

TRI-CITY & OLYMPIA RAILROAD CO, LLC

MISCELLANEOUS CHARGES AND CAR HIRE RELIEF TARIFF

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular items.

MISCELLANEOUS CHARGES & CAR HIRE RELIEF TARIFF

ISSUED: July 31, 2007

EFFECTIVE: August 1, 2007

ISSUED BY

**Randolph Peterson, General Manager
Tri-City & Olympia Railroad Co, LLC
2579 Stevens Drive
Richland, WA 99354**

(The provisions published herein, if effective, will not result in an effect on the quality of the human environment.)

MISCELLANEOUS CHARGES & CAR HIRE RELIEF TARIFF

Miscellaneous, accessorial charges, and car hire waiver will be applied upon the following items:

1. **Cars Not Suitable for Loading or Unloading**

When railcars interchanged for loading or unloading are refused or rejected on account of not being in proper condition to load, a charge of \$500.00 per car will be assessed against the carrier furnishing such car. When a railcar interchanged for unloading is refused or rejected on account of improper loading, the regular switch fee for that item, and all associated accessorial charges will apply.

2. **Cars Interchanged in Error**

TCRY will assess a charge of \$375.00 per railcar for any non-placarded car interchanged to TCRY in error by a connecting railroad and charge to the delivering road. If the car is placarded, the assessment will be \$2,000.00.

3. **Cars Ordered and Not Used or Loaded:**

If TCRY receives an order for empty cars, and such order is cancelled by the originating party after it leaves point of origin or at any time after dispatch, a charge of \$375.00 per car will be assessed to the on line patron. If the originating party cancels the order prior to the railcar leaving point of origin, then the delivering road will be assessed the \$375.00 charge. This fee will be in addition to any demurrage or detention charges that may be assessed.

4. **Movement of Empty Railcars:**

TCRY will assess a fee of \$500.00 for any railcar interchanged onto or off of its line from any or to any carrier received empty and returned empty to interchange.

5. **Weighing of Railcars:**

TCRY will assess a charge of \$150.00 per car for each railcar weighed when requested by either the shipper, patron, interchanging railroad, or government agency. Fee will apply to both loaded and empty railcars.

6. **Car Mileage**

TCRY will **not** pay mileage charges on any railcars when moving to, from, or via stations on the TCRY.

7. **Storage Charges:**

When not established through prior negotiation, TCRY will provide storage of railcars at a default rate of \$10.00 per day. Locomotives will be assessed a rate of \$500.00 per day. In addition switch fees of \$375.00 per crew hour will be assessed when either moving the cars onto, off of, or within the TCRY line.

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The maximum liability to TCRY for loss and damage on any storage car is \$100.00. No liability will be assumed for painting, defacing, or vandalism of any railcar.

8. Intra-Plant & Intra-Line Switching

An amount of \$175.00 per car will be charged for switching cars after initial placement for loading, unloading, repairs, or storage. Intra-plant means switching on one or more tracks within the same plant of a given industry within the same station. Intra-line refers to switching any car after initial placement of any car within the TCRY line system. Such charges apply on regularly scheduled freight service days. If an intra-plant or intra-line switch is requested on a non-scheduled freight service day, and an additional rate of \$375.00 per crew hour, \$1,500.00 minimum, will also apply.

9. Railcars Received Overweight or Overloaded

When railcars interchanged for unloading are received over their gross limit weight, a charge of \$250.00 will be assessed against the shipper. When a railcar is received by the TCRY for switching for loading by a patron over their gross limit weight, a charge of \$250.00 will be assessed against the patron. In addition, upon discovery, the car will not be interchanged until the load limit is at or below gross listed weight on the railcar.

10. Closing of Railcar Doors

When a railcar interchanged for switching services necessitates the closing of a door or hatch due to any inaction by a third party, TCRY will assess a charge of \$150.00 per door or hatch to the patron.

11. Railcars Placed for Loading, Unloading, or Re-spotting Outside of Normal Business Hours

When a patron or other third party requests a car for placement outside of normal business hours for same day placement, an additional fee of \$250.00 will be assessed, *in addition to the regular intra-plant or intra-line switch fee*. The normal switch service period is Monday through Friday, from 6:00AM to 4:00PM.

12. Train Creation, Development & Shuttle Services

A train crew rate of \$1,150.00 per hour will be assessed when a customer requests that TCRY utilize its locomotive to create a consist of railcars with it for the purpose of generating a sample train movement over the TCRY line. The fee shall be billed to the nearest half hour, with a two hour minimum. Such train shuttle service will have an additional assessment of \$500.00 per hour when it is necessary for the train crew to work outside of the normal daily switch service period of Monday through Friday, from 6:00AM to 4:00PM. [I]

Note: The provisions of this Miscellaneous Charges Tariff apply on shipments of all commodities.

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