

FT AERC 8000-C
(Cancels FT AERC 8000-B)

ALBANY & EASTERN RAILROAD COMPANY



FREIGHT TARIFF AERC 8000-C (Cancels Freight Tariff AERC 8000-B)

NAMING

DEMURRAGE, SWITCHING & ASSESSORIAL

RULES AND CHARGES

APPLYING AT AND BETWEEN

STATIONS OF THE

ALBANY & EASTERN RAILROAD COMPANY

IN THE STATE OF OREGON

GENERAL DEMURRAGE, SWITCHING & ASSESSORIAL TARIFF

This tariff applies on intrastate and interstate traffic, except where expressly provided to contrary in connection with particular rates and provisions contained herein

ISSUED: January 1, 2020

EFFECTIVE: March 1, 2020

ISSUED BY

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SECTION 1 RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS	SECTION 1 RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS
<p>ITEM 1 [A] DESCRIPTION OF GOVERNING CLASSIFICATION</p> <p>The terms "Governing Classifications" and "Uniform Freight Classification" when used herein, mean: Uniform Freight Classification 6000-Series, issued by National Railroad Freight Committee Agent.</p>	<p>ITEM 6 CAPACITIES AND DIMENSIONS OF CARS</p> <p>For marked weight and cubic capacities and dimensions of cars see the Official Railway Equipment Register.</p>
<p>ITEM 2 REFERENCE TO TARIFFS, ITEMS, NOTES RULES, ETC.</p> <p>Where reference is made in this tariff, 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 10 STATION LISTS AND CONDITIONS</p> <p>This tariff is governed by Official Railroad Station List, Rail Inc, Agent, OPSL 6000-Series, to the extent below:</p> <p>PREPAY REQUIREMENTS AND STATION CONDITIONS</p> <p>(a) 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.</p> <p>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.</p>
<p>ITEM 3 CONSECUTIVE NUMBERS</p> <p>Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown. If the first number only bears reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last numbers.</p>	<p>GEOGRAPHIC LIST OF STATIONS</p> <p>(b) For geographical locations of stations referred to in this tariff by station numbers.</p>
<p>ITEM 4 METHOD OF CANCELLING ITEMS</p> <p>As this tariff is supplemented, numbered items with letter suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with "A".</p>	<p>ITEM 20 STATIONS COVERED BY TARIFF</p> <p>Albany, OR Bauman, OR Foster, OR Fry, OR Irvingville, OR Lebanon, OR Lyons, OR Mill City, OR Page, OR Shelburn, OR Sweet Home, OR Weldwood, OR West Scio, OR</p>
<p>ITEM 5 HANDLING EXPLOSIVES AND DANGEROUS ARTICLES</p> <p>For rules and regulations governing the transportation of explosives and other dangerous articles of freight, and 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.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 2 SWITCHING AND OTERN GOVERNING PROVISIONS	SECTION 2 SWITCHING AND OTERN GOVERNING PROVISIONS
<p>ITEM 25 [C]</p> <p style="text-align: center;">GLOSSARY OF TERMS</p> <p>ACTUAL PLACEMENT – When car is delivered to location where car can be loaded or unloaded or placed at to location at the direction of consignee or consignor.</p> <p>CARS HELD – When cars are stopped en-route or at point of delivery because of any condition attributable to consignor or consignee.</p> <p>CONSIGNEE – The party to whom the shipment is consigned to or the party entitled to receive the shipment.</p> <p>CONSIGNOR – The party in whose name cars are ordered for loading, or the party who furnishes forwarding instructions.</p> <p>CONSTRUCTIVE PLACEMENT – Placement at other than destination track when a car cannot be actually placed due to any condition attributable to consignor or consignee.</p> <p>DEMURRAGE DAY – A twenty four period commencing the first <u>12:01 A.M.</u> after tender.</p> <p>INTRA-PLANT SWITCHING – A switching movement from one track to another track 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>INTRA-TERMINAL SWITCHING – A switching movement (other than intra-plant) 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>INTER-TERMINAL - A switching movement between industry tracks on the AERC and interchange with connecting lines when within the switching limits of the same location. [A]</p> <p>LEASE TRACK – Any trackage assigned to a user through written agreement.</p> <p>LOADING – The complete or partial loading of a car in conformity with AAR loading and clearance rules and furnishing of forwarding instructions to Railroad.</p> <p>PRIVATE CAR – Any car not bearing railroad reporting marks and not controlled by a railroad.</p> <p>PRIVATE TRACK – Any track not owned or leased by Railroad.</p> <p>RAILROAD – AERC or any other carrier.</p> <p style="text-align: center;">(Continued in next column)</p>	<p>ITEM 25 (Cont'd) [C]</p> <p style="text-align: center;">GLOSSARY OF TERMS</p> <p>RAILROAD CONTROLLED CAR – Any car bearing railroad reporting marks assigned for use by Railroad as it sees fit.</p> <p>RELOAD – Process that occurs when a shipment must be transferred from one rail car to another.</p> <p>TIME – Local time</p> <p>TRANSLOAD – Process that occurs when a shipment must be transferred from one mode of transportation to another (i.e. from a truck to rail car).</p> <p>UNLOADING – The complete unloading and advice received from consignee that the car is empty, suitable for reloading, and available to Railroad.</p> <hr/> <p>ITEM 30</p> <p style="text-align: center;">CREDIT TERMS</p> <p>Customers granted credit by Railroad shall pay applicable charges to Railroad upon invoice thereof. Invoices are due and payable fifteen (15) days following the date of the invoice. In the event that invoice has not been paid in full by customer within (15) days after such payment is due and payable, a finance charge of one and one half percent (1 ½%) per month (eighteen percent 18%) per annum shall be assessed on the outstanding balance owed including previous finance charges. Payments shall first be applied to finance charges and then to the outstanding balance.</p> <hr/> <p>ITEM 35 [C]</p> <p style="text-align: center;">OVERLOADED CARS</p> <p>AERC will not accept cars that are loaded in excess of load limit markings. When a car is found to be loaded in excess of its stenciled load limit while en route but before placement, it will be placed at or near location where overload is discovered and consignor requested to arrange for disposition, or at carriers' convenience it may be returned to the shipper for removal of the excess weight. For the extra service performed, the switching charge will be assessed which includes weighing. The regular switching charge will be in addition.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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<p>ITEM 36 [A] OVERLOADED CARS-NOTIFICATION OF</p> <p>The party contracting for services or owner of the lading will be notified of the overload and will be allowed to remove the excess. Demurrage charges commence with the first 12:01 A.M. after notification is given to owner of the lading by AERC, with no other free time allowed.</p>	<p>ITEM 40 [A] OVERLOADED CARS RECEIVED FROM CONNECTING LINES</p> <p>When a car is received from a connecting line in road haul service, and is discovered to be overloaded, shipper and delivery line will be notified to remove the excess as provided in this tariff. If the overload is discovered at the junction and car is ordered returned to the delivering carrier, an applicable \$800 charge will be assessed.</p>
<p>ITEM 37 [A] OVERLOAD CARS AT ORIGIN</p> <p>When a car is overloaded and such fact is discovered at origin station, shipper or owner of the lading will be notified to remove the excess as provided in this tariff. If the car is returned to the industry where loaded, a charge of \$800 will be assessed.</p>	<p>ITEM 41 SWITCH MAINTENANCE FEE</p> <p>There will be no annual switch maintenance fee assessed for all industry tracks, owned or leased, accessed by any main track switch.</p>
<p>ITEM 38 [A] OVERLOADED CARS AT OTHER THAN ORIGIN</p> <p>When a car at a station is discovered to be overloaded and such fact is discovered after the shipment has left the origin station, shipper will be notified to remove the excess as provided in this tariff. An applicable \$800 charge will be assessed per car.</p>	<p>ITEM 42 HAZARDOUS MATERIALS SHIPMENTS (STCC 49)</p> <p>Customers receiving hazardous materials shipments of STCC 49 Series are required to meet DOT standards for storage of cars outside industry tracks. Storage on Railroad tracks requires Track Lease Agreement to be in place between Railroad and Industry. Industry not in compliance with DOT regulations will be subject to immediate embargo by Railroad.</p>
<p>ITEM 39 [A] OVERLOADED CARS-DISPOSITION OF</p> <p>When a customer fails to respond within the first twenty four (24) hours, a second notice will be sent. If shipper fails to respond within seven (7) calendar days from the first 12:01am after the first notification, AERC will, at our option, transfer the shipment, transfer the excess to another car or remove the excess and sell it to the best advantage.</p> <p>The actual cost of transfer for removing the excess plus any additional charge(s), less the proceeds of the sales of the excess, if any, will be assessed against the shipper, unless satisfactory arrangements are made with AERC.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 2 SWITCHING AND OTERN GOVERNING PROVISIONS	SECTION 2 SWITCHING AND OTERN GOVERNING PROVISIONS
<p>ITEM 100 [A] FURNISHING CARS</p> <p>AERC will not undertake to furnish cars of any particular type, size or dimension when to be used in intra-plant, intra-terminal or inter-terminal switching.</p>	<p>ITEM 130 [A] CHARGES ON CARS RECEIVED WITHOUT BILLING, OR WITH IMPROPER BILLING AT INTERCHANGE POINTS</p> <p>When cars empty or loaded are received at an interchange point by a carrier from its connection without proper billing (see Note), such cars will, upon the request of the delivering carrier, be returned, subject to a charge of \$200.00 per car for returning the loaded or empty car to the connections of the carrier making the request.</p> <p>NOTE-When instructions are not received within twenty-four (24) hours from time of receipt of car at connection, a hold charge of \$50.00 per car will assessed thereafter for each twenty-four (24) hours or fraction thereof until instructions or billing is received.</p>
<p>ITEM 110 [A] NON-APPLICABLE CHARGES IN CONNECTION WITH LINE-HAUL</p> <p>The charges published in this Section will not apply in connection with a line-haul.</p>	<p>ITEM 135 [A] CHARGE FOR USE OF SPECIAL EQUIPMENT</p> <p>AERC will not furnish cars that are other than ordinary equipment for use in intra-plant, intra-terminal or inter-terminal switching service. In the event other than ordinary equipment is used, an additional charge of \$300.00 will be assessed. On joint-line movements, this charge will be assessed only once (see Exception).</p> <p>ORDINARY EQUIPMENT MEANS:</p> <ol style="list-style-type: none"> (1) XM boxcars not exceeding 52 feet in length, inside measurement. (2) FM flatcars, not over 54 feet in length and having capacity not over 180,000 pounds. (3) Gondola cars having marked capacity not greater than 180,000 pounds, but not including gondola cars of any length equipped with covers, hoods, containers or cradle floors. (4) Open-top hopper cars not exceeding 43 feet in length, inside measurement, and having marked capacity not exceeding 180,000 pounds. (5) Shipper owned or leased cars. <p>EXCEPTION-Provisions of this item do not apply on a movement immediately prior to or subsequent to a revenue line-haul movement and notation so stating is made by shipper on shipping document.</p>
<p>ITEM 115 [A] NON-APPLICATION IN COMBINATION WITH OTHER CHARGES</p> <p>The charges published in this Section will not apply in combination with other charges in this Section between locations on the same railroad.</p>	
<p>ITEM 120 [A] NON-APPLICATION ON "ORDER NOTIFY," ETC., SHIPMENTS</p> <p>Intra-plant, Intra-terminal or Inter-terminal switching service provided for herein will not be performed on shipments moving under order notify bills of lading or under straight bills of lading (including shipments consigned to one party, notify or advise another party) which carry a provision (see Section 4, Rule 7 of Uniform Freight Classification) (See Item 5), requiring the surrender of bill of lading, written order, or other document before making delivery.</p>	
<p>ITEM 125 [C] CARS FURNISHED BUT NOT USED</p> <p>Except as otherwise provided in tariffs lawfully on file, when an empty car is (1) actually placed or constructively placed for loading, but is not used in subsequent transportation service and is released empty, a charge of \$250.00 per car in addition to applicable demurrage charges will be made against the party ordering but not using the equipment.</p> <p>EXCEPTION-This charge will not apply when cars are refused or rejected for not being in proper condition for loading.</p> <p>(1) The term actually placed or constructively placed is subject to demurrage rates in Item 300.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 2 SWITCHING AND OTERN GOVERNING PROVISIONS	SECTION 2 SWITCHING AND OTERN GOVERNING PROVISIONS
<p>ITEM 185</p> <p align="center">CARS OF EXCESSIVE DIMENSION OR WEIGHT</p> <p>Cars requiring clearance desk approval to move on Railroad will only be handled in Special Train Service subject to charges in Item 205 "Special Train Service" unless otherwise agreed upon prior to shipment. There will be a \$250.00 charge per request form.</p> <p>Cars requiring clearance desk approval exceed one or more of the following:</p> <ul style="list-style-type: none"> 286,000 pounds gross weight on rail 10'6" wide 15'10" above top of rail Overhangs one or both ends of railcar 	<p>ITEM 205 [C]</p> <p align="center">SPECIAL TRAIN SERVICE EXTRAORDINARY TO REGULAR TRAIN SERVICE</p> <p>The act of providing one locomotive and train crew consisting of engineer and conductor, made available to provide service to customer at the direction of that customer will be subject to a charge of \$1200.00 for first four hours (all or part) and a charge of \$300.00 per hour for hours 4-8 of service provided.</p> <p>Each additional hour or part thereof over 8 hours, until locomotive and train crew are returned to their initial terminal will be charged at \$450.00 per hour.</p> <p>Additional crew members necessary to complete job will be charged at \$8.00 per hour.</p> <p>Additional locomotives needed to adequately power train based on tonnage ratings per unit for any given line segment will be charged at \$750.00 per day or part thereof.</p> <p>If caboose is necessary to provide train crew members safe platform for protecting shoving movements use of AERC caboose will be charged at \$150.00 per day or part thereof. If canceled, a \$300.00 fee will be assessed.</p>
<p>ITEM 190</p> <p align="center">CARS OF EXCEPTIONAL DIMENSION OR WEIGHT</p> <p>Traffic of exceptional dimension which can only be handled subject to restrictions when accompanied by contractors or representatives of the Signal, Track or Bridge & Building departments to remove and replace switch stands, signals or other objects, reinforcing of bridges or tracks or any additional work required to move car not required of handling regular and normal traffic will be subject to additional charges over and above freight charges based on actual costs incurred by Railroad plus fifteen percent (15%).</p>	<p>ITEM 208</p> <p align="center">SPECIAL TRAIN SERVICE EXTRAORDINARY TO REGULAR TRAIN SERVICE (FOR EXCLUSIVE USE OF FILM INDUSTRY)</p> <p>Provisions herein apply on service requested by customers for the purpose of furnishing locomotive(s) and crew to perform special train movements for the purpose of making a movie, commercial or documentary.</p> <p>Charges will be assessed at a rate of \$5,000.00 per occurrence up to ten (10) hours. After ten (10) hours charges will be assessed at an hourly rate of \$450.00 per hour or fraction thereof.</p> <p>Stated rates include one (1) locomotive, two (2) crewmembers and one (1) facilitator.</p> <p>If requested, freight cars may be provided at a rate of \$150.00 per rail car (flat fee per car per day/occurrence).</p> <p>Additional locomotives provided at a rate of \$800.00 per day.</p> <p>Cancellations will be subject to a \$500.00 charge.</p>
<p>ITEM 195</p> <p align="center">CARS WITH LADING OF EXCEPTIONAL VALUE</p> <p>Cars with a lading valued in excess of one million dollars (\$1,000,000) shall only move in Special Train Service subject to Item 205 "Special Train Service". In addition to all other applicable freight and assessorial charges a handling fee of one percent (1%) of the declared lading value will be assessed and payable by the payer of freight prior to car being accepted by Railroad.</p>	
<p>ITEM 200 [A]</p> <p align="center">SWITCHING OF LOCOMOTIVES ON OWN WHEELS, BUT NOT UNDER OWN POWER</p> <p>Locomotives moving on own wheels, but not under own power, when moved from one location to another location within the same switching district, will be assessed a charge of \$175.00. If the locomotive is moved for turning, the charge will be applied in each direction.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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<p>ITEM 210 [A] SETBACK CHARGES FOR CARS HANDLED IN ERROR</p> <p>A charge of \$475.00 per car will be assessed on cars interchanged to or from AERC due to error on the part of rail carrier making such interchange.</p>	<p>ITEM 230 [C] CHARGES FOR INTRA-PLANT AND INTRA-TERMINAL SWITCHING</p> <p>Except as otherwise provided herein, AERC will assess the following charges in dollars per car for switching service as defined in Item 25.</p> <p align="center">INTRA-PLANT \$175.00</p> <p align="center">INTRA-TERMINAL AND INTER-TERMINAL</p> <p>When in Shipper Owned or Leased Equipment... \$250.00 When in other than Shippers Equipment..... \$350.00</p>											
<p>ITEM 215 [A] PER DIEM</p> <p>AERC does not pay private car mileage allowance.</p>												
<p>ITEM 220 [C] CHARGE FOR HEAVY DUTY FLAT CARS</p> <p>When heavy-duty flat cars as defined in Tariff RPS 6740-Series are used on shipments both originating and terminating within the same switching district, the following charges will be assessed:</p> <p align="center">USE CHARGE</p> <p>\$1,000.00 per car switching movement (not subject to any other switching charges published in this tariff).</p> <p align="center">SPECIAL DETENTION CHARGES</p> <p>When cars are held beyond the Free Time permitted in Item 340, charges therein will be assessed and in addition the following detention charges will be assessed for each twenty-four (24) hour period or fraction thereof beyond the authorized free time:</p> <p align="center">CHARGES IN DOLLARS PER CAR</p> <table border="0"> <tr><td>1st 24 hours.....</td><td>\$100.00</td></tr> <tr><td>2nd 24 hours.....</td><td>\$150.00</td></tr> <tr><td>3rd 24 hours.....</td><td>\$200.00</td></tr> <tr><td>4th 24 hours.....</td><td>\$250.00</td></tr> <tr><td>5th 24 hours.....</td><td>\$300.00</td></tr> <tr><td>6th 24 hours and each subsequent 24 hours.....</td><td>\$400.00</td></tr> </table> <p align="center">NON-USE CHARGE</p> <p>When car is ordered, placed and released back to AERC without being used in transportation service, a charge of \$500.00 per car will be assessed and will be in addition to any detention charges that may accrue.</p>	1st 24 hours.....	\$100.00	2nd 24 hours.....	\$150.00	3rd 24 hours.....	\$200.00	4th 24 hours.....	\$250.00	5th 24 hours.....	\$300.00	6th 24 hours and each subsequent 24 hours.....	\$400.00
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<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>												

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SECTION 3 CAR DEMURRAGE RULES AND CHARGES	SECTION 3 CAR DEMURRAGE RULES AND CHARGES
<p>ITEM 300 [C] DEMURRAGE CHARGES</p> <p>On cars subject to demurrage charges after expiration of free time allowed (see Item 340), the following charges per car, per day, or fraction of a day, will be made until the car is released (see Item 380):</p> <p align="center">\$50.00 per day</p> <p>The applicable charge will accrue on all days, except holidays (see Item 350) that falls as the first chargeable day.</p> <p>For the purpose of applying rules in Section 3 of this tariff, the following are defined and shall govern.</p>	<p>ITEM 330 [A] CARS HELD FOR PURPOSES OTHER THAN LOADING AND UNLOADING</p> <p>Applicable to cars held:</p> <p>A. On orders of the loader or unloader. B. While awaiting proper disposition from the loader, unloader, or in connection with division request, or the freight payer. C. As a result of conditions attributable to the loader or unloader.</p> <p>Computation: (See Item 300 for charges)</p> <p>A. Demurrage will be computed on the following from the first 12:01 AM:</p> <ol style="list-style-type: none"> 1. After notification of actual or constructive placement until car is released, forwarding instructions are received, or disposition advice is received on: <ol style="list-style-type: none"> a. Cars diverted or reshipped. b. Cars held empty for loading – ordered and not used (other than rejected car). c. Cars held for "Surrender of Order notify Bills of Lading" at destination. d. Cars waiting for payment of accrued charges at origin or destination. e. Cars held for official grading or inspection. f. Cars held for any other purpose, except as covered by Items 310 and 320, which is not attributable to the AERC. 2. After a car is received by AERC until date and time of disposition on: <ol style="list-style-type: none"> a. Cars received from connecting carriers. b. Loaded private cars returned to railroad tracks. 3. After actual or constructive placement until date and time of refusal on a refused loaded cars. 4. After notification is given to loader/beneficial owner until date of disposition of a refused loaded car. 5. After actual placement or car order date, whichever is later, until date and time of rejection, on empty cars rejected as being unsuitable for loading.
<p>ITEM 310 [A] EMPTY CARS ORDERED OR APPROPRIATED FOR LOADING BUT NOT USED</p> <p>When a car so ordered and placed is not used, and no advice from the party who ordered the car has been received within twenty-four (24) hours exclusive of Saturdays and Sundays, demurrage charges will start from the first 12:01 AM after car is placed and will be charged until the car has been removed from the loading location.</p>	
<p>ITEM 320 [A] LOADED PRIVATE CARS HELD ON RAILROAD TRACKS</p> <p>The demurrage clock starts at the first 12:01 AM after the car is placed on hold. (See Item 300 for charges).</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 CAR DEMURRAGE RULES AND CHARGES	SECTION 3 CAR DEMURRAGE RULES AND CHARGES
<p>ITEM 340 [C]</p> <p align="center">FREE TIME</p> <p>Cars for loading or unloading will be allowed forty-eight (48) hours free time. Free time begins at the first 12:01 AM after the car is actually or constructively placed (See Item 360).</p>	<p>ITEM 380 [A]</p> <p align="center">RELEASES</p> <p>A railcar is considered released only after billing instructions have been received in writing by fax, regardless of who is responsible for the billing.</p> <p>NOTE: Demurrage charges will continue to accrue to the Origin Industry even when cars are released to a Third-party, until the time billing is received from the Third-party.</p>
<p>ITEM 350 [A]</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) Good Friday Memorial Day – Last Monday of May Independence Day – July 4 (See Note) Labor Day – First Monday of September Thanksgiving Day – Fourth Thursday of November Christmas Day – December 25 (See Note)</p> <p>NOTE: When this day occurs on a Sunday, the following Monday will be observed as the holiday.</p>	
<p>ITEM 360 [A]</p> <p align="center">PLACEMENT</p> <p>ACTUAL PLACEMENT – 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. Railroad will not issue actual placement notices.</p> <p>CONSTRUCTIVE PLACEMENT – When a car consigned or ordered to a private track, or an, 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 destination, or if it cannot reasonably be accommodated there, at an available hold point; however, if car is placed on the private track, industrial interchange track or other-than-public-delivery track serving the consignor or consignee, the car shall be considered constructively placed without notice.</p>	
<p>ITEM 370 [C]</p> <p align="center">NOTIFICATION</p> <p>Notification by industry of release of cars must be:</p> <p>A. In writing by fax to Lebanon, OR (541) 259-4130</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 4 STORAGE	SECTION 5 TRANSLOAD / RELOAD SERVICE
<p>ITEM 400</p> <p align="center">CONDITIONS OF STORAGE OF PRIVATE CARS ON RAILROAD TRACK</p> <p>Storage of private railcars on Railroad track will be offered at the Railroad's sole discretion. Railroad reserves right to refuse private railcar storage on Railroad track at any time without notice if deemed in the best interest of Railroad.</p>	<p>ITEM 500</p> <p align="center">RAIL TO RAIL, TRUCK TO RAIL, RAIL TO TRUCK TRANSLOAD/RELOAD SERVICES</p> <p>Railroad will provide rail to rail, truck to rail and/or rail to truck transload/reload services at reload facility in Lebanon, Oregon. Services include loading or unloading of rail cars and/or trucks.</p> <p>Delivery of loaded cars via rail will be assessed as outlined in Item 210 of this tariff. Customers must make prior arrangement with railroad for loading/unloading services.</p> <p align="center">CHARGES:</p> <p>Loading or unloading of railcars..... \$100.00 per car</p> <p>Loading or unloading of trucks..... \$50.00 per truck</p> <p>Loading or unloading of maxi trailer combination..... \$75.00 per trailer combination</p>
<p>ITEM 410 [R]</p> <p align="center">STORAGE OF EMPTY PRIVATE CARS ON RAILROAD TRACK (NON-HAZARDOUS)</p> <p>Empty private cars stored on Railroad track because industry cannot accommodate, or stored at the request of industry or entity controlling equipment, will be charged \$5.00 per car per day or part thereof.</p>	
<p>ITEM 420 [R]</p> <p align="center">STORAGE OF LOADED PRIVATE CARS ON RAILROAD TRACK (NON-HAZARDOUS)</p> <p>Loaded private cars stored on Railroad track because industry cannot accommodate, or stored at the request of industry or entity controlling equipment, will be charged \$6.00 per car per day or part thereof.</p>	
<p>ITEM 430 [C]</p> <p align="center">STORAGE OF EMPTY PRIVATE CARS ON RAILROAD TRACK (HAZARDOUS MATERIALS STCC 49)</p> <p>Empty private cars stored on Railroad track because industry cannot accommodate, or stored at the request of industry or entity controlling equipment, will be charged \$8.00 per car per day or part thereof.</p>	
<p>ITEM 440 [C]</p> <p align="center">STORAGE OF LOADED PRIVATE CARS ON RAILROAD TRACK (HAZARDOUS MATERIALS STCC 49)</p> <p>Loaded private cars stored on Railroad track because industry cannot accommodate, or stored at the request of industry or entity controlling equipment, will be charged \$9.00 per car per day or part thereof.</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 6 WEIGHING RULES AND OTHER GOVERNING PROVISIONS</p>	<p align="center">SECTION 7 LOCAL AND RULE 11 RATES</p>
<p>ITEM 610 [A]</p> <p align="center">WEIGHING</p> <p>When a car is weighed or reweighed either empty or loaded at the request of either consignee, a charge of \$250.00 per car will be made each time the car is weighed, if scale is available.</p>	<p>ITEM 700 [A]</p> <p align="center">FREIGHT ALL KINDS</p> <p>FREIGHT, ALL KINDS, when moving locally on the AERC, will be moved at the rate of \$600.00 per car.</p>
<p>ITEM 620 [A]</p> <p align="center">TURNING CARS</p> <p>The AERC does not have a track available to turn cars. All cars must be delivered to PNW for turning cars. A charge of \$250 per car will be assessed to move the cars to PNW. Any charges by PNW to turn the car will also be assessed in addition to the per car fee of \$250.</p>	<p>ITEM 750 [A]</p> <p align="center">RULE 11 RATES</p> <p>For traffic originating or terminating on the AERC, the following rates will apply:</p> <p>All traffic, except veneer, wood chips, lumber, LPG,..... \$600.00 per car Veneer..... \$600.00 per car Wood Chips..... \$600.00 per car Lumber..... \$600.00 per car LPG..... \$600.00 per car Agri-Products..... \$600.00 per car</p> <p>All rates apply except special rates under a contract, agreement or UP CMA agreement or a BNSF Handling Agreement.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 8 FUEL SURCHARGE		EXPLANATION OF ABBREVIATIONS AND REFERENCE ARKS																					
<p>ITEM 800 [A]</p> <p style="text-align: center;">FUEL SURCHARGE</p> <p>All traffic moving on AERC, including Items 500 are subject to a fuel surcharge, which is based on changes to the U.S. Retail On Highway Diesel Fuel ("HDF") prices for the Midwest. Base price is \$2.850 per gallon.</p> <p>HDF Prices and changes are published online at: http://tonto.eia.doe.gov/oog/info/wohdp/diesel.asp</p> <p>The surcharge for a given month will be calculated based on the average HDF price published on each Monday of the preceding month.</p> <p>If the average HDF price is above \$2.850 per gallon, the corresponding percentage (shown below) will be added to the rates stated in Items 330, 500 and 510.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Monthly Avg. HDF Price Range</th> <th>Surcharge</th> </tr> </thead> <tbody> <tr><td>\$2.851 to \$2.900</td><td>0.5%</td></tr> <tr><td>\$2.901 to \$2.950</td><td>1.0%</td></tr> <tr><td>\$2.951 to \$3.000</td><td>1.5%</td></tr> <tr><td>\$3.001 to \$3.050</td><td>2.0%</td></tr> <tr><td>\$3.051 to \$3.100</td><td>2.5%</td></tr> <tr><td>\$3.101 to \$3.150</td><td>3.0%</td></tr> <tr><td>\$3.151 to \$3.200</td><td>3.5%</td></tr> <tr><td>\$3.201 to \$3.250</td><td>4.0%</td></tr> <tr><td>\$3.251 to \$3.300</td><td>4.5%</td></tr> </tbody> </table> <p>Each \$0.05 per gallon increase there after apply an additional .5%</p>	Monthly Avg. HDF Price Range	Surcharge	\$2.851 to \$2.900	0.5%	\$2.901 to \$2.950	1.0%	\$2.951 to \$3.000	1.5%	\$3.001 to \$3.050	2.0%	\$3.051 to \$3.100	2.5%	\$3.101 to \$3.150	3.0%	\$3.151 to \$3.200	3.5%	\$3.201 to \$3.250	4.0%	\$3.251 to \$3.300	4.5%	<p>ABBREVIATIONS</p>	<p>EXPLANATION</p>	
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		<p>EXPLANATION</p>																					
	<p>[A] [C] [I] [R]</p>	<p>Addition Change which results in neither an increase or decrease in charges Increase Reduction/Decrease</p>																					
<p>(Underscored portion denotes change/addition.)</p>																							