

Progressive Rail Inc.
d/b/a WISCONSIN NORTHERN RAILROAD

FREIGHT TARIFF WN 8000-A
(Cancels Freight Tariff WN 8000)

NAMING

RULES, CHARGES AND REGULATIONS

GOVERNING SWITCHING

ALSO

MISCELLANEOUS RULES AND CHARGES

FROM, TO, AND WITHIN

STATIONS

OPERATED BY

AND FOR ACCOUNT

Progressive Rail Inc.

d/b/a WISCONSIN NORTHERN RAILROAD

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: August 10, 2016

EFFECTIVE: September 1, 2016

ISSUED BY

D. J. Fellon, President
Progressive Rail Inc.
21778 Highview Ave.
Lakeville, MN 55044

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		ITEM 20	STATION LISTS AND CONDITIONS
			This publication is governed by the Official Railroad Station List, OPSL 6000 -series, issued by RAILINC, Agent.
		ITEM 30	CAPACITIES AND DIMENSIONS OF CARS
			For marked capacities, lengths, dimensions, and cubical capacities of freight cars, see Official Railway Equipment Register, RER 6413 - series, R.E.R. Publishing Corporation, Agent.
		ITEM 40	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.
		ITEM 50	HAZARDOUS FREIGHT
			Shipments of hazardous freight under this tariff are subject to regulations of the U.S. Department of Transportation as shown in Bureau of Explosives, STB BOE 6000 - series, C. Keller, Agent.
		ITEM 60	METHOD OF CANCELLING ITEMS
			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 sequences starting with A. For example: Item 100-A cancels Item 100 and Item 200-B cancels Item 200-A in a prior supplement, which in turn cancelled Item 200.
For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.			

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<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-UNLIMITED</p>	<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-UNLIMITED</p>
<p>ITEM 100</p> <p align="center">LIMITATIONS</p> <p>All cars delivered to WN are received only upon the condition that there is room for them upon the tracks to which they are consigned, and the cars are subject to delays incident in switching and unavoidable causes.</p> <p>Cars with bulged sides, excessive dimensions, or leaning cars that can not be placed where consigned because of sharp curves or danger of striking structures, will be placed upon the nearest acceptable track for loading and/or unloading.</p>	<p>ITEM 120</p> <p align="center">MILEAGE ALLOWANCE</p> <p>When loaded or empty private cars are handled by WR, mileage payments will not be allowed except by written agreement. When railroad loaded or empty cars are handled by WR in switching service consigned to customers located within a switching district, mileage payments will not be allowed.</p>
<p>ITEM 110 [C]</p> <p align="center">COLLECTION OF CHARGES</p> <p>All charges assessed to customers are due in US currency within 15 days of invoice date. All invoices are subject to a 1.5% per month finance charge if unpaid within 30 days from the date of invoice. In the event of a dispute, customers shall provide written notice within 30 days from the date of the bill, specifying the bill number and the basis for the dispute. Customers responsible for original charges shall also be responsible for all additional collection costs, including attorney fees and court costs, if WN is required to collect in this manner. WN may at its sole discretion require prepayment of services.</p> <p>Customers may remit charges to WN via electronic methods; however customer shall bear all related charges assessed by customer's financial institutions. Electronic remittances will be made in conformance with instructions provided by WN.</p> <p>Customers will be assessed a \$30.00 service charge or the maximum allowed by law on all checks returned unpaid by customer's financial institution for non-sufficient or uncollected funds. Additionally interest charges, as described in this item, will be assessed if returned check results in charges collected by WN outside of credit terms.</p> <p>WN shall not accept responsibility for failure by customer to provide purchase order numbers or similar customer internal documentation authorizing WN to provide services. WN shall attempt to provide customer with information used in customer's internal accounting processes but inability to provide requested information or the inability to comply with customer's internal documentation procedures will in no way remove customer's obligation to pay charges within credit terms assessed pursuant to applicable tariffs or contracts.</p> <p>Exception: All charges assessed to other railroads for switching and similar services will be collected according to the terms of applicable contracts and the Railway Accounting Rules.</p>	<p>ITEM 130</p> <p align="center">PRIVATE CARS - BAD ORDER</p> <p>Private cars bad order for non-AAR repairs or inspections will not be permitted to be repaired on WN tracks. Repairs and inspections must be made on customer owned or leased tracks. Private cars unable to be repaired on customer tracks due to capacity constraints or any other reason must be home shopped for repair. Proper bill of lading specifying the freight payer must be submitted to WN on bad order cars. Customers will be assessed charges as described in FT WN 8000-Series, Item 1010, as applicable.</p> <p>Cars known to be bad order and not ordered into a customer facility or billed to home shop within 48 hours of a car being reported as bad order will be assessed storage and storage switching charges as described in FT WN 6004-Series, Item 210 and Item 220. This charge will be assessed to the customer on the WN to which the car was originally consigned.</p> <p>Exception: Private cars bad order for AAR repairs may be repaired by a private contractor on WN tracks only with written permission from WN.</p>
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	<p>ITEM 140</p> <p align="center">RELEASE OF OPEN TOP LOADS</p> <p>Customers must arrange with WN for an inspection of shiftable open top loads prior to their release.</p>
	<p>ITEM 145 [A]</p> <p align="center">ORDERING CARS</p> <p>Customers shall order from WN all cars desired for loading on tracks of WN or industry tracks connected to WN and should specify class of car, lading, weight, destination, route, and want date. At its sole discretion, WN may require car orders to be submitted by customers via an approved electronic method supported by WN. If a customer is required to submit car orders by an approved electronic method, a charge of \$20.00 will be assessed for each manual or facsimile submission. This charge will be assessed to the car ordering party. Car orders submitted by telephone will not be accepted.</p>

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<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-UNLIMITED</p>	<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 150</p> <p align="center">CARS ORDERED BUT NOT USED</p> <p>When, on behalf of a customer, WN orders a car from a foreign carrier for loading and customer refuses or rejects the car for reasons other than car is unfit for loading, a charge equal to the supplying carrier's car cancellation charge will be assessed to the party ordering the car from WN.</p> <p>Additionally when a car has been switched or placed by WN and customer subsequently rejects the car for reasons other than the car is unfit for loading, a switching charge of \$150.00 will be assessed to the party ordering the car from WN or a foreign carrier.</p> <p>Demurrage rules, charges, and regulations will apply to rejected cars in the same manner as other cars as published in WN 6004 – series.</p>	<p>ITEM 1010 [1]</p> <p align="center">CHARGES FOR MOVEMENT OF REVENUE EMPTY CARS</p> <p>A charge of \$1.10 a mile will be assessed for transportation of empty freight cars moving on their own wheels, minimum charge \$300.00 per car.</p> <p>This item will not apply to empty cars that are consigned to stations on WN lines for the purposes of loading.</p> <p>This item will not apply to empty cars received in line haul movements from another railroad with which the WN has an agreement covering charges for empty equipment.</p>
<p>ITEM 160</p> <p align="center">CARS ORDERED BUT NOT USED IN SUPPLYING CARRIER LINEHAUL</p> <p>When, on behalf of a customer, WN orders a car from a foreign carrier for loading and customer loads and routes the car in such a manner that the supplying carrier is not in the linehaul, a charge equal to the supplying carrier's car offline use charge will be assessed to the party ordering the car from WN.</p>	<p>ITEM 1020</p> <p align="center">LOADS REQUIRING CLEARING OF ADJACENT TRACKS</p> <p>Loads that because of excessive width or length require clearing tracks adjacent to the track on which said load moves will be assessed a charge of \$300.00 for each track cleared.</p>
<p>ITEM 170</p> <p align="center">INTERCHANGE ERROR MOVEMENTS</p> <p>When empty or loaded cars are received from a foreign carrier without proper forwarding paperwork, the cars will be returned to the delivering carrier or forwarded to the proper carrier, within the same switching district, at a charge of \$440.00 per car. Charge for this service will be assessed against the carrier delivering the cars to WN.</p> <p>WN will not be liable for any setback, switching, or linehaul charges assessed another carrier resulting from billing errors by a customer or by a carrier which is not affiliated with WN.</p>	<p>ITEM 1030</p> <p align="center">IDLER OR TRAILER CARS</p> <p>Idler or trailer cars may be required by the engineering and/or operating departments of WN, if in their judgment an idler or trailer car is required for safe operation.</p> <p>Idler or trailer cars will be subject to the same charges, rules, and regulations as are applied to loaded cars.</p>
	<p>ITEM 1040</p> <p align="center">ARTICULATED CARS</p> <p>Each unit of articulated cars, loaded or empty, will be subject to all rules, regulations, and charges as applied to a single railcar.</p>
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

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SECTION 1 MISCELLANEOUS RULES AND CHARGES	SECTION 1 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 1050</p> <p align="center">SPECIAL TRAIN SERVICE</p> <p>Cars loaded to excessive height, underhang, width, length, weight, center of gravity, or any combination of these that in the judgment of the engineering and/or operating departments of WN require excessive special handling for safe movement will be handled in special train service. Special trains are at the sole discretion and operational convenience of WN. Other cars not requiring special train service may, for carrier convenience, be handled by WN in special trains. Said cars will not accrue additional charges.</p> <p>Special train charges are \$90.00 per mile with a minimum charge of \$5,500.00 in addition to freight and other applicable charges and will be charged to the party requesting the special train. Special train charges must be prepaid unless agreed otherwise by a previously executed contract.</p> <p>Circus, carnival, excursion, and other similar trains will only be handled pursuant to a previously executed contract.</p>	<p>ITEM 1070</p> <p align="center">REMOVAL OF SWITCH STANDS</p> <p>Loads that because of excessive width or length require the removal of switch stands, signals, or signs will be assessed a charge of \$975.00 for each switch stand, signal, or sign removed.</p> <p>This item will also be applicable for removal of switch stands, signals, or signs for customer purposes other than clearing loads.</p>
	<p>ITEM 1080</p> <p align="center">RELOADING EQUIPMENT</p> <p>Shippers may not reload cars made empty by them without first obtaining permission from WN.</p> <p>This item will not be applicable to private cars that the customer owns or leases.</p>
<p>ITEM 1060</p> <p align="center">FAILURE TO STOW LOAD SECUREMENT DEVICES</p> <p>When a customer releases loaded or empty cars for movement from industry or team tracks and doors, hatches, chains, cables, or other similar devices are not properly secured, and must be secured by WN employees for safe movement, a charge of \$150.00 per car will be assessed to the party that released the car for movement.</p> <p>This item does not apply when said devices, because of mechanical defect, cannot be operated as designed, provided that WN has been informed of the defect at or prior to the release of the car.</p> <p>This item will not obligate WN to stow load securement devices. WN may, at its discretion, consider the car or track inaccessible if load securement devices are not properly stowed or secured.</p>	<p>ITEM 1090</p> <p align="center">FACILITIES CHARGES</p> <p>WN may from time to time, at its discretion, make available its own tracks, warehouses, sites, and other similar facilities available for customers to load or unload cars, store empty or loaded cars, or store product. The charges for use of these facilities are in addition to any freight or accessorial charges described in this or any other tariff and charges will be assessed pursuant to the applicable tariff or to an executed contract.</p>
	<p>ITEM 1100</p> <p align="center">CARS LOADED IN VIOLATION OF CAR DISTRIBUTION ORDERS</p> <p>A charge of \$575.00 per car will be assessed against the industry and/or carrier who violates the car distribution orders on file with UMLER placed on WN owned or leased cars. This charge will be assessed for each occurrence and will be in addition to all other applicable charges.</p>
	<p>ITEM 1110</p> <p align="center">FOREIGN CARS LEASED BY ONLINE CUSTOMERS</p> <p>Customers must immediately inform WN of cars leased from a foreign railroad for the customer's exclusive use.</p> <p>When online customers of WN lease foreign railroad cars for their exclusive use, hourly payments will not be allowed.</p>
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

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SECTION 1 MISCELLANEOUS RULES AND CHARGES	SECTION 1 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 1120</p> <p align="center">DEMURRAGE</p> <p>All cars handled under this tariff will be subject to the demurrage rules, charges, and regulations published in WN 6004 - series.</p>	<p>ITEM 1160</p> <p align="center">TEAM TRACK USAGE</p> <p>Existing team track service, including loading/unloading platforms and other non-exclusive WN facilities, are available for use by shippers for non-hazardous commodities only on a shared usage basis at the sole cost, risk and expense of customers using such facilities. By using such facilities, customers agree to indemnify, defend and hold harmless WN from all claims, costs, and expenses and to assume all risk, responsibility and liability for death, personal injury, or property damage arising from, related to, or caused by, in whole or in part, the use of such facilities.</p>
<p>ITEM 1130</p> <p align="center">SUBMITTING SHIPPING INSTRUCTIONS</p> <p>Shipping instructions for loaded or empty cars must be submitted via the Internet or another approved electronic method. A charge of \$20.00 will be assessed to the billable party for each manual, Fax, or verbal submission. Shipping instructions submitted by telephone will not be accepted.</p>	<p>ITEM 1170 [A]</p> <p align="center">CARS REQUIRED TO BE SWITCHED FROM TRAINS</p> <p>When cars released empty or loaded by a customer that have been subsequently built into a WN train for delivery to a connecting carrier but must be switched out of the train account refusal of connecting carrier to accept the cars in interchange, a charge of \$300.00 per car will be assessed to the customer.</p> <p>This item will be applicable to cars that will not be accepted in interchange by connecting carriers for reasons not attributable to either the WN or connecting carriers. Such reasons include but are not limited to: car subject to embargo, customer lacks credit with connecting carrier, shipping instructions on car not properly submitted or have been canceled by customer, private car is over age, private car not listed properly in UMLER, or for any other cause under the control of the customer.</p>
<p>ITEM 1135 [A]</p> <p align="center">SWITCHING ORDERS</p> <p>Instructions for the release or requests for placements of loaded or empty cars or other similar events will be submitted by customers via electronic method supported by WN. Approved methods include EDI 404 or electronic messaging provided by WN Internet accessed software. A charge of \$20.00 will be assessed for each manual or facsimile submission. This charge will be assessed to the customer located on WN. Switching orders submitted by telephone will not be accepted.</p>	<p>ITEM 1180 [A]</p> <p align="center">CARS DELIVERED TO CONNECTING CARRIERS AND SUBSEQUENTLY REQUESTED RETURNED BY CUSTOMER</p> <p>When cars are released empty or loaded by a customer and are interchanged by WN to a connecting carrier and are subsequently requested to be returned by customer, a charge equal to the connecting carrier's error return charge plus \$100.00 will be assessed to the customer requesting the car to be returned.</p> <p>This service will only be available if connecting carrier is able to return the car. Requests for cars to be returned must be made in writing on the form supplied to customer by WN.</p>
<p>ITEM 1140 [A]</p> <p align="center">FURNISHING HEAT FOR UNLOADING SHIPMENTS IN TANK CARS</p> <p>WN will furnish steam to heat freight in tank cars equipped with heater coils at points on WN track where arrangements have been made in advance and where steam boilers are available at a charge of \$1,000.00 per day or portion thereof. In addition to this charge, intra-terminal switch charges pursuant to Item 2050 herein will apply.</p> <p>If more than one heating service is required, charges referred to above will apply for each separate movement of the car and heating service.</p>	
<p>ITEM 1150</p> <p align="center">STORAGE OF RAIL CARS</p> <p>To reduce potential charges which would otherwise apply, customers may, subject to track availability and at WN's discretion, negotiate a rail car storage agreement with WN for storage of rail cars on WN trackage. Such agreements shall entitle the customer to store a specified number of rail cars at a designated storage location at an applicable storage rate in lieu of demurrage charges pursuant to Tariff WN 6004 - Series.</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 2 SWITCHING RULES AND CHARGES
<p>ITEM 2000</p> <p align="center">SPECIAL SWITCHING OR UNSCHEDULED TRAIN SERVICE</p> <p>Special switching or unscheduled train service requiring assignment of a locomotive and crew to supplement regularly scheduled switching or train service will be performed only on a customer's request submitted 24 hours in advance. A charge of \$2,500.00 for the first 8 hours or fraction thereof and \$337.50 for each additional hour or fraction thereof will be assessed. A charge of \$400.00 will be assessed for each additional locomotive required. This charge will not apply to additional locomotives that are required to replace locomotives originally assigned due to mechanical defects, track restrictions, carrier convenience, etc. These charges are in addition to other applicable transportation and accessorial charges. Hours will be computed from the time the locomotive and crew are on duty until the special switching service has been performed and the locomotive and crew have returned to the point where they began duty (including waiting time, but excluding time elapsed for the convenience of WN).</p> <p>Special switching and unscheduled train service are subject to the availability of WN personnel and equipment.</p>	<p>ITEM 2050</p> <p align="center">INTRA-TERMINAL SWITCHING</p> <p>A charge of [I]\$350.00 per car will be assessed for each movement of cars that have been placed for storage, loading or unloading and subsequently switched at the request of an authorized party from one track to another track within the switching limits of a single station. Such charges shall be assessed against the party requesting the switch. Intra-terminal switching is at the convenience of WN and will be performed during the normal course of operations.</p>
<p>ITEM 2010</p> <p align="center">SWITCHING EQUIPMENT BETWEEN INDUSTRY AND WN FACILITY</p> <p>When customer owned or controlled cars or locomotives are switched by WN between industry and a facility for purposes of repairs or inspection, a charge of [I]\$300.00 per car will be assessed.</p>	<p>ITEM 2060 [A]</p> <p align="center">INTER-TERMINAL SWITCHING</p> <p>A charge of \$400.00 per car will be assessed for each movement of cars between this railroad and another railroad when such movement is within the switching limits of the same station or industrial district, and does not precede or follow a road-haul move. Such charges will be assessed against the customer requesting the switch. Inter-terminal switching is at the convenience of WN and will be performed during the normal course of operations.</p>
<p>ITEM 2040</p> <p align="center">INTRA-PLANT SWITCHING</p> <p>A charge of [I]\$300.00 per car will be assessed for each movement of cars that have been placed for loading or unloading and subsequently switched at the request of an authorized party from one location to another location on the same track or from one track to another track within the same industry. Such charges will be assessed against the party requesting the switch. Intra-plant switching is at the convenience of WN and shall be performed during the normal course of operations.</p> <p>This item will not be applicable when such movement is incidental and necessary in connection with the removal or placement of other loaded or empty cars.</p>	
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

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<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</p>
<p>ITEM <u>2070</u></p> <p>SWITCH ORDERED BUT UNABLE TO BE PERFORMED</p> <p>When a switch is ordered but is unable to be performed by WN because of a customer condition, a charge of [I]\$300.00 per car will be assed to the customer requesting the switch.</p> <p>Customer conditions that may render a switch unable to be performed include but are not limited to: car not loaded/unload as indicated on release, load securement devices not properly stowed, unsafe customer track condition, car damaged by customer, presence of customer placed blue flag, red board or similar signage, locked gates/doors, track full, or any other condition for which WN has no control.</p> <p>This item will be applicable to any of the following switch orders: release load, release empty, intra-plant, intra-terminal, ordering equipment into customer facility, or any other similar switching request.</p>	<p>ITEM 99999</p> <p align="center">EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS ⁽¹⁾</p> <p>AAR - Association of American Railroads BOE - Bureau of Explosives CFR - Code of Federal Regulations EDI - Electronic Data Interchange Etc. - et cetera FT - Freight Tariff OPSL - Official Railroad Station List, RAILINC, Agent OTLR - AAR Open Top Loading Rules (AAR, Publisher) RER - Official Railway Equipment Register (R.E.R. Publishing Corporation, Agent) STB - Surface Transportation Board UMLER - Universal Machine Language Equipment Register U.S. - United States of America WN - Progressive Rail Inc. d/b/a Wisconsin Northern Railroad</p> <p>[A] Addition [C] Cancelled [I] Increase [R] Reduction [NC] Brought forward without change</p> <p>(<u>Underscored</u> portion denotes addition change.)</p> <p>⁽¹⁾ The two character state abbreviations used in this tariff are those adopted by the postal departments of the United States and Canada.</p>
<p>ITEM 2080 [A]</p> <p align="center">TURN CAR SWITCHING</p> <p>A charge equal to the intra-terminal switching rate per loaded or empty car will be assessed to the customer ordering a car turned. Turn car switching will be in addition to any other switching charges. If the car ordered to be turned is not at a station where turning facilities are available and must be moved out of route, then an additional inter-terminal switching charge will apply.</p> <p>Turn car switching will only be performed where facilities are available and is at the convenience of WN and will be performed during the normal course of operations.</p>	