WCTU Railway LLC, Effective 12-22-09.

FT WCTR 8005-P

<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL</p>	<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>
<p>ITEM 1</p> <p align="center">CANCELLATION NOTICE</p> <p>Freight Tariff WCTR 8005-P cancels Freight Tariff WCTR 8005-O in their entirety.</p> <p>Provisions formerly shown in Freight Tariff WCTR 8005-O and not brought forward herein are hereby canceled.</p>	<p>ITEM 50</p> <p align="center">NORMAL BUSINESS HOURS</p> <p>The normal business hours of operation of the WCTR are from 8:00 AM to 4:30 PM, PST, Monday through Friday, except holidays (See Item 60).</p>
<p>ITEM 10</p> <p align="center">REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.</p> <p>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.</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)</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 20</p> <p align="center">METHOD OF CANCELING ITEMS</p> <p>As this tariff is supplemented, numbered items with letter suffixes cancel corresponding 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 445-A cancels Item 445 and Item 365-B cancels Item 365-A in a prior supplement which in turn canceled Item 365.</p>	<p>ITEM 75</p> <p>[A]</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 WCTR. Nothing herein shall limit the right of the WCTR to require at time of movement, shipment or delivery the prepayment or guarantee of such charges. Customer will pay WCTR immediately upon presentation of a bill therefor by the WCTR. The WCTR 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 WCTR. WCTR 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 WCTR, 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>ITEM 30</p> <p align="center">SUPPLEMENTS AND REISSUES</p> <p>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."</p> <p>Where reference is made in this tariff to items, it includes "reissues" of such items.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks not shown herein, see last page of tariff.</p>	

FT WCTR 8005-P

SECTION 1 MISCELLANEOUS RULES AND CHARGES	SECTION 2 SWITCHING 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 WCTR.</p>	<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 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 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 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 \$135.00 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 220</p> <p align="center">INTRA-PLANT SWITCHING CHARGE</p> <p>The WCTR will perform intra-plant switching at a charge of \$135.00 per car.</p>
<p>ITEM 130</p> <p align="center">SERVICE CHARGE (Traffic moving in connection with UP)</p> <p>The WCTR will assess a Service Charge of \$60.00 per car on all traffic to or from customers served by the WCTR moving via the UP, which will be in addition to all other applicable charges associated with the movement.</p>	<p>ITEM 230</p> <p align="center">INTRA-TERMINAL SWITCHING CHARGE</p> <p>The WCTR will perform intra-terminal switching at a charge of \$135.00 per car.</p>
<p>ITEM 140 [A]</p> <p align="center">SERVICE CHARGE (Traffic moving in connection with CORP)</p> <p>The WCTR will assess a Service Charge of \$135.00 per car on all traffic to or from customers served by the WCTR moving via the CORP, which will be in addition to all other applicable charges associated with the movement.</p>	<p>ITEM 240 [A]</p> <p align="center">INTERCHANGE SWITCHING</p> <p>The WCTR will provide interchange switching between customers served by the WCTR and interchange with connections at the following charges:</p> <p align="center">\$75.00 per car (See Note)</p> <p>Note: The above charge applies only to non-Timber carloads.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks not shown herein, see last page of tariff.</p>	

FT WCTR 8005-P

SECTION 3 CAR DEMURRAGE RULES AND CHARGES	SECTION 3 CAR DEMURRAGE RULES AND CHARGES
<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 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>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 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 330</p> <p align="center">FREE TIME</p> <p>Free time as follows will be allowed for each car:</p> <p align="center">Sixty (60) hours to complete unloading.</p> <p align="center">One hundred eight (108) hours to complete loading.</p> <p>Free time will be computed from the first 12:01 AM 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 included.</p>	
<p align="center">For explanation of terms and explanation of abbreviations and reference marks not shown herein, see last page of tariff.</p>	

FT WCTR 8005-P

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS	
<p>FT - Freight Tariff CORP - Central Oregon & Pacific Railroad Inc. UP - Union Pacific Railroad Company WCTR - WCTU Railway LLC</p> <p>[A] - Addition [I] - Increase [NC] - Brought forward without change [R] - Reduction</p> <p>(<u>Underscored</u> portion denotes change)</p>	