

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

Watco Transportation Services, LLC



DEMURRAGE, STORAGE, ACCESSORIAL AND SWITCHING TARIFF

(Replaces and Supersedes all individual railroad tariffs falling under Watco Transportation Services and supplements/revisions thereto)

CONTAINING DEMURRAGE AND STORAGE CHARGES RECIPROCAL & TERMINAL SWITCHING AND MISCELLANEOUS RAILROAD CHARGES

FOR GENERAL RULES & CONDITIONS OF CARRIAGE
SEE TARIFF WTS 9011-SERIES

APPLICABLE ON EXPORT, IMPORT, INTERSTATE AND INTRASTATE TRAFFIC

ISSUE DATE: Aug 25th, 2022

EFFECTIVE DATE: August 25th, 2022

ISSUED BY:

Leah Woods – Director of Pricing Administration
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Overland Park, KS 66210

www.watco.com



FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

SUBSCRIBING RAILROADS

ANN ARBOR RAILROAD INC (AA)
ALABAMA SOUTHERN RAILROAD LLC (ABS)
ALABAMA WARRIOR RAILWAY LLC (ABWR)
AGAWA CANYON RAILROAD ULC (ACR)
ARKANSAS SOUTHERN RAILROAD LLC (ARS)
AUSTIN WESTERN RAILROAD LLC (AWRR)
AUTAUGA NORTHERN RAILROAD LLC (AUT)
BATON ROUGE SOUTHERN RAILROAD LLC (BRS)
BIRMINGHAM TERMINAL RAILWAY LLC (BHRR)
BLUE RIDGE SOUTHERN RAILROAD LLC (BLU)
BOISE VALLEY RAILROAD LLC (BVRR)
DECATUR & EASTERN ILLINOIS RAILROAD LLC (DREI)
DUTCHTOWN SOUTHERN RAILROAD LLC (DUSR)
EASTERN IDAHO RAILROAD LLC (EIRR)
ELWOOD, JOLIET AND SOUTHERN RAILROAD LLC (EJSR)
FOX VALLEY & LAKE SUPERIOR RAIL SYSTEM LLC (FOXY)
GRAND ELK RAILROAD INC (GDLK)
GREAT NORTHWEST RAILROAD LLC (GRNW)
GEAUX GEAUX RAILROAD LLC (GOGR)
ITHACA CENTRAL RAILROAD, LLC (ITHR)
JACKSONVILLE PORT TERMINAL RAILROAD LLC (JXPT)
KANAWHA RIVER RAILROAD LLC (KNWA)
KAW RIVER RAILROAD LLC (KAW)
KANSAS & OKLAHOMA RAILROAD LLC (KO)
LOUISIANA SOUTHERN RAILROAD LLC (LAS)
LUBBOCK AND WESTERN RAILWAY, LLC (LBWR)
MISSION MOUNTAIN RAILROAD LLC (MMT)
MISSISSIPPI SOUTHERN RAILROAD LLC (MSR)
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PECOS VALLEY SOUTHERN RAILWAY LLC (PVS)
PENNSYLVANIA SOUTHWESTERN RAILROAD LLC (PSWR)
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SWAN RANCH RAILROAD LLC (SRRR)
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TEXAS AND NEW MEXICO RAILWAY, LLC (TXN)
TEXAS COASTAL BEND RAILROAD LLC (TCBR)
TIMBER ROCK RAILROAD LLC (TIBR)
VICKSBURG SOUTHERN RAILROAD LLC (VSOR)
WISCONSIN & SOUTHERN RAILROAD LLC (WSOR)
YELLOWSTONE VALLEY RAILROAD LLC (YSVR)

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

CHECK SHEET OF ITEMS AND REVISIONS

The items contained in this publication are listed consecutively by number. The paragraph that has been changed within an item will contain one of the following reference marks placed next to the item number:

- (I) Denotes increase
- (R) Denotes reductions
- (C) Denotes changes in wording which result in neither increases nor reductions in charges
- (N) Denotes new item

In addition, the effective date of the revised item will be added to this index page "CHECK SHEET OF ITEMS AND REVISIONS" to identify which item(s) have been changed

Revision Type	Item Number and Description	Effective Date
(N)	New Publication – ALL ITEMS SHOULD BE EXAMINED	May 1, 2018
(N)	New Subscribing Railroad (DREI)	September 1, 2018
(N)	Item 580 – TURNING OF PTC LOCOMOTIVES	September 1, 2018
(C)	Item 700 – RECIPROCAL SWITCHING – Added Item number for reference	September 1, 2018
(C)	Item 120 & 130 – DEMURRAGE – Changing Plate D and higher to Equipment Used in Service Requiring Clearance	September 1, 2018
(C)	Exception Speed Sheet – BVRR removed from Demurrage exception	November 1, 2018
(C)	Item 120 – Demurrage – CARS HELD FOR LOADING OR UNLOADING	November 1, 2018
(R)	EXCEPTIONS BY RAILROAD – ABS, ARS, LAS, MSR, VSOR	November 1, 2018
(N)	Item 440 – ARTICULATED RAILCARS	May 1, 2019
(C)	Item 410 – CLOSING DOORS – WTS replaced JXPT	May 1, 2019
(I)	Item 395 – CARS SWITCHED OUT OF CONSTRUCTIVE PLACEMENT	May 1, 2019
(I)	Exception Speed Sheet – JXPT Intra-Terminal Switching Empty Equipment for Maintenance/Cleaning fee changed to \$135	May 1, 2019
(N)	New Subscribing Railroad (ITHR)	May 1, 2019
(C)	Items 140, 160, 220 – Language added for clarity with holding of railcars Containing Hazardous & TIH/PIH Materials	May 1, 2019
(N)	Item 351 – Service to Accommodate Additional Railroad Handling	August 1, 2019
(I)	Item 395 – Cars Switched out of Constructive Placement	October 6, 2019
(C)	Item 580 – Turning of PTC Locomotives – language added to clarify party responsible for charges	October 6, 2019
(I)	Item 200 – Into or Out of Storage Switch – Cherry Picking	January 1, 2020
(I)	Exceptions by Railroad – WSOR	January 1, 2020
(C)	Item 430 – Adverse Routing – DREI exception	January 1, 2020
(N)	Exceptions by railroad – MSR	July 20, 2020
(N)	Item 430 – Adverse Routing – SLWC exception	August 1, 2020
(N)	New Subscribing Railroad (EJSR)	October 28, 2020
(C)	Item 335 – Change in verbiage for assessment of charges to align with AAR Railroad accounting rules	November 19, 2020
(N)	New Subscribing Railroad (DUSR)	January 16, 2021
(C)	Item 700 – Reciprocal Switching - added verbiage excluding dimensional, heavy or high-wide shipments	March 1, 2021
(N)	Item 800 – Dimensional, heavy or High-Wide Shipments	April 1, 2021
(N)	New Subscribing Railroad (RWRR)	May 25 th , 2021
(I)	Item 200 – Into or Out of Storage Switch - Hazardous	July 8 th , 2021
(N)	Exceptions by Railroad – RWRR	July 16 th , 2021
(N)	Item 352 – WTS Personnel call out to service Class 1 or customer power	October 1 st , 2021
(N)	Item 580 – Turning of PTC Locomotives – added DP locomotives	October 1 st , 2021
(N)	New Subscribing Railroads (FOXY and ACR)	January 29 th , 2022
(N)	Item 301- Incidental Switching	January 29 th , 2022
(I)	Item 580 – Turning of PTC Locomotives	January 29 th , 2022
(C)	Item 35 – Currency	January 29 th , 2022

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

Revision Type	Item Number and Description (<i>continued</i>)	Effective Date
(C)	Item 430 – Adverse Routing – removal of verbiage	February 10 th , 2022
(I)	Item 210 – Storage of loaded or empty private equipment – added verbiage for passenger equipment	March 23 rd , 2022
(N)	New Subscribing Railroad (TCBR)	August 3 rd , 2022
(N)	Item 161 – Procedure On Any Major Adjustments for TIH/PIH Cars	August 3 rd , 2022
(N)	Item 406 – Procedure On Unsafe Or Improperly Loaded Railcars	August 3 rd , 2022
(N)	Item 445 – Dunnage And Shipping Devices Or Containers	August 3 rd , 2022
(N)	Exceptions by Railroad – RWRR	August 25 th , 2022

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

Table of Contents	Page
<i>ITEM 10 CONSECUTIVE NUMBERS</i> _____	7
<i>ITEM 20 CHANGE IN PROVISION(S)</i> _____	7
<i>ITEM 30 CHARGES HEREIN SUBJECT TO INCREASE</i> _____	7
<i>ITEM 35 CURRENCY</i> _____	8
<i>ITEM 40 TRANSPORTATION</i> _____	8
<i>ITEM 50 GLOSSARY OF TERMS</i> _____	8
<i>ITEM 50 GLOSSARY OF TERMS</i> _____	9
<i>ITEM 50 GLOSSARY OF TERMS</i> _____	10
<i>ITEM 50 GLOSSARY OF TERMS</i> _____	11
<i>ITEM 50 GLOSSARY OF TERMS</i> _____	12
<i>ITEM 60 PAYMENT TERMS</i> _____	13
<i>ITEM 70 SECURITY DEPOSITS FOR PAYMENT OF CHARGES</i> _____	13
<i>ITEM 80 INVOICE CLAIMS</i> _____	13
<i>ITEM 90 APPLICATION OF SECTION I AND II</i> _____	14
<i>ITEM 100 NOTIFICATION TO CUSTOMER</i> _____	14
<i>ITEM 110 NOTIFICATION TO THE WTS RAILROAD</i> _____	15
<i>ITEM 120 CARS HELD FOR COMPLETE OR PARTIAL LOADING OR UNLOADING</i> _____	15
<i>ITEM 130 CARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING</i> _____	16
<i>ITEM 140 DEMURRAGE PLAN AND CHARGES</i> _____	17
<i>ITEM 150 HOLIDAYS</i> _____	17
<i>ITEM 160 CHARGES FOR TOXIC INHALATION HAZARDS OR POISONOUS INHALATION HAZARD (TIH/PIH)</i>	18
<i>ITEM 161 PROCEDURE ON ANY MAJOR ADJUSTMENTS FOR TIH/PIH CARS:</i> _____	18
<i>ITEM 210 STORAGE OF LOADED OR EMPTY PRIVATE CARS ON RAILROAD TRACKS</i> _____	19
<i>ITEM 220 HOLDING OF EXPLOSIVES, HAZARDOUS MATERIALS (OTHER THAN TIH/PIH)</i> _____	20
<i>ITEM 300 INTRA-PLANT SWITCHING</i> _____	21
<i>ITEM 301 INCIDENTAL SWITCHING</i> _____	21
<i>ITEM 305 INTRA-TERMINAL SWITCHING</i> _____	21
<i>ITEM 310 INTER-TERMINAL SWITCHING</i> _____	21
<i>ITEM 315 IMPROPER RELEASE OF CARS PLACED FOR LOADING OR UNLOADING</i> _____	21
<i>ITEM 320 RELEASE OF CARS WITHOUT FORWARDING INSTRUCTIONS</i> _____	21
<i>ITEM 325 EMPTY CARS RETURNED UNUSED</i> _____	22
<i>ITEM 330 EQUIPMENT SUPPLIED FOR SPECIFIC DESTINATION OR JUNCTIONS</i> _____	22
<i>ITEM 335 CARS INTERCHANGED OR DELIVERED TO A WTS RAILROAD IN ERROR (RAILROAD SETBACK)</i>	22
<i>ITEM 340 INDUSTRY SETBACK</i> _____	23

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

ITEM 345	STOP IN TRANSIT	23
ITEM 350	SERVICE OUTSIDE NORMAL OPERATING OR SERVICE HOURS	23
ITEM 351	SERVICE TO ACCOMMODATE ADDITIONAL CONNECTING RAILROAD HANDLING	23
ITEM 352	WTS PERSONNEL CALL OUT TO SERVICE CLASS 1 OR CUSTOMER OWNED POWER	23
ITEM 355	SPECIAL FREIGHT TRAIN SERVICE	24
ITEM 360	TURNING CARS TO PERMIT LOADING/UNLOADING	24
ITEM 365	EMPTY CAR SWITCHING	24
ITEM 370	ABSORPTION OF CONNECTING LINES' SWITCHING CHARGES	24
ITEM 375	DIVERSION CHARGES	25
ITEM 380	PRIVATE CAR APPLICATION FOR RAILROAD MARKED CARS	25
ITEM 385	PRIVATE CAR MILEAGE	26
ITEM 390	EMBARGO/OPSL NOTE CARS INTERCHANGED IN ERROR	26
ITEM 395	CARS SWITCHED OUT OF CONSTRUCTIVE PLACEMENT	26
ITEM 400	WEIGHING	26
ITEM 405	OVERSIZED LOADS	26
ITEM 406	PROCEDURE ON UNSAFE OR IMPROPERLY LOADED RAILCARS:	27
ITEM 410	CLOSING DOORS	27
ITEM 415	PENALTY TIME	27
ITEM 420	LOCOMOTIVES, DEAD, ON OWN WHEELS	27
ITEM 425	HEAVY DUTY FLAT CAR	27
ITEM 430	ADVERSE ROUTING	28
ITEM 435	ORDERING EMPTY CARS IN FOR PLACEMENT BY SPECIFIC CAR NUMBER	28
ITEM 440	ARTICULATED CARS	28
ITEM 445	DUNNAGE AND SHIPPING DEVICES OR CONTAINERS:	28
ITEM 500	CHANGES AND CORRECTIONS	29
ITEM 510	ADDITIONAL CUT CHARGES	29
ITEM 520	ASSET USE FOR LOADING AND UNLOADING	29
ITEM 530	DEADHEAD DELIVERIES AND PICK-UPS	29
ITEM 540	ADDITIONAL TRAIN CREWS	29
ITEM 550	HOLDING A UNIT TRAIN EN-ROUTE	30
ITEM 560	BUFFER CARS	30
ITEM 570	BUFFER CAR REQUIREMENTS	30
ITEM 580	TURNING OF PTC OR DP LOCOMOTIVES	30
ITEM 600	TIME LIMIT FOR FILING LOSS OR DAMAGE CLAIMS	31
ITEM 610	MINIMUM AND MAXIMUM LIABILITY	31
ITEM 620	RIGHT TO SELL ABANDONED, REFUSED, OR UNCLAIMED PROPERTY	31
ITEM 630	CARGO SEALS	31

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

<i>ITEM 700 RECIPROCAL SWITCHING</i>	32
<i>COMPUTATION:</i>	40
<i>APPLICABLE TO CARS HELD:</i>	41
<i>COMPUTATION:</i>	41

ITEM 5 REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

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From the Home Page click the 'Rail Services' link, then choose the option called 'Forms & Policies' for the railroad carrier being inquired; this option houses the publications necessary for understanding how to do business with individual Watco Transportation Services Railroads.

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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 10 CONSECUTIVE NUMBERS

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.

ITEM 20 CHANGE IN PROVISION(S)

The WTS Railroad reserves the right at any time to change the provisions of this publication; provided, however, any such change shall be effective only with regard to any transportation services provided under the publication for freight tendered after the effective date of the changes. The WTS Railroad will make available on its web site this publication in the latest amended form. Shippers, Consignees, Loaders and Unloaders should review this publication before tendering freight. Revisions to this publication will be made from time to time by reissuing the publication in its entirety.

ITEM 30 CHARGES HEREIN SUBJECT TO INCREASE

Charges published herein are subject to increase by republication.



FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

ITEM 35 CURRENCY

Prices in this Tariff apply in the currency of the country in which the service or event occurs, unless otherwise specified.

ITEM 40 TRANSPORTATION

Carrier agrees to transport shipments with reasonable dispatch. Carrier does not guarantee rail service within any particular time frame. Bunching and Run Around will not be considered railroad error and no allowance will be made.

ITEM 50 GLOSSARY OF TERMS

ACTUAL PLACEMENT: When a car is placed in an accessible position for loading or unloading, or at a point designated by the shipper or consignee or party loading or unloading the car. Railroad may issue Actual Placement Notices. Failure to receive notification is not a valid claim against payment of invoices for associated fees. Actual Placement is commonly referred to as PACT.

ASSIGNED CARS: The assignment of cars to a given shipper at a specific location as defined in Car Service Rule 16 and Car Hire Rule 22 as published in Railinc Circular No. OT-10.

ASSIGNEE: A shipper who has requested and has been assigned specific cars.

AVERAGE AGREEMENT: Party responsible for demurrage or storage charges is provided an offset of car detention debits with credits on a monthly basis.

BILL OF LADING: Uniform Bill of Lading as contained in the Uniform Freight Classification UFC 6000-Series, subject to modification as may occur from time to time. Commonly referred to as BOL.

BROKER: An agent or intermediary negotiating the buying or selling contents of car, other than shipper or consignee.

BUNCHING: The accumulation of cars for loading or unloading shipped on different days. Since Watco Transportation Services railroads do not control the flow of inbound cars from connecting railroads, no allowance will be made in demurrage charges.

CALENDAR MONTH: Defined as 12:01 AM from the first day of one calendar month through 12:01 AM of the first day of the following calendar month.

CALENDAR YEAR: Defined as 12:01 AM January 1st of one year through 12:01 AM January 1st of the following calendar year.

CAR ORDER WANT DATE: The date for which Customer requested car for loading.

CHARGEABLE DAY: A twenty-four (24) hours period or fraction thereof for which a charge assessed pursuant to this Tariff can be assessed.

CHARGEABLE DEBIT: Chargeable debits are the difference between the debits applied to a car minus any applicable credits.

CONSIGNEE: The party designated on the bill of lading as the entity entitled to receive delivery of the car from the carrier.

CONSIGNOR or SHIPPER: The party designated on the bill of lading as the entity which has caused the car to be consigned into transportation.

CONSTRUCTIVE PLACEMENT: When a car, including order notify and in-bond shipments, cannot be actually placed or delivered because of any condition attributable to the consignee, shipper, loader or unloader, such car will: (a) be held on WTS tracks and notice will be sent or given to the party entitled to receive notification that the car is held awaiting disposition instructions; (b) have been placed by a WTS railroad on private or Industrial Track tracks, including lead tracks serving the consignee, shipper, loader or unloader, will be considered constructively placed without notice. Commonly referred to as PCON.



FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 50 GLOSSARY OF TERMS

CONSTRUCTIVE PLACEMENT TIME: The time from constructive placement until a car is actually placed.

CREDIT: Offset of a chargeable day. Credits can be earned only on those cars released from demurrage. Demurrage day must occur to earn a credit.

CUSTOMER: Shipper, Loader, Unloader, Consignee, Freight Payer or party entitled to receive notification.

DEBIT: See description of term for Demurrage Day.

DEDICATED RAILWAY LOCOMOTIVE POWER OR DEDICATED CREW: When a locomotive(s) and crews have been assigned specifically for that unit train service, and that the WTS Railroad is providing the locomotive(s) and crew for loading and/or unloading.

DEMURRAGE: Demurrage is a charge for detaining a railcar. Railroads charge demurrage as an incentive for Customers to load and unload cars promptly, to prevent congestion in railroad terminals caused by idle cars, and ultimately to improve the utilization of a valuable asset. Reduced dwell translates into faster, more reliable cycle times and better service.

DEMURRAGE DAY: A twenty-four (24) hour period, or fraction thereof, commencing at the first 12:01 AM after the applicable start event, may also be referred to as “Debit.”

DESTINATION: Billing destination, or if such destination is serviced by a terminal yard, then such terminal yard will be considered as the destination.

DISPOSITION: Information, including forwarding instructions and/or release, which allows the railroad to apply or release the car from the shipper’s, consignee’s, loader’s, or unloader’s account.

DIVERSION: The term “Diversion” can be used interchangeably with “Reconsignment” and means any request for change in the bill of lading or waybill. A diversion in an order from the shipper or consignee to deliver car(s) to other than the original billed destination. If change requires the car to move over track that it has already traveled (back haul), the car may be diverted to the next logical terminal. From there, new shipping instructions (new Bill of Lading) will be required to move the car from its current location to the new destination.

EMPTY CARS ORDERED AND NOT USED: Empty cars ordered, placed or constructively placed for loading and not used in transportation service.

EMPTY RELEASE INFORMATION: Advice from consignee and/or unloader, given to the WTS Customer Service Department electronically via ShipperConnect, EWatss, EDI, or via email to the Customer Service group listed on the WTS railroad specific website, or in writing via fax (**for fees on faxes, please review WTS 9011-Series**) to 844-476-6726 that car is unloaded and available for the railroad. Information given must include identity of consignee, and/or unloader, party furnishing the data, car initial, number date and time. Release will be effective on date and time advice is received by the railroad.

EWATSS: Online utility that allows user to manage their inventory while online as well as release of empty railcars. Contact the WTS Technology Administrator with questions via email at WATSSsupport@watco.com or via phone at (866) 889-2826.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 50 GLOSSARY OF TERMS

FORWARDING INSTRUCTIONS: A bill of lading given to authorized personnel of the line-haul carrier that contains all of the necessary information which allows for the immediate movement by the railroad. Forwarding instructions will be effective on date and time advice is received by the railroad.

Advice received by the railroad to move a car from a loading or storage track to a railroad yard or hold track to be held for “forwarding instructions”, whether furnished by the party loading car or another party, or a bill of lading or an order consigning the car to an Agent of a WTS railroad which has no beneficial interest in the lading, does not constitute “forwarding instructions” or a release from demurrage or other like charges.

A bill of lading, or other suitable order, covering car(s) requiring clearance from all carriers in the routing will not constitute “forwarding instructions” until clearance is received from all carriers in the routing.

FREE TIME: The time allowed for the unloading or loading of cars.

HAZARDOUS MATERIALS (OTHER THAN TIH/PIH): SUBJECT TO TARIFF BOE 6000 (HAZARDOUS MATERIALS REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION) Hazardous Materials are defined as “Hazardous Wastes” and “Hazardous Substances” as named in Hazardous Materials Regulations of the U. S. Department of Transportation in 40 Code of Federal Regulations (CFR) 260 through 263 and 49 CFR 171.8 or successor thereof, requiring the use 4-digit identification numbers on shipping documents, placards or panels and identified with Standard Transportation Commodity Codes (STCC) beginning with 48 and 49 or beginning with STCC 28 and 29 and converting to STCC 48 or 49.

IDLER CAR: An empty car used to protect overhanging loads, or used between cars loaded with long material.

INDUSTRIAL TRACK: Designated delivery or receipt track or tracks for the exchange of cars between carrier and industry performing their own switching including switch line acting as Agent for Industry.

INDUSTRY TIME: The time from actual placement or placement to team tracks until release and receipt of forwarding instructions, if applicable. The time from interchange receipt of a loaded car or a loaded private car released and held on railroad controlled tracks until forwarding instructions are received.

INTRA-PLANT SWITCHING: A Customer-requested switching movement subsequent to ACTUAL PLACEMENT, when loaded or empty, from one track to another track (or between two points on the same track), within the same plant or industry without leaving the tracks of the same plant or industry.

INTRA-TERMINAL SWITCHING: A Customer-requested switching movement (other than intra-plant switching) from one track to another track of the same carrier, within the switching limits of one station or industrial switching district.

INTER-TERMINAL SWITCHING: A switching movement (other than intra-plant and intra-terminal switching) between an industrial track or team track on the tracks of a WTS railroad and an industrial track or team track on connecting lines on traffic having origin and destination within the switching limits of the same station or industrial switching district. Charges of connecting carriers will be in addition to charges provided herein. **Commonly referred to as a Cross Town Switch.**

INTERMEDIATE SWITCHING: A switching movement by a carrier that neither originates nor terminates the shipment nor receives a line haul on that shipment.

LEASED TRACK: A track leased to a user through a written lease agreement and is considered the same as a private track for demurrage or storage purposes.

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

ITEM 50 GLOSSARY OF TERMS

LINE-HAUL: Movement between stations that are not located within the switching limits of the same station. Movement between stations located within the switching limits of the same station will be considered Line-haul when Customer is not listed as open to reciprocal switching or when movement occurs from or to a leased track.

LOADER: Party physically loading the car.

LOADING: The complete or partial loading of a car in conformity with the WTS railroad loading and clearance rules, advice that the car is available for movement, and the furnishing of forwarding instructions.

LOCAL: Traffic moving between stations located on the same WTS Railroad.

NOTIFICATION: When required, notification will be furnished either electronically or in writing to all parties entitled to receive notification.

ORDER IN CUSTOMER: A Customer who, by prior arrangement, has notified the WTS railroad that cars shall not be placed, or considered to be placed, for loading or unloading, until the WTS railroad has received an order for placement from said Customer.

ORDER IN: In order for a car on constructive placement to be spotted at a Customer's facility, the party entitled to receive the car must order the car for placement.

INDUSTRIAL TRACK: Any track assigned for individual use, including privately owned or leased track.

PARTIAL UNLOADING: The partial unloading of a car and the furnishing of forwarding instructions.

PRIVATE CAR(S): A car bearing other than railroad reporting marks that is not railroad controlled.

PRIVATE TRACK: Any track not owned or leased by a railroad.

RAILROAD CONTROLLED CAR: Any car other than a private car.

RECIPROCAL SWITCHING: An arrangement between carriers serving the same station or switching district where the carrier physically serving the industry performs switching service for loading or unloading on behalf of the **line haul** carrier on shipments having an immediately preceding or following line-haul movement via that carrier. WTS railroad will provide reciprocal switching only to or from that railroad's Customers specifically listed in the reciprocal switch supplement. Shipments to or from WTS Customers in these supplements will move in either line-haul service, or under a handling carrier agreement.

REFUSED LOADED CAR: An original loaded car refused at destination without being unloaded.

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

ITEM 50 GLOSSARY OF TERMS

RELEASE: The notification received from shipper, loader, consignee or unloader that loading or unloading of a car has been completed and car is available for movement and forwarding instructions have been received, if applicable. Date and time that the WTS railroad receives forwarding instructions and advice that a car is available for movement and from non-credit Customers, upon payment of any charge due. Cars placed on industrial interchange tracks of an industry doing its own switching, including those tracks of an industrial switch line acting as Agent of industry, will be removed from track and considered received and held for disposition as provided in this Tariff. Cars found to be improperly loaded at origin will not be considered released until the load has been properly adjusted and clearance has been obtained. When a car is unloaded and then reloaded, empty release information must be furnished. If not furnished, demurrage will be continuous until forwarding instructions are received. Loaded or empty or private cars released and pulled from private tracks, which must first be held on railroad track awaiting forwarding instructions, are subject to demurrage/storage provisions and charges as provided in this Tariff.

NOTE: Demurrage charges will continue to accrue to the Origin Industry even when cars are released to a third-party, until the time the billing is received from the third-party.

RUN AROUND: Car(s) placed at customer designated track(s) ahead of previous arrivals held by the railroad on railroad owned tracks.

SHIPPER CONNECT: Web based interface that allows Customers to manage their inventory while online as well as release of empty railcars. Contact RMI Administrator with questions at (866) 889-2826 or email RMHelpDesk@watco.com.

SHIPPER or CONSIGNOR: The party designated on the bill of lading as the entity which has caused the car to be consigned into transportation.

SPOT ON ARRIVAL: The WTS railroad, without notification, will place cars for loading or unloading immediately upon their availability for placement.

SPOT ON ARRIVAL CUSTOMER: A Customer who has not requested to be an Order In Customer will be considered a Spot On Arrival Customer (see Spot on Arrival). If constructive placement of a car is necessary, the car will not be placed for loading or unloading until the WTS railroad has received an order for placement from the Spot on Arrival Customer.

STOPPED IN TRANSIT: When cars are held in route because of any condition attributable to the shipper, consignee, or owner.

TENDER: The offer of goods for transportation, or the offer to place cars for loading or unloading.

TIH/PIH: Toxic Inhalation Hazards (TIH) and Poison Inhalation Hazards (PIH), as defined in AAR Circular No. OT-55. The terms TIH and PIH are synonymous as they apply to this Tariff.

TIME: Local time of the station located on the WTS railroad is applicable, expressed on the basis of the twenty-four (24) hour clock, commencing at 12:01 AM.

UNIT TRAIN: A physically consecutive and connected set of at least 80 cars tendered for movement together, unless otherwise stated in your contract.

UNLOADER: Party physically unloading the car.

UNLOADING: The complete or partial unloading of a car and notice from the consignee the car is available for movement and the furnishing of forwarding instructions when required.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 60 PAYMENT TERMS

Charges that accrue per this Tariff are due and payable according to the WTS payment terms, as stated in WTS Rules Publication 9011-Series, supplements thereto and successive issues thereof, whichever is applicable.

ITEM 70 SECURITY DEPOSITS FOR PAYMENT OF CHARGES

The WTS railroad has the right to demand that a rail Customer (A WTS railroad served shipper, loader, consignee or unloader responsible for the payment of demurrage), without sufficient credit history, or with a history of delinquency or nonpayment of freight, demurrage or other charges not in bona fide dispute, deposit with the WTS railroad, money or security adequate to pay an **average monthly invoiced services calculated over the past six months or a per car fee based on potential services.** (1) The deposit may be satisfied with cash, letter of credit, surety bond or other appropriate instrument. The WTS Railroad will determine the suitability of the security tendered. (All instruments on deposit are hereinafter referred to as “security”)

If a WTS railroad invoice not in bona fide dispute is not paid when due, immediately thereafter the WTS railroad will satisfy the bill by drawing against the security on deposit. Thereafter, the rail Customer will be required to reinstate the value of the security to its former level or to another level equivalent to its average monthly invoiced services or per car fee based on potential services.

Should demand be made upon a rail Customer for the deposit or maintenance of security as heretofore stated and should the rail Customer refuse or fail to deposit or maintain the security, A WTS railroad may refuse to provide any further rail service until the deposit requirement is fulfilled. If service is refused and rail Customer is the subject of congestion, the WTS railroad will issue an embargo against all rail transportation by the WTS railroad to and from that rail Customer, so long as congestion exists or otherwise continues. In short, carrier may issue and maintain the embargo while the congestion exists, irrespective of rail Customer compliance or non-compliance with the Security Deposit provisions in this Item.

No interest will be paid by the WTS railroad on any security or monies deposited with it. It is within the discretion of the WTS railroad to determine when creditworthiness of the rail Customer no longer necessitates the imposition of a security or deposit. If rail service to the Customer is permanently discontinued, upon satisfaction of all invoiced bills the security on deposit held by the WTS railroad will be released and returned.

See WTS Rules Publication 9011-Series for **CREDIT EXTENSION and other conditions of carriage.**

ITEM 80 INVOICE CLAIMS

In order to be allowed relief from a billed amount, a claim must be presented to the WTS Railroad, in writing, within **thirty (30)** days of the billing date, with supporting documentation, stating fully the conditions for which relief is claimed, identifying contested cars by car initial, car number and location.

Claims sent to the WTS Railroad which are not found to be valid will be subject to a **processing fee of \$50.00** for each incorrectly disputed car. Claims are to be sent via email to the email address listed on the individual WTS Railroad’s webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>

All claims not received within thirty (30) days will result in invoice being considered valid and prompt payment will be expected.

Improper Charges:

If, by error, demurrage or storage charges are improperly assessed, charges will be adjusted to the amount that would have accrued but for such error.

Unacceptable Claims:

Bunching and run around will not be considered railroad error and no allowance will be made.

Force Majeure:

Acts of God: In the event it is impossible for shipper, loader, consignee, or unloader to get to a car or to load or to unload a car due to acts of God, including, but not limited to flood, storm, earthquake, hurricane, tornado, or to other severe weather or climatic conditions, the demurrage directly chargeable thereto will be adjusted, provided the impediment is at least two (2)



FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

days in duration. Notification of this impediment must be made to Customer Service. Customer will notify customer service within 24 hours of interference, and will provide daily updates until back in service. Customer Service contacts may be found on the individual WTS Railroad's webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>

ITEM 90 APPLICATION OF SECTION I AND II

- A. Section I (Demurrage) and Section II (Storage), applies on all cars constructively or actually placed on or after the effective date of this tariff, at all stations on WTS Railroads. ***This publication takes precedence over any other domestic interstate, intrastate, export or import publication***, containing rules, regulations and charges on demurrage and storage for the account of the WTS Railroad, and will be applied on the basis of an "Average Agreement" as defined in ITEM 50, between WTS Railroad and the facility served by WTS Railroad and the facility will be responsible for payment of such charges **per 49 CFR part 1333**.
- B. The disposition of a car at its point of detention determines the purpose for which the car is held and the rules applicable thereto.
- C. All railroad owned and controlled cars, assigned cars, and privately-owned cars, including idler cars are subject to the rules and charges published herein, **EXCEPT** the following:
 - 1. Cars for loading or unloading of a WTS Railroad's company material while held on WTS Railroad tracks or private sidings connecting therewith.
 - 2. Cars of refused or unclaimed freight to be sold by the WTS Railroad for the time held beyond legal requirements.
 - 3. Cars of railroad ownership, leased by a Customer for storage of commodities, for intra-plant or intra-terminal switching service, while held on lessee's tracks and car hire (per diem) is not the WTS Railroad's liability.
 - 4. Empty cars ordered and rejected as unsuitable for loading within 48 hours following order date or actual placement date.

SECTION I DEMURRAGE RULES AND CHARGES

ITEM 100 NOTIFICATION TO CUSTOMER

- A. The following notification will be furnished as indicated:
 - 1. Cars for Industrial Tracks
 - a. Notice of constructive placement shall be sent or given if a car is held on tracks of a WTS Railroad at an available hold point or at billed destination due to any condition attributable to the facility served by a WTS Railroad (shipper, consignee, loader or unloader) which prevents the WTS Railroad from making actual placement.
 - b. Delivery of car upon tracks of consignee will constitute notice. The date and time of the placement by the Train Crew's record will govern the chargeable time as described in this tariff. Facility served by the WTS Railroad must review and report discrepancies between facility's inventory and daily ON-LINE INVENTORY within 24 hours of discrepancy to WTS Railroad's Customer Service at the email address listed on the individual WTS Railroad's webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>. If communication is not received within 24 hours, Train Crew's record will govern for application of charges.
 - 2. Cars for Public Delivery Tracks:
 - a. Notice of constructive placement shall be sent or given if a car is held on tracks of the WTS Railroad at an available hold point or at billed destination due to any condition attributable to the shipper, consignee, loader or unloader which prevents the WTS Railroad from making actual placement.
- B. Notification will be furnished in writing, electronically, or via mechanical device, and shall contain:
 - 1. Car initials and number
 - 2. Hold point, if other than billed destination.
- C. When shipper or consignee utilizes an electronic or mechanical device, including fax machines, phone systems and email, to accept messages, notification left on such device will be considered as having been received.
- D. It will be the responsibility of the WTS Railroad served Customer, to notify the WTS Railroad's Customer Service at the email address listed on the individual WTS Railroad's webpage. Webpages may be found at

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

<https://www.watco.com/service/watco-railroads/> Should the WTS Railroad receive a failure to deliver message due to any reason attributable to the receiver, such as invalid fax number or email address, notice will be considered to have been given on any Constructive Placement notice attempted to be delivered (**for fees on faxes, emails and phone calls please review WTS 9011-Series**).

ITEM 110 **NOTIFICATION TO THE WTS RAILROAD**

The WTS Railroad will accept forwarding instructions, empty release information or, other disposition twenty-four hours via EDI, via Shipper Connect, via EWATSS, or via email to the email address listed on the individual WTS Railroad's webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>, or via fax to number 844-476-6725 (**for fees on faxes, emails and phone calls please review WTS 9011-Series**).

All notices to the WTS Railroad are effective upon receipt.

NOTE 1: 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 by the WTS Railroad from the Third-Party.

NOTE 2: It is the origin industry's responsibility to ensure information is received by the railroad.

NOTE 3: A penalty charge will be assessed on cars released prior to being fully unloaded or loaded (see ITEM 315).

ITEM 120 **CARS HELD FOR COMPLETE OR PARTIAL LOADING OR UNLOADING**

LOADING OR UNLOADING: As defined in ITEM 50 of this Tariff.

- A. Private car(s) that are consigned or ordered for delivery to private tracks, while held on railroad tracks under constructive placement, are subject to demurrage/storage provisions and charges as applicable in this Tariff.
- B. Car(s) other than private car(s) that are consigned or ordered for delivery to private tracks are subject to demurrage/storage provisions and charges as applicable in this Tariff while on railroad tracks under constructive placement and while on private tracks.
- C. If ITEM 160 is applicable, this Item will not apply.

COMPUTATION:

- A. Demurrage computation:
 1. Constructive Placement Time will apply from first 12:01 AM after constructive placement until actual placement.
 2. Industry Time will apply from first 12:01 AM after actual placement until release.
 3. Demurrage will apply on railroad owned and controlled car(s) from first 12:01 AM after constructive placement until release from actual placement (Constructive Placement Time and Industry Time combined and continuous).
 4. Demurrage will apply on private car(s) from first 12:01 AM after constructive placement while on railroad tracks until actual placement on private track.
 5. Demurrage will apply on all car(s) from first 12:01 AM after release and removal of loaded cars from private track until forwarding instructions are received.
 6. If an empty car is placed prior to date for which it was ordered, demurrage will apply from the first 12:01 AM of the date for which it was ordered. Demurrage days will then accrue until the car is released.
- B. On reloaded cars, demurrage will apply from the first 12:01 AM after advice is received that the car is empty until car is released as a load; provided if advice that the car is empty is not furnished, demurrage will continue until forwarding instructions are received.

CREDITS: As defined in ITEM 50 of this Tariff.

- A. **Two (2) credits will be allowed for each car that incurred a demurrage day upon release from unloading. One Credit will be allowed for each car upon release from loading. If demurrage day is not incurred, a maximum of one (1) credit will be allowed for each car upon release from unloading.**

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 130 CARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING

APPLICABLE TO CARS HELD:

- A. While awaiting proper disposition from the Customer.
- B. In connection with diversion request
- C. For any other purpose not attributable to the WTS Railroad.
- D. If ITEM 160 is applicable, this Item will not apply.
- E. Cars in Unit Train service, broken into multiple cuts, awaiting placement.

COMPUTATION:

- A. Demurrage computation:
 - a. Constructive Placement Time will apply from the first 12:01 AM after constructive placement until actual placement or disposition advice for re-route to off-line point is received on:
 - i. Cars diverted, reconsigned, refused, reshipped or stopped in transit.
 - ii. Empty cars ordered, constructively placed for loading, and not used in transportation service (other than a rejected car) as referred to in ITEM 325 A.
 - iii. Cars waiting for payment of accrued charges.
 - iv. Cars held for other purpose which is not attributable to the WTS Railroad.
 - v. Cars with excessive lading held for reduction as described in WTS 9011-Series, supplements thereto and successive issues thereto, whichever is applicable.
- B. Industry Time will apply from first 12:01 AM after received by the WTS Railroad until date and time of disposition on:
 - a. Cars received from connecting carriers.
 - b. Private cars returned to railroad tracks.
- C. Industry Time will apply from first 12:01 AM after actual placement until disposition advice is received on:
 - a. Cars reshipped.
 - b. Empty cars actually placed for loading, and not used in transportation service.
 - c. Cars held for any other purpose which is not attributable to the WTS Railroad.
- D. Demurrage will apply on the following from first 12:01 AM:
 - a. Demurrage will apply on railroad owned and controlled car(s) from first 12:01 AM after constructive placement until disposition of refused car(s) (Constructive Placement Time and Industry Time combined and continuous).
 - b. Demurrage will apply on private car(s) from first 12:01 AM after constructive placement while on railroad tracks until actual placement on private track or disposition of refused car(s).
- E. Calculation of charges:
 - a. **Please refer to rate sheet for the WTS Railroad providing service, which can be found at <https://www.watco.com/customer-tools/tariffs/>**

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 140 DEMURRAGE PLAN AND CHARGES

- A. Settlement of charges will be made on a calendar month basis on all cars released during the calendar month.
- B. Credits earned and demurrage days accrued by shippers or consignees having two or more facilities at the same or separate stations cannot be combined.
- C. Credits earned and/or chargeable demurrage days accrued will be calculated separately for the following transactions:
 - 1. Cars held for complete or partial loading or unloading (see ITEM 120).
 - 2. Loaded and empty private cars held on railroad tracks (see ITEM 120).
 - 3. Refused loaded cars (see ITEM 130).
- D. Excess credits on one type transaction cannot be used to offset demurrage days on another type transaction.
- E. Excess credits earned under Special Demurrage Contracts or Agreements cannot be used to offset demurrage calculated per the Tariff.
- F. Excess credits earned in one calendar month may not be used to offset demurrage days in another calendar month.
- G. Demurrage charges will be assessed against the Customer(s) at the facility served by a WTS Railroad and they will be responsible for payment of such charges.
- H. **Calculation of charges:** The tariff or special agreement applied will be that in effect when the car is released.
 - 1. Determine the total number of Chargeable demurrage days [debits] for all cars.
 - 2. Determine the total number of Credits for all cars.
 - 3. If total credits exceed total demurrage days [debits], demurrage charges will not be assessed.
 - 4. If total demurrage days [debits] exceed the total credits, charges will be assessed. Please refer to rate sheet for the WTS Railroad providing service, which can be found at <https://www.watco.com/customer-tools/tariffs/>
- I. Adjustments must be handled through the invoice claim provisions set forth in ITEM 80.
- J. The WTS Railroad **will not** allow relief on demurrage days for a car that has been constructively placed from the order-in date until the car is actually placed.
- K. The applicable charge will accrue on all days except Saturdays, Sundays, and holidays that fall as the first chargeable day. (See ITEM 150)
- L. **The maximum allowed credits for car(s) released before demurrage days are incurred.** If a rail car is released before the demurrage clock begins, there will be a maximum of one (1) credit earned.
- M. Demurrage charges for explosives or hazardous materials, not including TIH/PIH, see charges in ITEM 220 of this tariff.

ITEM 150 HOLIDAYS

Wherever reference is made to “holidays”, it shall mean only the days listed below:

- New Year’s Day** – January 1st (*)
- Memorial Day** – Last Monday of May
- Independence Day** – July 4th (*)
- Labor Day** – First (1st) Monday of September
- Thanksgiving Day** – Fourth (4th) Thursday of November
- Christmas Day** – December 25th (*)

(*) When this date occurs on a Sunday, the following Monday will be observed as the holiday.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 160 CHARGES FOR TOXIC INHALATION HAZARDS OR POISONOUS INHALATION HAZARD (TIH/PIH)

- A. **Spot on arrival:** Rail cars containing Toxic Inhalation Hazard (TIH) or Poisonous Inhalation Hazard (PIH), as defined in AAR Circular No. OT-55, as amended from time to time, must be spot on arrival. In the event a car cannot be placed on Customer controlled tracks or facility upon arrival and the rail car must be held by a WTS Railroad in constructive placement, a charge of **\$2,500.00 per rail car per day**, or fraction thereof, will be assessed until the rail car is actually placed. The charges pertaining to this Item are immediate. There will be no free time or holiday free time. The charges will begin at time of constructive placement and will continue until actual placement.

The WTS Railroad reserves the right to reject railcars at interchange if the customer orders more cars than can be actually placed at the Customer facility.

- B. **Held awaiting “forwarding instructions”** as defined in ITEM 50: When a WTS Railroad is requested to move a car, containing Toxic Inhalation Hazard (TIH) or Poisonous Inhalation Hazard (PIH), as defined in AAR Circular No. OT-55, as amended from time to time, from an industry or team track and the Customer requesting the move has not provided proper forwarding instructions and such car is moved by the WTS Railroad to a railroad track, and is held awaiting proper forwarding instructions, a charge of **\$2,500.00 per rail car per day**, or fraction thereof, will be assessed against the party requesting the move until proper forwarding instructions are received. The charges of this Item are immediate. There will be no free time or holiday free time. The charges will begin on the day car is moved by a WTS Railroad to a railroad track and will continue until proper forwarding instructions are received.

In addition to the above charges, the Customer shall indemnify the WTS Railroad against any and all governmental fines which may be assessed for the holding of rail cars on railroad controlled tracks and the Customer shall be liable for any loss, damage, or delay to equipment or lading caused by an Act of God, a public enemy, the authority of law, labor strikes, acts of civil disobedience, the inherent nature or character of the lading, natural shrinkage, an act or default of the Customer, or from any cause whatsoever which occurs while the equipment and lading is in the actual physical custody and control of the WTS Railroad due to the inability of the Customer to receive equipment or provide proper forwarding instructions, unless it can be proven that carrier’s gross negligence was the cause of same. The Customer will be responsible for any cost incurred by a WTS Railroad for providing protection or surveillance of any commodity provided in this Item while held on a WTS Railroad’s property.

Should payment for charges not be made or reasonable attempts to minimize the holding of TIH/PIH railcars without written agreement, The WTS Railroad reserves the right to embargo the Customer’s facility.

ITEM 161 PROCEDURE ON ANY MAJOR ADJUSTMENTS FOR TIH/PIH CARS:

When a WTS railroad provides any of the following tasks to a TIH/PIH railcar, a charge equating to actual cost plus 100% (minimum \$1,000) will be assessed to the party requesting or requiring these services

- a) A car needs readjusting, reducing, loading or unloading of a shipment
- b) Repair or cleaning equipment, or clean up of leaked/spilled materials
- c) Applying sprays or suppressants to the shipment or contents

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

SECTION II STORAGE RULES AND CHARGES

*(Please contact Railroad's Storage team at storage@watco.com to discuss your railcar storage needs.
It is railroads preference to negotiate a formal storage agreement between the customer and railroad that more specifically
meets the needs of customers.)*

ITEM 200 **INTO OR OUT OF STORAGE SWITCH**

Loaded or Empty railcars switched into or out of storage to be moved between location of storage and either interchange or The Customer's facility, will be charged a fee of **\$200 per car for non-hazardous commodities and \$350 per car for hazardous commodities.**

Railcars switched into or out of storage, chosen by specific equipment ID, rather than by the sequence of storage line entry (**commonly referred to as cherry picking**), will receive an additional charge of **\$350.00 per car.**

ITEM 210 **STORAGE OF LOADED OR EMPTY PRIVATE CARS ON RAILROAD TRACKS**

In lieu of a formal storage agreement between the customer and the WTS Railroad, and only when the WTS Railroad agrees to hold cars in storage rather than demurrage per ITEMS 120 & 130 will the charges outlined below be applicable. **If ITEM 160 is applicable, this Item will not apply.**

COMPUTATION OF CHARGES: Storage charges will be assessed to any railcar which is unable to be placed for loading or unloading at the Patron's facility, or if the total number of railcars in stored status exceeds the Patron's available storage agreement capacity on any particular day. **Storage charges will be assessed at a rate of \$100.00 per car, per storage day for loaded or empty railcars or \$500 per car, per day for all Passenger Equipment.**

STORAGE DAYS WILL COMMENCE: Immediately following arrival of the equipment on the WTS Railroad the car will be considered in storage for each day or fraction thereof that the car is held on the WTS Railroad tracks and continue until equipment is released with proper forwarding instructions.

RESPONSIBILITY FOR CARS: The shipper, receiver, owner or lessee is responsible for the car while in stored status according to the customer storage arrangement in place. Regardless if railcar lease agreement is terminated or transferred and regardless if storage or lease agreement is expired or cancelled, the responsibility for charges will only cease once new agreement is in place for the cars under new contract with new responsible party.

LIABILITY: See WTS 9011 Series.

STORAGE PLAN:

- A. Settlement of charges will be made on a monthly basis for storage during each calendar month.

CALCULATION OF CHARGES:

- A. Total storage days for each car in storage during a calendar month will be determined.
- B. Adjustments must be handled through the railroad error claim provisions set forth in ITEM 80.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 220 HOLDING OF EXPLOSIVES, HAZARDOUS MATERIALS (OTHER THAN TIH/PIH)

In lieu of a formal agreement between the customer and the WTS Railroad for holding hazardous railcars, whether in storage or demurrage per ITEMS 120, 130, & 210, will the charges outlined below be applicable. **If ITEM 160 is applicable, this Item will not apply.**

SUBJECT TO TARIFF BOE 6000 (HAZARDOUS MATERIALS REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION)

APPLICATION:

- A. This Item applies on any loaded car or residue empty car containing Explosives or Hazardous Materials that is held on railroad controlled tracks, which includes Team Tracks.
- B. Explosives are defined as Class A, B and C Explosives as named in Part 172, Commodity List, Tariff Bureau of Explosives (BOE) 6000-Series.
- C. Hazardous Materials are defined in ITEM 50.

COMPUTATION OF CHARGES: Charges will be assessed at a rate of **\$200.00 per car, per day.**

HAZARDOUS STORAGE OR DEMURRAGE DAYS WILL COMMENCE: Immediately following arrival of the equipment on the WTS Railroad the car will be considered in storage for each day or fraction thereof that the car is held on the WTS Railroad tracks and continue until equipment is released with proper forwarding instructions.

RESPONSIBILITY FOR CARS: The shipper, receiver, owner or lessee is responsible for the equipment while in stored status according to the customer storage arrangement in place. Regardless if equipment lease agreement is terminated or transferred and regardless if storage or lease agreement is expired or cancelled, the responsibility for charges will only cease once new agreement is in place for the equipment under new contract with new responsible party.

LIABILITY: See WTS 9011 Series.

PLAN:

- A. Settlement of storage charges will be made on a weekly basis for storage during each calendar month.

CALCULATION OF CHARGES:

- A. Total chargeable days for each car held on railroad controlled tracks during a calendar month will be determined.
- B. Adjustments must be handled through the railroad error claim provisions set forth in ITEM 80.

In addition to the above charges, consignees and shippers shall indemnify the WTS Railroad against any and all governmental fines which may be assessed for the holding of rail cars on railroad controlled tracks and the consignees and shippers shall be liable for any loss, damage, or delay to equipment or lading caused by an Act of God, a public enemy, the authority of law, labor strikes, acts of civil disobedience, the inherent nature or character of the lading, natural shrinkage, an act or default of the shipper/loader, owner or consignee/receiver, or from any cause whatsoever which occurs while the equipment and lading is in the actual physical custody and control of the WTS Railroad due to the inability of the consignee or shipper to receive equipment or provide proper forwarding instructions, unless it can be proven that carrier's gross negligence was the cause of same. Consignees or shippers will be responsible for any cost incurred by the WTS Railroad for providing protection or surveillance of any commodity provided in this Item while held on a WTS Railroad property.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

SECTION III SWITCHING AND MISCELLANEOUS CHARGES

ITEM 300 INTRA-PLANT SWITCHING

At a Customer's request, a WTS Railroad will perform intra-plant switching on loaded or empty cars. Please refer to rate sheet located on page 33. If a WTS railroad holds an exception to the rates shown in the Summary Of Charges page, the exception by railroad will be listed on the pages following the Summary Of Charges.

ITEM 301 INCIDENTAL SWITCHING

An incidental switch fee will be assessed when a WTS Railroad crew must move existing railcars, loaded or empty, out of the way in order to execute the customer's pull and spot instructions or to perform an intra-plant switch. A charge of **\$180/car** will apply with a **maximum of \$1,800 per service**.

ITEM 305 INTRA-TERMINAL SWITCHING

A WTS Railroad will perform intra-terminal switching on loaded or empty cars. Please refer to rate sheet located on page 33. If a WTS railroad holds an exception to the rates shown in the Summary Of Charges page, the exception by railroad will be listed on the pages following the Summary Of Charges.

- a. Empty equipment moving to or from facilities for cleaning, lining, relining, maintenance, modification or repair not immediately preceded by or followed by a revenue movement via the WTS railroad will be assessed a charge of **\$350.00 per car, per movement**.

ITEM 310 INTER-TERMINAL SWITCHING

A WTS Railroad will perform inter-terminal switching on loaded or empty cars. Charge from other carriers will be in addition to the switch fee of the WTS Railroad. Please refer to rate sheet located on page 33. If a WTS railroad holds an exception to the rates shown in the Summary Of Charges page, the exception by railroad will be listed on the pages following the Summary Of Charges.

ITEM 315 IMPROPER RELEASE OF CARS PLACED FOR LOADING OR UNLOADING

When a shipper instructs the release of a car(s) previously placed for loading or unloading, but the WTS Railroad is unable to remove the car(s) because the loading or unloading of the car(s) has not been completed or for other reasons not attributable to the WTS Railroad, the car(s) will remain on demurrage as if the release had not been instructed, and a **charge of \$400.00 per car** will apply on each car, up to a **maximum charge of \$1,200.00 per occurrence**.

When the placement of a car(s) cannot be accomplished due to improper release of car(s) previously placed for loading or unloading or for other reasons not attributed to the WTS Railroad, the car(s) will remain on demurrage as if the car(s) had not been ordered and a **charge of \$400.00 per car** will apply on each car, up to a **maximum charge of \$1,200.00 per occurrence**.

ITEM 320 RELEASE OF CARS WITHOUT FORWARDING INSTRUCTIONS

When a loaded or empty car(s), is released by the Customer, and car(s) are removed from the location of release and are held by carrier awaiting forwarding instructions, a charge of **\$400.00 per car** with a **maximum charge of \$1,200.00 per bill of lading** will be assessed against the Customer taking responsibility for Miscellaneous Charges. If car(s) are subsequently ordered returned to the loader's interchange tracks, the applicable intra-terminal switching charge will be assessed against party requesting the service. **These charges are in addition to demurrage charges. Additional charges may also accrue as stated in WTS Rules Publication 9011-Series, supplements thereto and successive issues thereof, whichever is applicable.**

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 325 EMPTY CARS RETURNED UNUSED

- A. When an empty car is furnished by another railroad for loading by an industry located on a WTS Railroad is refused by the industry because the car is not in proper condition to load and car must be returned to the furnishing railroad, a charge of **\$450.00 per car** will be assessed against the railroad furnishing the car.
- B. When an empty car furnished by any railroad is rejected for loading by an industry located on a WTS Railroad, and returned unused for reasons other than described in (A) above, a charge of **\$450.00 per car** will be assessed against the person, firm or corporation ordering the car.
- C. **APPLIES TO B:** Demurrage will also be charged for all detention, including, Saturdays, Sundays and Holidays from the date and time of actual or constructive placement until released, with no free time allowance.

ITEM 330 EQUIPMENT SUPPLIED FOR SPECIFIC DESTINATION OR JUNCTIONS

- A. Empty cars that are ordered or supplied for specific off-line destination or via specific junctions that are loaded and billed to travel other than ordered or supplied route will incur a charge of **\$500.00 per car**. This charge will be assessed by the WTS Railroad.

NOTE: Charges can also be imposed by other roads involved or car owners. Any such charges will be assessed by the WTS Railroad to the customer in addition to A.

ITEM 335 CARS INTERCHANGED OR DELIVERED TO A WTS RAILROAD IN ERROR (RAILROAD SETBACK)

Loaded or empty car(s) received in interchange by a WTS Railroad;

- A. without billing instructions, or
- B. at an interchange not specified in the billing, or
- C. when the WTS Railroad is not in the route, or
- D. when shipper, consignee or owner changes billing instructions to move car(s) via an outbound carrier other than the WTS Railroad

will be returned to the delivering carrier or forwarded to the proper carrier if interchange with such carrier within the same switching district at a charge of **\$450.00 per car or at the same charge listed in carrier's tariff for which delivery was received in error, whichever is greater.**

Unless otherwise provided, when loaded or empty railcar(s) are received from a connecting rail carrier in error or without necessary forwarding instructions and a WTS Railroad performs linehaul service or when railcars are received at the incorrect interchange location moving in linehaul service (including run-through train service), such movements will be subject to a charge of \$3.00 per mile (\$300 minimum per railcar) to the erring rail carrier to return the railcar(s) to the original interchange point (round trip) or to a subsequent interchange point or destination customer. Forwarding instructions (EDI 404, 417, 418) that contain erroneous information received from another rail carrier that cause additional linehaul movement of traffic, are subject to the same charges. This \$3.00 per mile charge is in addition to error delivery charge listed above in this Item.

In the event that a WTS Railroad receives a railcar for Reciprocal Switching to a closed customer, the WTS railroad will assess an additional \$1500 against the rail carrier that received the bill of lading (EDI 404) from the customer.

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

ITEM 340 INDUSTRY SETBACK

Industry Setbacks will only be accepted while car(s) are in possession of the WTS Railroad.

- A. Upon receipt of a request to return car(s) previously released on the WTS Railroad, the WTS Railroad will perform the service at a charge of **\$350.00 per car**, provided car(s) is within the originating terminal.
- B. If car(s) is no longer in the originating terminal, a charge predicated on the distance traveled on the WTS Railroad between the turning point and point of original release will be assessed as follows:
 1. Up to 75 miles = **\$575.00 per car**
 2. Greater than 75 miles = **\$575.00 per car plus \$3.00 per mile in excess of 75 miles**

ITEM 345 STOP IN TRANSIT

A car from any point on the WTS Railroad that is set-out for any customer requested purpose, is subject to a **\$400 per car charge**.

ITEM 350 SERVICE OUTSIDE NORMAL OPERATING OR SERVICE HOURS

- A. If the WTS Railroad is requested by Customer to furnish necessary locomotive(s) and crew(s) to perform service at other than normal assigned time for a specific location, this Item applies.
- B. Charges will be assessed at a rate of **\$400.00 per hour** or fraction thereof, but not less than **\$3,200.00 per request**. Charges shall be assessed for each request for service, and will be in addition to any other chargeable services performed in connection therewith.
- C. Customer must provide the WTS Railroad personnel advance notice by phone or email. Phone numbers and email addresses may be found at the WTS Railroad's individual webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>. Prior to service being performed, the WTS Railroad must receive communication via one of the previous listed methods confirming the request, listing the initial and number of the car(s) previously furnished by phone.

ITEM 351 SERVICE TO ACCOMMODATE ADDITIONAL CONNECTING RAILROAD HANDLING

- A. The following charge will occur if a WTS Railroad is requested by a connecting rail carrier to furnish necessary locomotive(s) and/or crew(s) to perform services outside any other normal interchange services. Services include, but are not limited to, removal, rotation and/or addition of railcars and/or locomotives.
- B. Charges will be assessed at a rate of **\$400.00 per hour** or fraction thereof. Charges shall be assessed for each request for service and will be in addition to any other chargeable services performed in connection therewith.
- C. Connecting rail carrier must provide the WTS Railroad personnel advance notice by phone or email. Phone numbers and email addresses may be found at the WTS Railroad's individual webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>

ITEM 352 WTS PERSONNEL CALL OUT TO SERVICE CLASS 1 OR CUSTOMER OWNED POWER

- A. The following charges will occur if WTS Railroad personnel are requested by a customer to service a Class 1 or customer owned locomotive
- B. Charges will be assessed at a rate of **\$200.00 per hour/per person** or fraction thereof, **subject to a 4 hour minimum**.
- D. Customer must provide the WTS Railroad personnel advance notice by phone or email. Phone numbers and email addresses may be found at the WTS Railroad's individual webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 355 SPECIAL FREIGHT TRAIN SERVICE

Special freight train service is defined as a train that is operated on an expedited schedule or under special service or transportation requirements specified by the Customer at a charge in addition to the applicable class or commodity rates or fares, or a train that is assembled in accordance with instructions to the WTS Railroad by the Customer. Upon request and at the convenience of the WTS Railroad, special freight train service will be furnished on the WTS Railroad, subject to the charges and conditions specified in this Item.

- A. Charges will be assessed at a rate of **\$125.00 per train mile** over the actual distance operated by the special train, **subject to a minimum of 38 miles or \$4,750.00 for each movement**. Charges shall be assessed for each request for special freight train service, and will be in addition to any other chargeable services performed in connection therewith.
- B. Customer must provide the WTS Railroad personnel advance notice by phone or email. Phone numbers and email addresses may be found at the WTS Railroad's individual webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>. Notice for each special freight train service to be made under this tariff, should provide the WTS Railroad all necessary information as to such special train movement, including consist, date and time of movement, and any other information and instructions pertinent to such movement, allowing sufficient time for the WTS Railroad to consummate whatever arrangements may be necessary to facilitate the movement of such train, including the assembly of equipment, personnel and other incidental requirements. Prior to service being performed, the WTS Railroad must receive written confirmation via email or fax. Listing of email address and fax numbers may be found on the WTS Railroad's individual webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>. Written notification should list the initial and number of the car(s) previously furnished by phone.

ITEM 360 TURNING CARS TO PERMIT LOADING/UNLOADING

When a Customer requests a WTS Railroad turn car(s) for the purpose of loading or unloading, a turning charge of **\$575.00 per car** will apply for each car that the WTS Railroad turns.

- a. If the WTS Railroad cannot turn a car, the car will be returned to the interchange carrier in which it was received. Car(s) would be subject to and Inter-Terminal Switch charge. Charges of other carriers would be in addition to the charges of the WTS Railroad.

ITEM 365 EMPTY CAR SWITCHING

When a Customer requests a WTS Railroad return a previously received empty car to interchange within the switching district/terminal, a charge of **\$325.00 per car** will apply. This Item applies to all equipment, including but not limited to private car and tank car equipment. This Item excludes empty cars that fall under the provisions of ITEM 325.

- a. When a customer requests a WTS railroad to return a previously received empty car to an interchange outside the switching district/terminal, the railcar is subject to a revenue empty charge per the WTS Railroad's revenue empty tariff.
- b. When a customer requests a WTS railroad to interchange an empty railcar to a station other than the station it was originally received (i.e. not traveling reverse route), the railcar is subject to a revenue empty charge per the WTS Railroad's revenue empty tariff.

ITEM 370 ABSORPTION OF CONNECTING LINES' SWITCHING CHARGES

If absorption is not specifically mentioned in freight charge publication, any and all connecting lines' switching charges will not be **absorbed by the WTS Railroad**. To the extent switching charges **are not absorbed**, such charges will be assessed against the consignor or consignee in addition to all other applicable charges. For absorption amount, please refer to the freight transportation pricing.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 375 DIVERSION CHARGES

General Application:

- A. When the WTS Railroad has taken physical possession of the car(s) from a connecting carrier or on-line served facility.
- B. Diversions will only be accepted from;
 - a. Payer of Freight
 - b. Authorized Representative/Agent of the Payer of Freight
 - c. Shipper
 - d. Consignee
 - e. Car owner/Lessee
- C. Diversion will not be accepted
 - a. After car has been interchanged to a connecting carrier
 - b. After actual placement
 - c. Require the WTS Railroad to perform Back hauls or Out-of-Line hauls
 - d. If car is already in an interchange block
 - e. If car is non-revenue empty
- D. The WTS Railroad reserves the right to reject a diversion request for any reason.
- E. The WTS Railroad will make diligent effort to effect desired diversion when the car is in the WTS Railroad's possession.
 - a. The WTS Railroad will not assume any responsibility after a car has been classified or assembled into a train for movement, or if car has been "pre-blocked" or "run-through" train service.
 - b. The WTS Railroad will not be responsible for executing a diversion order on a specified day or time of day.
 - c. The WTS Railroad will not be responsible for increased charges when the diversion cannot be accomplished at the desired locations.
- F. The WTS Railroad personnel must receive advance notice by phone at 866-889-2826.
- G. Once The WTS Railroad personnel approves diversion, the WTS Railroad must receive an email at the address found on the WTS Railroad's individual webpage. Webpages may be found at <https://www.watco.com/service/watco-railroads/>. The email should confirm request with details of where to send charges before diversion will be completed.
- H. Cars diverted prior to arrival of car at billed destination shall be charged a rate of **\$350.00 per car** as well as the otherwise applicable charges for the move.

ITEM 380 PRIVATE CAR APPLICATION FOR RAILROAD MARKED CARS

WTS is aware that shippers and/or consignees may sometimes lease railcars from other railroads for shipments that may originate or terminate on a WTS Railroad. Such railcars normally contain the reporting marks of the lessor railroad. In order to avoid the assessment of demurrage charges by the WTS Railroad, when such railcars are located on private or leased tracks, on a WTS Railroad's rail lines, it is necessary that shippers apply to and receive the approval of the WTS Railroad for the designation of such cars as "private" cars for the purposes of demurrage or storage. The WTS reserves the right to assess demurrage and storage charges while cars designated as private are on railroad owned tracks.

- A. Shipper and/or consignee must submit a written request to the WTS Railroad not less than thirty (30) days prior to the date that the "private" car designation for railroad marked equipment should take effect to Carhire@watco.com. The request must include:
 - a. Name of Shipper and/or Consignee leasing the railcars;
 - b. Name of lessor railroad;
 - c. Listing of the reporting marks of the railcars being leased and railcar type(s);
 - d. Length of time requested for the private railcar designation;
 - e. Copy of applicable railcar lease (upon request of the WTS Railroad);
- B. The WTS Railroad will provide a written reply to each request within thirty (30) days of receipt of the request. The WTS Railroad, in its sole discretion may accept or reject the request in whole or in part. The WTS Railroad may accept a smaller number of railcars than requested and/or for a shorter amount of time.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 385 PRIVATE CAR MILEAGE

WTS Railroads are not a party to the RIC 6007 SERIES Tariff covering private car mileage, therefore does not pay private car mileage without signatory contracts that supersede this tariff.

ITEM 390 EMBARGO/OPSL NOTE CARS INTERCHANGED IN ERROR

Railcars interchanged to a WTS Railroad which have received an embargo or OPSL note error message, also known as an 824 EDI message, will be subject to a charge of **\$1700.00 per car**. This charge will be assessed to the first linehaul carrier by whom the transportation waybill, also referred to as a 417 EDI message, was originated.

ITEM 395 CARS SWITCHED OUT OF CONSTRUCTIVE PLACEMENT

Cars put into Constructive Placement outside of their waybilled movement due to Customer's inability to accept delivery of cars at the destination industry, will be charged a fee of **\$180.00 per car** to switch the car out of Constructive Placement.

ITEM 400 WEIGHING

A charge of **\$150.00 per car** when scale is en-route of movement and no additional switching is required, **\$400.00 per car** for out of route movement to weigh. Weigh charges are in addition to any other chargeable services performed in connection therewith.

ITEM 405 OVERSIZED LOADS

An overloaded car is defined as a rail car for which either the net weight (actual weight of freight including all other materials incidental to the movement of the goods) is in excess of the car's authorized load limit (as listed in Universal Machine Language Equipment Register-UMLER), or the gross weight (combined weight of railcar and freight including all other material incidental to the movement of the goods) is in excess of the track weight limitations at any point along the route of movement. To determine track weight limitation at any point along the route of movement for carrier(s), you can access the following link and click on the "Track Capacity Map" for the railroad carrier being reviewed: <http://www.watcocompanies.com/railroads.htm>

If car is overloaded, shipper is responsible for the removal and disposal of the excess portion of the lading of the car. Carrier(s) will not be responsible for damaged goods, or loss of lading resulting from the process of removing excess portion and carrier(s) will not assume responsibility for the proper loading or unloading of any lading into or out of a car containing excessive lading. All charges referred to are assessed as a deterrent to the unsafe practice of overloading rail cars and are not connected in any way with the line-haul transportation charges. These charges are not freight or "or other lawful charges" within the meaning of Section 7 of the Bill of Lading, and the execution of Section 7 will not in any way relieve the shipper from the responsibility for the charges set forth in this Item.

If shipper does not produce a certified weight document, in a form acceptable to applicable carrier, indicating that the excess tonnage has been removed from each car, weighing charges for each overloaded car, including applicable switch charges as published in applicable carrier's Tariff covering switching charges, will be assessed against the shipper in addition to all other charges named in this publication.

If a car is found to be overloaded at origin after having been removed from industry or if a car is found to be overloaded at railroad tracks where loaded or if a car is found to be overloaded after the car has departed the origin station, the overloaded car(s) will be placed at a point of carrier's choosing until the excess lading is removed and will be subject to a **surcharge of \$750.00 per car, and an intra-terminal switch charge (if point is on a WTS carrier), or an inter-terminal switch charge (if point is on a carrier other than a WTS carrier, but within the switch limits)** as provided in applicable carrier's Tariff covering switch charges, and the applicable freight charges. Shipper will be notified via telephone, fax or by an electronic means and shall remove the excess lading at the operating convenience of applicable carrier. Cars found to contain excess lading at origin will remain on continuous demurrage under the provisions found in applicable carrier's Tariff covering demurrage charges, until the excess lading is removed.

If the shipper fails or refuses to arrange to have the excess lading removed from each car within one hundred and twenty (120) hours from the date and time of notification, carrier(s) may, at its discretion, arrange for removal and disposal of the lading in

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

excess of the weight limit needed to allow the car to continue safely to destination. The shipper will be assessed and pay actual cost of removal and disposal to the party removing the lading from the car. If shipper/consignor has not commenced reducing the excess portion from each car after two hundred and forty (240) hours from the date and time of notification, the lading in the car will have been deemed abandoned and carrier(s) may, at the option of carrier's Freight Claim Department sell or dispose of the lading. All charges (switching, weighing, demurrage, reduction and disposal expense) resulting from the overloaded car, will be deducted from the proceeds of sale.

If a car found to be overloaded can be safely moved, or is discovered as overload at destination, a surcharge of \$750.00 per car will be applicable.

ITEM 406 **PROCEDURE ON UNSAFE OR IMPROPERLY LOADED RAILCARS:**

When a railcar is deemed unsafe based on the criteria below, a penalty of \$10,000 may be assessed to the Shipper, in addition to any additional costs incurred by the WTS railroad.

- a) A car is imbalanced or has a shifted load
- b) A car is spilling, leaking or dusting
- c) A car containing TIH/PIH commodities or residue is identified moving on the WTS railroad line for which shipping instructions were not regulatory compliant

ITEM 410 **CLOSING DOORS**

Loaded cars will not be moved unless all doors, hatches, outlet gate doors on covered hoppers, gates and tie-down devices are secured. Additional Intra-Terminal Switch charges will apply if any subsequent trips to the customer are necessary due to doors, etc., not being secured. On empty or loaded cars, when it becomes necessary for the Carrier or their contractor, to close or open doors, hatches, gates, outlet gate doors on covered hoppers, or secure tie-down devices, charges will be assessed against the customer releasing said car. This service is provided at the convenience and discretion of the WTS and a charge of **\$210.00 per door** handled will apply.

ITEM 415 **PENALTY TIME**

After the expiration of five (5) days, cars held on railroad tracks awaiting disposition will be assessed a penalty hold charge of **\$50.00** per day for each day in excess of five (5) days until disposition is given. The penalty hold charge will be in addition to all other charges.

ITEM 420 **LOCOMOTIVES, DEAD, ON OWN WHEELS**

The applicable charge for switching locomotives, dead on their own wheels will be **\$800.00**, unless specified in another item or publication.

ITEM 425 **HEAVY DUTY FLAT CAR**

When a flat car of mechanical designation FG or FW of any capacity, or a flat car of mechanical designation FM of 151,000 pounds or more capacity is ordered or appropriated by shipper and used to transport any freight at or between stations reached by the WTS Railroad, a charge of **\$650.00** per car will be assessed for each loaded movement in addition to applicable tariff rates or charges. When a flat car of mechanical designation FD of any capacity is ordered between stations reached by the WTS Railroad, a charge of **\$2,000.00** per car will be assessed for each loaded movement in addition to applicable tariff rates or charges.

Note: For description of mechanical designations mentioned herein, see Official Railway Equipment Register

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

ITEM 430 ADVERSE ROUTING

When a railcar(s) moves adverse to the specified routing or interchange listed with the WTS railroad below, the railcar(s) in violation will incur additional fees and penalties. Fees and penalties shall be the responsibility of the party submitting the Bill of Lading.

This penalty will not apply to railcars interchanged between DREI & CN at NEOGA, IL and originating or terminating on stations between Neoga and Metcalf. Stations beyond Metcalf will still be subject to additional fees and penalties.

WTS Railroad	Approved Interchange Partner	Approved Interchange Station
DREI	CSXT	Terre Haute Duane (TERHA)
SLWC	BNSF	Oklahoma City (OKLCY) *see customer list

*SLWC Customer List:

Customer Name	Station	Customer Name	Station
Mid States Wholesale Lumber	Oklahoma City, OK	Cooper Natural Resources	Oklahoma City, OK
International Paper	Oklahoma City, OK	January Environmental Services	Oklahoma City, OK
Transload & Logistics	Oklahoma City, OK	Northwest Rubber OKC Warehouse	Oklahoma City, OK
Producers Cooperative Oil Mill	Oklahoma City, OK	Heritage Crystal Clean LLC	Oklahoma City, OK
Malarkey Roofing Products	Oklahoma City, OK	D&M Distribution Services	Wheatland, OK
Central Plains Cement	Oklahoma City, OK	Asphalt & Fuel Supply	Wheatland, OK
Washita Valley Enterprises Inc	Oklahoma City, OK		

ITEM 435 ORDERING EMPTY CARS IN FOR PLACEMENT BY SPECIFIC CAR NUMBER

When empty cars are held for loading, and customer requests such cars for placement by specific car number (as opposed to ordering in “any empty cars” or “the next cars in line”), then an “Ordering Empty by Car Number” a charge of **\$200 per car** applies. When cars are ordered out of storage by specific car number, applicable charges may be found in Item 200 of this Tariff.

ITEM 440 ARTICULATED CARS

For all articulated cars, any applicable charges listed in this tariff or WTS 9011 will be doubled and applied to each car.

ITEM 445 DUNNAGE AND SHIPPING DEVICES OR CONTAINERS:

When shipments are made in shipper’s racks, crates, trays, bins, etc., the return movement of the empty racks, crates, trays, bins, etc., shall be deemed as a revenue empty movement and may be subject to a rule 11 charge for the return. If a car containing racks, crates, trays, bins, etc., is placed at a customer’s facility and all are removed as well as there being no loaded movement in connection with the cycle, the initial movement of the car to the customer shall be deemed as a loaded railcar movement and linehaul charges may be assessed accordingly.

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

SECTION IV UNIT TRAIN SERVICES

ITEM 500 CHANGES AND CORRECTIONS

When a WTS railroad is required to make changes to the billing or shipping instructions prior to movement, a charge of **\$500 per train** will be assessed to the Customer requesting the change, or the party requiring the service.

Any changes to the billing or shipping instructions that take place after the shipment has been picked up by the WTS railroad will incur a charge of **\$3600 per train**. Charges will be assessed to the Customer requesting the change, or the party requiring the service. **This charge will be in addition to diversion charges in item 375 of this tariff.**

ITEM 510 ADDITIONAL CUT CHARGES

The rates on unit train shipments include the placement of the entire unit train (empty or loaded) in one cut at shipper or consignee's facility. When due to shipper or consignee's inability to take delivery of the entire unit in one cut for loading or unloading, any additional cuts provided by a WTS Railroad will be assessed at a charge of **\$8,500.00 per cut**, which will be in addition to the line-haul charges.

ITEM 520 ASSET USE FOR LOADING AND UNLOADING

**A Unit Train is a consist with a single origin and single destination capable of loading/unloading and returning to the interchange point within 24 hours or less, including all transit time, loading, prepping, billing, etc. Anything over 24 hours will/could constitute additional charges/fees such as dwell times for freight cars and locomotive uses.*

Free time to load or unload a unit train is included within your quote. When a facility served by a WTS railroad requires more time to load or unload or cannot accept a train for loading or unloading upon offering, a WTS locomotive asset use fee of **\$250 per hour or fraction thereof, per locomotive** will be assessed to the payer of freight or the party responsible.

If WTS locomotive free time is not specified in a Customer's agreement, the standard will be 6 hours of free time for loading, and 8 hours of free time for unloading.

**Asset use for railcars being held for loading or unloading will be calculated under section I & II of this tariff.*

When a facility served by a WTS railroad loads/unloads unit trains **utilizing Class 1 locomotive power**, the unit train must be loaded/unloaded and returned to interchange within 24 hours of the Class 1 interchanging the unit train to the WTS railroad. If the unit train cannot be interchanged back to the Class 1 railroad within 24 hours of the initial handoff, any Class 1 locomotive, freight car or associated fees charged for time in excess of 24 hours to the WTS railroad shall be billed back to the WTS customer loading/unloading the unit train

ITEM 530 DEADHEAD DELIVERIES AND PICK-UPS

When at the WTS Railroad's discretion or at the written request of the Customer, locomotive(s) are not to remain with the unit train, the crews return to the facility, and/or the return of the locomotive(s) to pick up the train, also referred to as deadhead moves, will be subject to a charge of **\$2800 per occurrence**.

ITEM 540 ADDITIONAL TRAIN CREWS

Unit train services offered by a WTS Railroad are inclusive of only one crew, unless otherwise stated in a Customer contract. If a WTS railroad is required to supply more than one crew, a charge of **\$2500 per additional train crew** will be assessed.

FREIGHT TARIFF WTS 9012

ACCESSORIAL & SWITCHING TARIFF

ITEM 550 HOLDING A UNIT TRAIN EN-ROUTE

When a unit train must be held on a WTS Railroad for reasons including, but not limited to, a customs hold, destination cannot accept the train, or when at the sole discretion of the WTS Railroad, it is determined that the unit train in question would negatively impact network fluidity by continuing towards destination, a “Unit Train Held” notice will be issued to the payer of freight or responsible party. Hold fees of **\$600 per hour** will begin once the train is staged, and the chargeable time ends when the unit train is released from hold. There is no free time provided for holding a unit train.

If the WTS Railroad is required to remove the locomotive(s) from the train, hold fees will be in addition to a power removal fee of \$5500 per occurrence. Immediate return of the locomotive(s) is not guaranteed, however the WTS railroad will make a best effort to get power back to the train.

If the shipper or consignee is requesting to hold a unit train, but is not the payer of freight, the request must be made in writing by the payer of freight, and must include agreement to accept and pay additional fees associated with this tariff.

ITEM 560 BUFFER CARS

Buffer cars between the locomotive and cars containing hazardous commodities are required in unit train service. It is the responsibility of the shipper at origin, or the consignee at destination to block the unit train for departure in accordance with this requirement. The WTS Railroad reserves the right to reject unit trains that are not blocked properly at interchange or do not have buffer cars. The party responsible for blocking the unit train may be assessed additional fees if requirements are not met and additional services are required by the WTS Railroad. If additional switching is required to add buffer cars, a charge of **\$550 per car** will be assessed in addition to any hold fees that may apply.

Buffer cars should be stored at the customer facility and will be subject to demurrage if held on a WTS Railroad’s tracks.

ITEM 570 BUFFER CAR REQUIREMENTS

- Equipment: Covered Hopper or Box Car
- Equipment Size: Cars less than 32 feet cannot be coupled to a car longer than 65 feet and/or cars less than 41 feet cannot be coupled to a car longer than 80 feet.
- Commodity: Ballast Rock or Stone; Sand; Pebbled; NEC; Industrial Sand
- Minimum Weight: 90,000 lbs.
- Charge for Movement: A charge of \$300 per car will be assessed to the payer of freight when in linehaul service, or to the Customer receiving service from the WTS railroad when in switching or handling carrier service. Charge will only be applicable when buffer car movement is in conjunction with a loaded unit train movement.

ITEM 580 TURNING OF PTC OR DP LOCOMOTIVES

When Positive Train Control (PTC) or Distributed Power Leader (DP) equipped locomotives are provided as run-through power to a WTS Railroad, and those locomotives require turning service in order to put the PTC or DP equipped locomotive as the lead locomotive to be interchanged back the railroad providing power, a charge of **\$575 per locomotive** will apply to the party requesting the turn. This charge will only apply if operationally agreed upon by the WTS railroad.

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

SECTION V LOSS & DAMAGE LIABILITY

ITEM 600 TIME LIMIT FOR FILING LOSS OR DAMAGE CLAIMS

Loss or damage discovered other than between 8:00 am and 5:00 pm, Monday-Friday shall be reported no later than 24 hours following unloading from the railcar by email to watcofreightclaims@watco.com or online at <https://www.watco.com/>. Saturdays, Sundays, and Holidays are excluded. Claims for loss or damage to cargo, commodities and/ or freight must be filed online at <https://www.watco.com/customer-tools/>, and received by the WTS Railroad within 9 months after the date of delivery of the shipment to destination. In the event that a claim is denied, suits for recovery must be filed within 2 years and 1 day after notice of claim denial was given in writing.

ITEM 610 MINIMUM AND MAXIMUM LIABILITY

Claims filed by the Shipper for \$250 or less for damage or cargo loss will not be accepted or paid by the WTS Railroad in which the claim was filed. In addition, the Shipper hereby waives any and all recovery, remedies and/or rights with respect to such claims. The WTS Railroad will hold a **maximum liability for loss or delay of, or damage to, the freight is \$100,000**. Claim reimbursement will be at the manufacturing cost, not at retail price.

Liability of shortage of goods shall be conditional upon evidence of unauthorized entry into the railcar while it is in the possession of the WTS Railroad.

ITEM 620 RIGHT TO SELL ABANDONED, REFUSED, OR UNCLAIMED PROPERTY

Freight that is abandoned by the Consignor and Consignee, or Refused by the Consignor and the Consignee, or unclaimed within 15 days after notice is issued to the Consignor and Consignee may be sold by the WTS Railroad in accordance with applicable law. The proceeds of any sale will be applied to the payment of all transportation and other lawful charges and expenses incurred by the WTS Railroad and any balance will be paid to the owner of the freight sold the WTS Railroad.

ITEM 630 CARGO SEALS

The WTS Railroad does not furnish, apply, verify, or inspect seals. When seals are applied, all doors, hatches, valves and other openings on the railcar must be sealed. Consignor must include each seal number and the name of the employee applying the seal(s) in its Shipping Instructions. The WTS Railroad will not honor claims for loss, damage, or contamination of railcar contents based solely on the absence of one or more seals at the time of delivery at destination. Claims for loss or damage are honored only when there is clear and convincing evidence of actual loss, damage, or contamination other than the mere absence of one or more seals, or apparent compromise of a seal that was applied before movement. The WTS Railroad reserves the right to audit, at the WTS Railroad's expense, the Consignor's on-site seal records.

FREIGHT TARIFF WTS 9012 ACCESSORIAL & SWITCHING TARIFF

SECTION VI RECIPROCAL SWITCHING SERVICE

ITEM 700 **RECIPROCAL SWITCHING**

Each WTS Railroad that participates in reciprocal switching service will have interchange partners and rates listed in a reciprocal switching supplement. The reciprocal switching supplements may be found at <https://www.watco.com/customer-tools/tariffs/>, or at the end of this publication. Reciprocal switching is not applicable for Dimensional, Heavy or High-Wide shipments.

ITEM 800 **DIMENSIONAL, HEAVY or HIGH-WIDE SHIPMENTS**

All Clearance Requirements must be met before shipment arrives on the WTS railroad. Please consult your Sales Representative for a current market freight rate quote. Please see Conditions of Carriage tariff WTS 9011 item 480 for Dimensional, heavy or high-wide clearance procedures for moving shipments via a WTS railroad.

FREIGHT TARIFF WTS 9012

SUMMARY OF CHARGES

Item	Description	Charges(s)	Item	Description	Charges(s)
80	False Invoice Claims	\$50/car	345	Stop in Transit	\$400/car
120	Demurrage Days for Loading or Unloading	\$100/day	350	Service Outside Normal Operating or Service Hours	\$400/hour \$3200 min/request
	All Equipment Other Than Exceptions		355	Special Train Service	\$125/mile \$4750 min
	Loading – 1 Credit		360	Turning Cars	\$575/car
	Unloading – 2 Credits		365	Empty Car Switching	\$325/car
120	Demurrage Days for Loading or Unloading	\$150/day	375	Diversion	\$350/car
	TTX National Pool Boxcars		390	Embargo/OPSL Note Interchanged in Error	\$1700/car
	Loading – 1 Credit		395	Cars Switched Out of Constructive Placement	\$180/car
	Unloading – 2 Credits		400	Weighing – En Route	\$150/car
120	Demurrage Days for Loading or Unloading	\$200/day	400	Weighing – Out of Route	\$400/car
	Equipment used for moves requiring formal clearance		405	Oversized Load Surcharge: Does not Include Freight Charges	\$750/car
	Loading – 1 Credit		410	Closing Doors	\$210 per door
	Unloading – 2 Credits		415	Penalty Time More Than 5 Days Awaiting Disposition	\$50/day
130	Demurrage Days for Anything Other Than Loading or Unloading	\$100/day	420	Locomotive, Dead, On Own Wheels	\$800.00/loco
	1 Credit Upon Disposition		425	Heavy Duty Flat Cars Mechanical Designation – FG or FW	\$650/car
160	Charges for TIH/PIH Held by Railroad	\$2500/day	425	Heavy Duty Flat Cars Mechanical Designation – FD	\$2000.00/car
200	In/Out of Storage Switch (Non-Haz)	\$200/car	435	Ordering Empty Cars in for Placement by Specific Car Number	\$200/car
200	In/Out of Storage Switch (Haz)	\$350/car	500	Changes & Corrections Unit Train Billing – Prior to Movement	\$500/train
210	Storage of Private Cars on Railroad Tracks	\$100/day	500	Changes & Corrections Unit Train Billing –After Movement	\$3600/train
220	Storage of Explosives or Hazardous (Non TIH/PIH)	\$200/day	510	Additional Cut Charges	\$8500/cut
300	Intra-Plant Switching (Non-Haz)	\$180/car	520	Asset Use for Loading and Unloading	\$250/hr
300	Intra-Plant Switching (Haz)	\$230/car	530	Deadhead Deliveries and Pickups	\$2800/occurrence
301	Incidental Switching	\$180/car Max \$1,800/service	540	Additional Train Crews	\$2500/crew
305	Intra-Terminal Switching (Non-Haz)	\$400/car	550	Holding Unit Train En-Route:	\$600/hr
305	Intra-Terminal Switching (Haz)	\$500/car	550	Holding Unit Train En-Route:	\$5500/occurrence
310	Inter-Terminal Switching (Non-Haz)	\$400/car	560	Supply Buffer Cars	\$550/car
310	Inter-Terminal Switching (Haz)	\$500/car	570	Movement of Buffer Cars	\$300/car
315	Improper Release of Railcars	\$400/car \$1200 max	580	Turning of PTC Equipped Locomotives	\$575/car
320	Release Without Forwarding Instructions	\$400/car \$1200 max			
325	Empty Cars Returned Unused	\$450/car			
330	Equipment for Specific Destinations or Junctions	\$500/car			
335	Cars Interchanged in Error	\$450/car			
340	Industry Setback (In Terminal)	\$350/car			
340	Industry Setback (Out of Terminal)	\$575/car			
340	Industry Setback (Out of Terminal) Greater than 75 miles	\$575/car plus \$3.00/mile			



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

ALABAMA SOUTHERN RAILROAD – ABS ARKANSAS SOUTHERN RAILROAD – ARS LOUISIANA SOUTHERN RAILROAD – LAS VICKSBURG SOUTHERN RAILROAD - VSOR

Item	Description	Charges(s)
120	Demurrage – Railroad Owned	\$90 per day
120	Demurrage – Empty Private on RR Tracks	\$50 per day
120	Demurrage – Start Time	7:01 AM
150	Holidays	Thanksgiving, Christmas, New Year's Day
210	Storage – Loaded Private	\$90 per day 1 Credit
210	Storage – Empty Private	\$50 per day 1 Credit
210	Storage – Hazmat (Non TIH/PIH)	\$150 per day
210	Storage – All Other	\$90 per day
300	Intra Plant Switch	\$160 Non Haz \$200 Haz
305	Intra Terminal Switch	\$395 Non Haz \$450 Haz
315	Improper Release	\$200 per car
325	Empty Car Returned Unused	\$395 per car
335	Railroad Setback	\$241 per car
340	Industry Setback – Within Terminal	\$350 per car
340	Industry Setback – Another Carrier Needed	Additional \$350
340	Industry Setback – Less than 100 miles	\$575 per car
350	Service Outside Normal Hours	\$315 per hour \$2520 min
355	Special Freight Train Service	\$95 per mile \$3800 min
360	Turning Cars	\$750 per car
375	Diversion – Prior to Arrival	\$225 per car
375	Diversion – After Arrival	\$300 per car
405	Oversized Load	\$800 per car
420	Loco Dead on Own Wheels	\$790 per loco

AUSTIN WESTERN RAILROAD - AWRR

Item	Description	Charges(s)
120	Demurrage	See Pages 3-5 below

EASTERN IDAHO RAILROAD – EIRR

120	Demurrage	See Pages 3-5 below
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ELWOOD, JOLIET & SOUTHERN RAILROAD - EJSR

Item	Description	Charges(s)
120	Demurrage Days for Loading or Unloading	\$170
130	Demurrage Days for Anything Other Than Loading or Unloading	\$170
210	Storage of Private Cars on Railroad Tracks	\$120
220	Storage of Explosives or Hazardous Materials (Non TIH/PIH)	\$220

GREAT NORTHWEST RAILROAD - GRNW

120	Demurrage	See Pages 3-5 below
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JACKSONVILLE PORT TERMINAL RAILROAD - JXPT

305.a	Intra-Terminal Switching Empty Equipment for Maintenance/Cleaning	\$135/car
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FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

PALOUSE RIVER & COULEE CITY RAILROAD - PCC

Item	Description	Charges(s)
120	Demurrage	See Pages 3-5 below

KAW RIVER RAILROAD - KAW

120	Demurrage	See Pages 3-5 below
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KANSAS & OKLAHOMA RAILROAD - KO

120	Demurrage	See Pages 3-5 below
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LUBBOCK AND WESTERN RAILWAY - LBWR

120	Demurrage	See Pages 3-5 below
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PECOS VALLEY SOUTHERN RAILWAY - PVS

120	Demurrage	See Pages 3-5 below
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SOUTH KANSAS AND OKLAHOMA RAILROAD - SKOL

120	Demurrage	See Pages 3-5 below
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STILLWATER CENTRAL RAILROAD - SLWC

120	Demurrage	See Pages 3-5 below
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SWAN RANCH RAILROAD - SRRR

120	Demurrage	See Pages 3-5 below
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TEXAS AND NEW MEXICO RAILWAY - TXN

120	Demurrage	See Pages 3-5 below
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WISCONSIN & SOUTHERN RAILROAD - WSOR (continued)

Item	Description	Charges(s)
200	Into or Out of Storage Switch via CN @ Slinger CP @ Milwaukee CP @ Janesville CP @ Madison UP @ Granville UP @ Janesville	\$300/car
200	Into or Out of Storage Switch via Chicago	\$600/car
200	Cherry Picking via Mazomanie or Oregon, WI	\$500/car
200	Cherry Picking via Kiel, WI	\$600/car
200	Cherry Picking (all others)	\$350/car
325	Empty Cars Returned Unused When over Chicago Interchange	\$600/car
330	Equipment for Specific Destinations WSOR marked covered hoppers, supplied for online move, loaded and billed to travel offline	\$1000 per car
335	Interchange/Delivery Error When over Chicago Interchange	\$4.50 per mile



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

AGAWA CANYON RAILROAD ULC (ACR)

Item	Description	Charges(s)
120	Demurrage – Private Cars, loaded or empty	\$90/day
120	Demurrage – Railroad Cars, loaded or empty	\$175/day
120	Demurrage – Hazmat Cars	\$230/day
120	Demurrage – TIH/PIH Cars	\$3,000/day
120	Demurrage Credits	One (1) credit will be allowed for each car Released from Unloading,
300	Intra-plant Switching	\$250/car
301	Incidental Switching	\$250/car max \$2,500 per service

FOX VALLEY & LAKE SUPERIOR RAIL SYSTEM LLC (FOXY)

Item	Description	Charges(s)
120	Demurrage – Private Cars, loaded or empty	\$90/day
120	Demurrage – Railroad Cars, loaded or empty	\$175/day
120	Demurrage – Hazmat Cars	\$230/day
120	Demurrage – TIH/PIH Cars	\$3,000/day
120	Demurrage Credits	One (1) credit will be allowed for each car Released from Unloading,
300	Intra-plant Switching	\$250/car
301	Incidental Switching	\$250/car max \$2,500 per service



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

MISSISSIPPI SOUTHERN RAILROAD – MSR		
Item	Description	Charges(s)
120	Demurrage – Private or Railroad Owned	\$130 per day
120	Demurrage Credits	One (1) credit will be allowed for each car Released from Unloading, EXCEPT two (2) credits will be allowed on covered hopper cars containing Grain STCC 01-XXX-XX or Soybean Meal STCC 2092314
120	Demurrage – Start Time	7:01 AM
150	Holidays	New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving,, Christmas Eve, Christmas Day, New Year’s Eve
210	Storage – Loaded or Empty Private	\$110 per day 1 Credit
210	Storage – Hazmat (Non TIH/PIH)	\$110 per day
210	Storage – All Other	\$110 per day
300	Intra Plant Switch	\$210
305	Intra Terminal Switch	\$515
310	Inter Terminal Switch	\$515
315	Improper Release	\$200 per car
325	Empty Car Returned Unused	\$515 per car
335	Railroad Setback	\$300 per car
340	Industry Setback – Within Terminal	\$515 per car
340	Industry Setback – Another Carrier Needed	Other carrier’s charges will be in addition to the \$515 per car
340	Industry Setback – Less than 100 miles 101-499 miles 500-1000 miles	\$575 per car \$1,130 per car \$2,000 per car
350	Service Outside Normal Hours	\$4,000 per event
355	Special Freight Train Service	\$120 per mile \$18,000 minimum
360	Turning Cars	\$750 per car
375	Diversion – Prior to Arrival	\$300 per car
405	Oversized Load	\$920 per car
420	Loco Dead on Own Wheels	\$790 per loco



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

RINGNECK & WESTERN RAILROAD LLC (RWRR)		
Item	Description	Charges(s)
120	Demurrage	\$48/day after expiration of (24hrs) free time
120	Demurrage	Wheat (01137) in BNSF equipment \$48/day after expiration of (48hrs) free time
150	Holidays	New Years Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day & Christmas Day
300	Intra Plant Switch	\$125/non-haz \$150/hazardous (STCC series 28, 29, 48 & 49)
305	Intra Terminal Switch	\$200/car
335	Cars Interchanged in Error (Railroad setback)	\$150/car
350	Service Outside Normal Operating Hours	\$1100 per request Additional \$250/hr for services over 4 hours
355	Special Train Services	\$2000 per request Additional \$300/hr for services over 8 hours
360	Turning Cars	\$125/car en route \$250/car out of route
375	Diversion	\$225/car if car has not reached destination station \$300/car if car has reached destination station but has not been spotted \$375/car if car has reached destination station and has been spotted
400	Weighing	\$125/car en route \$250/car out of route
405	Oversized Loads	\$350/car in addition to ITS charge
520	Asset Use for Loading and Unloading	If RWRR's locomotive power is required to load non-BNSF unit train grain shuttles the following hourly rate(s) will apply First 2 hours: \$0.00 Hours 2 to 4: \$200/hr \$100/hr for each additional hour past 4 hours.



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

TEXAS COASTAL BEND RAILROAD LLC (TCBR)		
Item	Description	Charges(s)
160	Charges for TIH/PIH	\$10,000/car per day
210	Storage – Private cars non-hazardous	\$85/car per day (empties or loads)
210	Storage – Hazardous materials	\$175/car per day (EXCLUDES TIH/PIH)
300	Intra-Plant Switch	\$232/car
305	Intra-Terminal Switch	\$256/car
315	Improper release of cars placed for loading or unloading	\$637/car * applicable for empty/loaded cars released but not able to pull and empty/load cars ordered in but unable to place
325	Empty cars returned unused	\$607/car
355	Special Train Charges	\$500/hr or fraction thereof, with a minimum of 4 hours (\$2,000min)
375	Diversion/Re-consignment	\$364/car
400	Weighing/Re-weighing	\$258 for each occurrence
410	Closing Doors	\$243/door
520	Asset use for loading and unloading	When time exceeds 15 hours while customer is loading or unloading a unit train powered by foreign line locos, a charge of \$300 per hour or portion thereof per locomotive will be assessed against the online customer facility. Time is to be computed from the time of placement (actual or constructive) to the time of release of the last railcar. Should the online customer request that the foreign line locomotive(s) be removed from the unit train once its actually placed, a charge of \$2,500 will be assessed to the customer requesting the removal and/or a charge of \$2,500 will be assessed to the customer requesting the retrieval of foreign line locomotives.



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

RULES FOR STRAIGHT TIME DEMURRAGE PLAN

CARS HELD FOR COMPLETE OR PARTIAL LOADING

LOADING: As defined in Item 50 of this Tariff.

- A. Private car(s) that are consigned or ordered for delivery to private tracks, which first must be held on railroad tracks under constructive placement, are subject to demurrage/storage provisions and charges as applicable in this Tariff.
- B. Railroad owned and controlled car(s) that are consigned or ordered for delivery to private tracks are subject to demurrage/storage provisions and charges as applicable in this Tariff while on railroad tracks under constructive placement and while on private tracks.
- C. If Item 160 is applicable, this Item will not apply.

COMPUTATION:

- A. Demurrage computation:
 1. Constructive Placement Time will apply from first 12:01 AM after constructive placement until actual placement
 2. Industry Time will apply from first 12:01 AM after actual placement until release.
 3. Demurrage will apply on railroad owned and controlled car(s) from first 12:01 AM after constructive placement until release from actual placement (Constructive Placement Time and Industry Time combined and continuous).
 4. Demurrage will apply on private car(s) from first 12:01 AM after constructive placement while on railroad tracks until actual placement on private track.
 5. Demurrage will apply on all car(s) from first 12:01 AM after release and removal of loaded cars from private track until forwarding instructions are received.
- B. If an empty car is placed prior to date for which it was ordered, demurrage will apply from the first 12:01 AM of the date for which it was ordered. Demurrage days will then accrue until the car is released.
- C. On reloaded cars, demurrage will apply from the first 12:01 AM after advice is received that the car is empty until car is released as a load; provided if advice that the car is empty is not furnished, demurrage will continue until forwarding instructions are received.

CARS HELD FOR COMPLETE OR PARTIAL UNLOADING

UNLOADING: As defined in Item 50 of this Tariff.

- A. Loaded Private cars held on private tracks at destination will be subject to this Item only when the car is a railroad-controlled car.
- B. Private car(s) that are consigned or ordered for delivery to private tracks, which first must be held on railroad tracks under constructive placement, are subject to demurrage/storage provisions and charges as applicable in this Tariff.
- C. Railroad owned and controlled car(s) that are consigned or ordered for delivery to private tracks are subject to demurrage/storage provisions and charges as applicable in this Tariff while on railroad tracks under constructive placement and while on private tracks.
- D. If Item 160 is applicable, this Item will not apply.

COMPUTATION:

- A. Demurrage computation:



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

1. Constructive Placement Time will apply from first 12:01 AM after constructive placement until actual placement.
2. Industry Time will apply from first 12:01 AM after actual placement until released.
3. Demurrage will apply on railroad owned and controlled car(s) from first 12:01 AM after constructive placement until release from actual placement (Constructive Placement Time and Industry Time combined and continuous).
4. Demurrage will apply on private car(s) from first 12:01 AM after constructive placement while held on railroad tracks until actual placement on private track.
5. Demurrage will apply from first 12:01 AM after release and removal of empty cars from private tracks until forwarding instructions are received.

CARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING

APPLICABLE TO CARS HELD:

- A. While awaiting proper disposition from the shipper, loader, consignee, or unloader.
- B. In connection with diversion request
- C. For any other purpose not attributable to the WTS Railroad.
- D. If Item 160 is applicable, this Item will not apply.

COMPUTATION:

- A. Demurrage computation:
 1. Constructive Placement Time will apply from the first 12:01 AM after constructive placement until actual placement or disposition advice for re-route to off-line point is received on:
 - a. Cars diverted, reconsigned, refused, reshipped or stopped in transit.
 - b. Empty cars ordered, constructively placed for loading, and not used in transportation service (other than a rejected car as referred to in Item 90).
 - c. Cars waiting for payment of accrued charges.
 - d. Cars held for other purpose, except as covered by Item 120, which is not attributable to the WTS Railroad.
 - e. Cars with excessive lading held for reduction as described in WTS 9011-Series, supplements thereto and successive issues thereto, whichever is applicable.
 - B. Industry Time will apply from first 12:01 AM after received by the WTS Railroad until date and time of disposition on:
 1. Cars received from connecting carriers.
 2. Private cars returned to railroad tracks.
 - C. Industry Time will apply from first 12:01 AM after actual placement until disposition advice is received on:
 1. Cars reshipped
 2. Empty cars actually placed for loading, and not used in transportation service.
 3. Cars held for any other purpose, except as covered in Item 120, which is not attributable to the WTS Railroad.
 - D. Demurrage will apply on the following from first 12:01 AM:
 1. Demurrage will apply on railroad owned and controlled car(s) from first 12:01 AM after constructive placement until disposition of refused car(s) (Constructive Placement Time and Industry Time combined and continuous).
 2. Demurrage will apply on private car(s) from first 12:01 AM after constructive placement while on railroad tracks until actual placement on private track or disposition of refused car(s).

DEMURRAGE CALCULATION EXAMPLE



FREIGHT TARIFF WTS 9012 EXCEPTIONS BY RAILROAD

A railcar that is constructively placed at 6:00 AM. The demurrage clock will start at 12:01 AM the next day after the railcar was constructively placed, at this time the first free day will be used. On the day after that at 12:01 AM, the second free day will be used. On next day after that at 12:01 AM, the daily demurrage charge will be assessed and continue to be assessed each day at 12:01AM thereafter until event occurs that stops demurrage.

FREE TIME

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 constructively or actually placed (See Item 50), and notification is given (See Item 100).

DEMURRAGE PLAN AND PRICES

- A. Settlement of charges will be made on a calendar month basis on all cars released during the calendar month.
 1. Cars held for complete loading (see Item 120).
 2. Cars held for complete or partial unloading (see Item 120).
 3. Cars held for purposes other than loading and unloading (see Item 130).
 4. Loaded and empty private cars held on railroad tracks (see Items 120 and 130).
 5. Refused loaded cars (see Item 130).
- B. Demurrage charges will be assessed against the facility served by the WTS Railroad (shipper, loader, consignee, or unloader) and they will be responsible for payment of such charges.
- C. **Calculation of charges:** The tariff or special agreement applied will be that in effect when the car is released.
 1. On cars subject to demurrage charges after expiration of free time allowed, each chargeable day will be assessed **\$70.00** per Demurrage day, except Empty Private Cars held on railroad tracks will be assessed **\$50.00** per Demurrage day.
 2. Railcars for dimensional shipments will be assessed **\$200.00** per Demurrage day.
- D. Adjustments must be handled through the railroad error claim provisions set forth in Item 60.
- E. The WTS Railroad will not allow relief on demurrage days for a car that has been constructively placed from the order-in date until the car is actually placed.
- F. The applicable charge will accrue on all days, except holidays (see Item 150) that fall as the first chargeable day.

