

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

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: May 15, 2007

EFFECTIVE: June 15, 2007

ISSUED BY

D. J. Fellon, President
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TABLE OF CONTENTS		RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-GENERAL
SUBJECT	ITEM	
Abbreviations and Reference Marks, explanation of.....	99999	ITEM 10 DESCRIPTION OF GOVERNING CLASSIFICATION The term "Uniform Freight Classification" when used herein means Uniform Freight classification 6000 - series.
Capacities and Dimensions of Cars.....	30	
Cars loaded in Violation of Car Distribution Orders.....	1100	ITEM 20 STATION LISTS AND CONDITIONS This publication is governed by the Official Railroad Station List, OPSL 6000 -series, issued by RAILINC, Agent.
Cars Ordered but not used	150	
Cars Ordered but not used in supplying Carrier linehaul.....	160	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.
Charges, Collection of	110	
Demurrage.....	1120	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.
Facilities Charges.....	1090	
Foreign Cars Leased by Online Customers.....	1110	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.
Governing Classification, Description of.....	10	
Hazardous Freight.....	50	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.
Idler or Trailer Cars.....	1030	
Interchange Error Movement.....	170	
Intra-plant Switching.....	2040	
Intra-terminal Switching.....	2050	
Limitations.....	100	
Loads Requiring Clearing of Adjacent Tracks.....	1020	
Load Securement Devices, Failure to stow... Method of Cancelling Items.....	1060 60	
Private Cars Shipped with WN Price Authority.....	120	
Reference to Tariffs, Items, Notes, Rules, etc.....	40	
Release of Open Top Loads.....	140	
Reloading Equipment.....	1080	
Revenue Empty Cars, Charges for.....	1010	
Station Lists and Conditions.....	20	
Special Switching or Unscheduled Train Service.....	2000	
Special Train Service.....	1050	
Storage of Rail Cars.....	1150	
Submitting Shipping Instructions.....	1130	
Switch Ordered but Unable to be Performed.....	2060	
Switching Equipment between Industry and Facility For Repair.....	2010	
Switch Stands, Removal of.....	1070	
Team Track Usage.....	1160	

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

<p>RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-UNLIMITED</p>	<p>RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-UNLIMITED</p>
<p>ITEM 100</p> <p style="text-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 150</p> <p style="text-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 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 110</p> <p style="text-align: center;">COLLECTION OF CHARGES</p> <p>All charges 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, shippers will provide written notice within 30 days from the date of the bill, specifying the bill number and the basis for the dispute. Parties responsible for original charges will also be responsible for all additional collection costs, including attorney fees and court costs, if required to collect in this manner. WN may at its sole discretion require prepayment of services.</p>	<p>ITEM 160</p> <p style="text-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 120</p> <p style="text-align: center;">PRIVATE CARS SHIPPED WITH WN PRICE AUTHORITY</p> <p>When loaded or empty private cars are shipped with a WN price authority, mileage payments will not apply.</p>	<p>ITEM 170</p> <p style="text-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 \$350.00 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 140</p> <p style="text-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>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 1010</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 \$250.00 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 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 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 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 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>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

FT WN 8000

SECTION 1 MISCELLANEOUS RULES AND CHARGES	SECTION 1 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 1070 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 1110 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>ITEM 1080 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 1120 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 1090 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 1130 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 1100 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 1150 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>	

<p align="center">SECTION 1 MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 2 SWITCHING RULES AND CHARGES</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 2040</p> <p align="center">INTRA-PLANT SWITCHING</p> <p>A charge of \$250.00 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 align="center">SECTION 2 SWITCHING RULES AND CHARGES</p>	<p>ITEM 2050</p> <p align="center">INTRA-TERMINAL SWITCHING</p> <p>A charge of \$250.00 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 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 2060</p> <p align="center">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 \$150.00 per car will be assessed 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 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 WN facility for purposes of repairs, a charge of \$195.00 per car will be assessed to customer.</p>	<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS	
ITEM 99999	
EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS ⁽¹⁾	
BOE	Bureau of Explosives
CFR	Code of Federal Regulations
Etc.	Et cetera
i.e.	that is
LB	pound
N.A.	Not Applicable
OPSL	Official Railroad Station List, RAILINC, Agent
WI	Wisconsin
WN	Progressive Rail Inc. d/b/a Wisconsin Northern Railroad
RER	Official Railway Equipment Register (R.E.R. Publishing Corporation, Agent)
RIC	RAILINC, Inc.
STB	Surface Transportation Board
STCC	Standard Transportation Commodity Code, RAILINC, Agent
UFC	Uniform Freight Classification
UMLER	Universal Machine Language Equipment Register
U.S.	United States of America
viz.	namely
[A] Addition	
[C] Cancelled	
[I] Increase	
[R] Reduction	
[NC] Brought forward without change	
(Underscored portion denotes addition change.)	
⁽¹⁾ The two character state abbreviations used in this tariff are those adopted by the postal departments of the United States and Canada.	