WEST TEXAS AND LUBBOCK RAILWAY

FREIGHT TARIFF WTLC 8000

NAMING
LOCAL AND PROPORTIONAL
SWITCHING CHARGES
AND
MISCELLANEOUS SERVICES

APPLYING AT

STATIONS ON THE
WEST TEXAS AND LUBBOCK RAILWAY

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.

For reference to Governing Classification, see Item 5 of this tariff.

ISSUED: December 10, 2007 EFFECTIVE: December 15, 2007

ISSUED BY

Stephen C. Gregory
Vice President - Marketing
West Texas And Lubbock Railway Company
821 West Broadway
Brownfield, TX 79316

FT WTLC 8000

TABLE OF CONTENTS		GEOGRAPHICAL LIST OF STATIONS AT WHICH RULES, REGULATIONS AND CHARGES APPLY	
ITEM			OPSL NO:
45 250 310 360 270 320 5 250 310 290 280	Lubbock Doud Wolfforth Balch Ropes Meadow Brownfield Wellman Seagraves Hurlwood Smyer	TX (Note 1) TX	13360 13365 13370 13375 13380 13385 13395 13405 13410 13440 13445
380 15 260 220 200 115 Page 2 25 110 385 340	Coble Whiteface Dimmitt Roy Hilburn Hart Grisham Edmonson Wright Wasson Boone	TX T	13455 13457 13460 88831 88822 88813 88815 88808 88801 88796 88791 88795 41900
30 20 300 230 10 250 310 275	Note 2 - Interc	hange with BNSF	ERNING PROVISIONS
70 400 400 400 400 80 240 520 130 330	This tariff is go herein, by Unif issued by Natio	overned, except as form Freight Class onal Railroad Frei	s otherwise provided sification UFC-6000-ser ight Committee, Agent,
	45 250 310 360 270 320 5 250 310 290 280 380 15 260 220 200 115 Page 2 25 110 385 340 120 30 20 30 20 30 20 30 30 20 30 30 30 30 30 30 30 30 30 3	STA	STATION: Lubbock

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

RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-GENERAL

ITEM 10

STATION LIST AND CONDITIONS

This tariff is governed by the Official List of Open and Prepay Stations, Station List Publishing Company, Agent, OPSL 6000-series, to the extent shown below:

PREPAY REQUIREMENTS AND STATION CONDITIONS

For additions and abandonments of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight, and changes in station facilities.

When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station as published in this tariff are inapplicable on and after that date.

GEOGRAPHICAL LIST OF STATIONS

For geographical locations of stations referred to in this tariff by station numbers.

STATION NUMBERS

For the identification of stations when stations are shown or referred to by numbers in this tariff.

ITEM 15

EXPLOSIVES, DANGEROUS ARTICLES

For rules and regulations governing the transportation of explosives and other dangerous articles of freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Bureau of Explosives Tariff BOE 6000-series.

ITEM 20

REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, FTC.

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 25

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.

RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-GENERAL

ITEM 30

PERISHABLES

The WTLC does not provide protective service. Perishable freight under protective service will be accepted from connecting carriers for delivery to Customers with the understanding that protective service is not provided by the WTLC and the WTLC accepts no liability for any loss or damage resulting from failure of such protective service.

ITEM 45

CAPACITIES AND DIMENSIONS OF CARS

For marked capacities, lengths, dimensions and cubical capacities of cars, see Official Railway Equipment Register, issued by the National Railway Publication Company, Agent, RER 6414-series.

ITEM 70

APPLICATION OF SWITCHING - CORPORATE LIMITS

All rules, regulations and charges named in this tariff apply only within the corporate limits at each station and will include all industrial and team tracks on which shipments to and from such station may be received.

ITEM 80

SWITCHING SERVICE UNDER STRAIGHT BILL OF LADING

Cars will only be accepted for handling in intra-terminal or inter-terminal switching service when issued under straight Bill of Lading.

ITEM 110

MILEAGE CHARGES ON PRIVATELY OWNED CARS

The WTLC will not pay mileage charges on privately owned cars when moving from, to or via stations on the WTLC.

ITEM 115

LIABILITY AND CLAIMS

Carrier's liability for any alleged loss, damage or delay to any commodity shall be in accordance with standards imposed in 49 USC 11707 and 49 CFR Part 1005.

Securement of lading shall be in accordance with the rules and/or recommendations of the Association of American Railroads, or as modified to meet the needs of customer. When hazardous articles are involved, safe loading and handling of such articles shall be performed in accordance with all Federal and State requirements.

RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS-GENERAL

ITEM 120

PAYMENT TERMS

All payments for service covered herein are due and payable within fifteen (15) calendar days following presentation of the Freight Bill. Payments received after the expiration of the credit period shall be subject to a service charge of one and one half percent (1 1/2%) per month (or fraction thereof) of the outstanding balance.

A discount of two percent (2%) may be taken for all charges paid within ten (10) days of presentation of freight hills

ITEM 130

USE OF PRIVATE SIDINGS

This tariff does not grant the use of private sidings or facilities to parties other than the owners thereof unless the privilege of use is granted to others by the owners, without cost to the carrier.

DEMURRAGE, SWITCHING AND MISCELLANEOUS RULES AND CHARGES

ITEM 200

HOURS OF SERVICE AND PERFORMANCE

Except as may otherwise be provided for, and subject to change without notice, the normal hours of service and the work days for performance of services, shall be as follows:

 From Lubbock to Points in Zone A: Monday, Wednesday, Friday.

From Points in Zone A to Lubbock: Tuesday, Thursday, Saturday.

From and to points in Zone B: As required.

 Services required to be performed on days or at hours other than as set forth in No. 1 above, will not be deemed to fall within the term "normal operation periods", or "workdays". Such days or hours will be deemed to fall within the term of "Special Movements," and rates in accordance with the provisions of Item 230 will apply.

DEMURRAGE, SWITCHING AND MISCELLANEOUS RULES AND CHARGES

ITEM 220

HOLIDAYS

Holidays are defined for the purpose of this tariff, are as follows:

New Year's Day Good Friday Memorial Day Independence Day Labor Day Thanksgiving Day Friday after Thanksgiving Day Christmas Eve Day Christmas Day

New Year's Eve Day

ITEM 230

SPECIAL FREIGHT TRAIN SERVICE

When Special Freight Train Service is requested by shipper or consignee, or required because of excessive dimension, excessive weight, high center of gravity, congestion, or other conditions not permitting normal train operation on this railroad, such movements will be subject to a minimum charge of \$1500.00 per Special Train Movement. This charge is in addition to the regular freight rate as may be published in tariffs or other instruments.

The Special Freight Train Service described herein shall begin when the engine departs the engine house and shall end when the engine returns to the engine house. This service will only apply when the WTLC can provide a crew to operate the locomotive to perform the service described herein.

ITEM 240

SWITCHING - TURNING OF CARS TO PERMIT UNLOADING

 In instances where it is desired that freight in carloads be placed on delivery tracks for loading at stop-off points or unloading at stop-off points or destinations from one particular side or end of car, cars must be properly placarded on both sides and notation made on Bill of Lading and waybill substantially as follows:

NOTICE TO CARRIER

Deliver car for loading or unloading from the door or end specified by placard

 When freight in carloads is not properly placarded on both sides of car to load or unload from one particular side or end of car, and shipper or consignee directs carrier to turn and return car to their track for loading or unloading, the following charge shall apply:

CHARGES (See Note)

If a car is turned at a "Y" CHARGE (Per Car)

- A. Within the corporate limits of the station at which "Y" is located......\$110.00
- B. Outside the corporate limits of such station......\$260.00
- NOTE If Bill of Lading carries notation that car has been placarded, and placard has disappeared before placement, the charge named herein will not apply.

DEMURRAGE, SWITCHING AND MISCELLANEOUS RULES AND CHARGES

ITEM 250

CAR DEMURRAGE, DETENTION AND STORAGE RULES AND CHARGES

 Where switching service is performed on traffic moving under line haul rates which are subject to special detention charges and rules, the switching service provided in this tariff will be subject to the same detention charges and rules applicable in connection with the line haul rates. Provisions of the following car demurrage rules and charges will apply in all other circumstances.

2. **DEMURRAGE AND DETENTION:**

Carrier will permit free time of 24 hours to load and unload cars on all railroad marked cars. Free time starts the first 7:00 A.M. after placement of car. If car is placed on a Holiday, free time starts at 7:00 A.M. the following day. If the following day is a Sunday, free time starts at 7:00 A.M. Monday.

3. CHARGES:

A. **DEMURRAGE** - AFTER EXPIRATION OF FREE TIME, CHARGES WILL BE ASSESSED ON RAILROAD-OWNED CARS AS FOLLOWS:

\$30.00 per car, per day, or fraction thereof.

B. STORAGE:

Storage Charges shall apply to private or railroadowned cars assigned to a particular shipper, or to private equipment after expiration of free time (if applicable), at the rate of \$15.00 per car, per day, or fraction thereof.

C. **DETENTION:**

\$12.00 per day, or fraction thereof, per car, will be assessed on pool cars prior to being placed for loading.

4. PRIVATE CARS:

Private cars will not be subject to demurrage charges.

ITEM 260

HANDLING OF EMPTY CARS

Except as otherwise provided, the switching charges published herein, applicable within the corporate limits of any station on loaded cars, will also apply on empty cars.

ITEM 270

CLEANING CHARGE

When cars loaded are switched from industry or team tracks to designated track for inspection, fumigation or cleaning, the applicable switch charge will be applied. There will be no additional free time permitted under provisions of car demurrage tariff for cleaning, disinfecting, inspecting or fumigating loaded cars in intra-plant or intraterminal switching service.

ITEM 275

SURCHARGE

In addition to the line-haul transportation charge or charges published in tariffs, or other instruments whatsoever, a Surcharge of \$250.00 per car will be assessed on all traffic from or to stations in ZONE C.

Surcharge to be paid by the rail user (i.e., receiver or consignee on inbound shipments, and shipper or consignor on outbound shipments), and to be collected by and accrue solely to the West Texas and Lubbock Railway Company.

ITEM 280

DIVERSION OR RECONSIGNMENT, MEANING OF

Diversion or Reconsignment means:

- 1. Change in the name of consignee.
- 2. Change in the name of consignor.
- 3. Change in the destination.
- 4. Change in route.
- Any other instruction given by consignor, consignee, or owner affecting delivery and requiring an addition to or a change in billing (except orders received prior to arrival of car on or departure from WTLC), and additional movement of the car, or both.

Except as otherwise provided herein, the term "destination" as used in these rules means the billed destination.

If there are no switching limits, then points located within the corporate limits of each billed destination will be considered one station.

Where the through rate is authorized, it is the applicable rate, local rate, joint rate, or combination of intermediate rates in effect on date of shipment from point of origin over the route of movement via the diversion or reconsignment points to final destination.

DEMURRAGE, SWITCHING AND MISCELLANEOUS RULES AND CHARGES

ITEM 290

DIVERSION OR RECONSIGNMENT CHARGES

When instructions consistent with Item 280 are given to an authorized representative of the WTLC by consignee or consignor, or owner, the following charges will apply:

- 1. If order is received prior to arrival of car at destination, the charge will be \$50.00 per car.
- If order is received within 24 hours from the first 7:00
 A.M. after arrival at destination, the charge will be \$100.00 per car.
- 3. If order is received after expiration of 24 hours from the first 7:00 A.M. after arrival at destination, the charge will be \$150.00 per car.
- If order is received prior to arrival of car on or departure of car from WTLC, diversion and reconsignment charges shall not apply.

ITEM 300

"SHIPMENT TO ORDER", "ORDER NOTIFY", OR "STRAIGHT BILL OF LADING", REQUIRING SURRENDER OF BILL OF LADING OR WRITTEN ORDER

- When the original Bill of Lading or written order covering a shipment as described above is not available, the property may be delivered in advance of the surrender of the Bill of Lading or written order as the case may require under the provisions of Rule 7 of the Uniform Freight Classification.
- If a bill of lading is tendered after 12 Noon of the day following loading, a charge of \$50.00 per shipment shall apply.

NOTE - When Order Bills of Lading or written orders are received prior to arrival of car on WTLC, there will be no charge.

Order Bills of Lading or written orders received after arrival on WTLC will be assessed a charge of \$50.00 per car.

ITEM 310

DEMURRAGE, DETENTION AND STORAGE RULES

Cars stopped, diverted, or reconsigned under the rules in Item 290 will also be subject to demurrage, and storage charges lawfully in effect at the point where stopping, diversion or reconsignment is accomplished.

ITEM 320

DEFINITION OF TERMS

Industrial Tracks - A track serving a particular industry, whether located upon the property of WTLC or upon property owned or leased by the industry.

Team Track - A track or tracks assigned by WTLC for use by the general public.

Inter-Plant Switching - An intra-terminal switching movement between plants or units of a single industry located within the corporate limits of one station.

Intra-Plant Switching - A switching movement from one track to another or between two locations on the same track within the confines of the same (single) plant or industry. Applies only on movements which can be completed wholly within the confines of the same siding, plant or industry.

Inter-Terminal Switching - A switching movement between industrial tracks or team tracks of traffic having both origin and destination at stations on WTLC.

Intra-Terminal Switching - A switching movement (other than intra-plant or inter-plant where specifically provided for) of traffic originating at and destined to points within the corporate limits of one station located on the WTLC.

Line-Haul - On freight moving under through rates with connecting carriers to or from WTLC stations, rates include switching in connection with placement and release. Any additional switching will be charged for under the terms of this Item and Item 400. Charges will be billed to and payable by the WTLC consignor or consignee.

Proportional Switching - A switching movement of traffic between point of interchange with road-haul carrier and stations on WTLC, for traffic not moving under through rates to or from stations on WTLC.

Road-Haul Traffic - Road-haul traffic is freight received from or moved to stations other than those located on WTLC.

DEMURRAGE, SWITCHING AND MISCELLANEOUS RULES AND CHARGES

ITEM 330

EXPLANATION OF ZONES

LUBBOCK-SEAGRAVES: LUBBOCK-WHITEFACE:

Lubbock (BNSF Yard)HurlwoodDoudSmyerWolfforthLevellandBalchCobleRopesWhiteface

Meadow Brownfield

ZONE A

Brownfield ZONE C
Wellman DIMMITT-PLAINVIEW:

Seagraves

Dimmitt
Roy
Hilburn
Hart
Grisham
Edmonson
Wright
Wasson
Boone
Plainview

ZONE B

ITEM 340

OVERLOAD CHARGES

- Cars interchanged from WTLC to another carrier which are returned to WTLC because such cars are overloaded will be subject to demurrage rules and charges as shown in Item 250, and will be subject to an additional charge of \$300.00 per car.
- Cars found to be overloaded while on the tracks of the WTLC and returned to the shipper will be subject to demurrage rules and charges as shown in Item 250, and will be subject to an additional charge of \$200.00 per car.

ITEM 360

CARS RECEIVED IN ERROR BY WTLC

Loaded or empty car(s) received by WTLC from connections that are not for WTLC patrons will be treated as mishandled cars. The carrier interchanging (a) mishandled car(s) to WTLC will be assessed a charge of \$100.00 per car.

ITEM 380

EMPTY CARS ORDERED AND NOT USED

If WTLC receives an order for empty cars, and provides same, and such order is cancelled by ordering party after such empty car is dispatched in a train to shipper, a charge of \$185.00 per car shall be assessed.

ITEM 385

NON-USE AND DETENTION CHARGES FOR HEAVY CAPACITY AND SPECIAL TYPE FLAT CARS WITH AAR MECHANICAL DESIGNATION FD, FW AND FM(S)

(FM type cars with capacity of 200,000 lbs. or over are considered heavy capacity type) (See Note 1)

DETENTION CHARGES

A. The detention charges will apply on cars held:

AT ORIGIN when the movement originates on WTLC

AT DESTINATION when the movement terminates on WTLC

B. When cars are held, the following detention charges (in Dollars Per Car) will be assessed for each 24-hour period, or fraction thereof, after the first 0001-hours after placement, or after notification if the car is held enroute:

1st 24 hoursFree
2nd 24 hoursFree
3rd 24 hours 390.00
4th 24 hours 390.00
5th 24 hours 480.00
6th 24 hours 630.00
7th 24 hours 780.00
8th 24 hours 780.00
9th 24 hours 780.00
10th-19th 24 hours 1200.00
20th 24 hours1850.00

- C. Placement is defined as follows:
 - ACTUAL When a car is placed in an accessible position for loading or unloading, or at a point designated by the consignor or consignee.
 - CONSTRUCTIVE When a car cannot be actually placed because of any condition attributable to the consignor or consignee and the car is held on railroad tracks.

(Continued in next column)

DEMURRAGE, SWITCHING AND MISCELLANEOUS RULES AND CHARGES

ITEM 385 (Cont'd)

NON-USE AND DETENTION CHARGES FOR HEAVY CAPACITY AND SPECIAL TYPE FLAT CARS WITH AAR MECHANICAL DESIGNATION FD, FW AND FM(S)

(FM type cars with capacity of 200,000 lbs. or over are considered heavy capacity type) (See Note 1)

NON-USE CHARGE

- A. The non-use charge will be \$1,000.00 per car.
- B. The non-use charge will apply when a car has been ordered and shipper is notified of car number assigned, and car is enroute empty to assignee and the car order is subsequently cancelled or postponed.
- C. The non-use charge will be assessed against the party ordering the car.
- D. The non-use charge will not apply if carrier is unable to place car on date ordered for placement.
- E. The non-use charge will apply on cars that are ordered for loading on the WTLC or whose connection is with WTLC, or carriers whose connection is with a carrier(s) whose connection is with WTLC.

EXPLANATION OF NOTES:

 Charges assessed under this item will be in addition to any other charges, including demurrage charge in Item 250-series, this tariff.

SWITCHING

(Charges are in dollars and cents per car, except as noted)

ITEM 400

INTRA-PLANT, INTER-PLANT AND INTRA-TERMINAL SWITCHING CHARGES

APPLICATION	CHARGE
Intra-Plant	(a) \$65.00 (b) \$100.00

- (a) Switching to point on same track
- (b) Switching to a point on a different track

Inter-Plant	\$150.00	
Intra-Terminal	\$160.00	
Inter-Terminal	(c)(e) \$400.00 (c)(f) \$450.00 (d)(e) \$450.00 (d)(f) \$500.00	

- (c) Freight originating at a station in Zone A, B or C and destined for a station in same Zone.
- (d) Freight originating at a station in Zone A and destined for a station in Zone B or vice versa.
- (e) Private Cars
- (f) Railroad Cars

ITEM 520

UNIT TRAIN SWITCHING CHARGES

On multiple car shipments when additional switching is required at one location, a charge of \$260.00 for each additional switch shall be assessed. There shall be no charge for first placement of empty cars or final pulling of loaded cars for furtherance.

FT WTLC 8000

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS
ITEM 99999
EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS
BOE Bureau of Explosives OPSL Official Railroad Station List, RAILINC, Agent UFC Uniform Freight Classification WTLC West Texas And Lubbock Railway
 [A] Addition [D] Cancelled [I] Increase [R] Reduction [NC] Brought forward without change
(<u>Underscored</u> portion denotes addition change.)