

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: November 21st, 2024

EFFECTIVE DATE: February 1st, 2025

ISSUED BY:

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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 WARRIOR RAILWAY LLC (ABWR)
AGAWA CANYON RAILROAD ULC (ACR)
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)
LUBBOCK AND WESTERN RAILWAY, LLC (LBWR)
MISSION MOUNTAIN RAILROAD LLC (MMT)
PALOUSE RIVER AND COULEE CITY RAILROAD LLC (PCC)
PECOS VALLEY SOUTHERN RAILWAY LLC (PVS)
PENNSYLVANIA SOUTHWESTERN RAILROAD LLC (PSWR)
RINGNECK AND WESTERN RAILROAD LLC (RWRR)
SAN ANTONIO CENTRAL RAILROAD LLC (SAC)
SOUTH KANSAS AND OKLAHOMA RAILROAD LLC (SKOL)
STILLWATER CENTRAL RAILROAD LLC (SLWC)
SWAN RANCH RAILROAD LLC (SRRR)
SAVANNAH & OLD FORT RAILROAD LLC (SVHO)
TEXAS AND NEW MEXICO RAILWAY, LLC (TXN)
TEXAS COASTAL BEND RAILROAD LLC (TCBR)
TIMBER ROCK RAILROAD LLC (TIBR)
VERDIGRIS SOUTHERN RAILROAD LLC (VESO)
WISCONSIN & SOUTHERN RAILROAD LLC (WSOR)
YELLOWSTONE VALLEY RAILROAD LLC (YSVR)

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MISSISSIPPI SOUTHERN RAILROAD LLC (MSR)*
VICKSBURG SOUTHERN RAILROAD LLC (VSOR) *

**Subject to Demurrage rules & rates, switching charges & accessorial charges found in KCS 6000, KCS 9213 & KCS 8100 series, supplements and successive issues thereof.*

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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
- (D) Denotes deletion of 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
(I)	Item 360 – Turning Cars to Permit Loading/Unloading	November 1 st , 2022
(I)	Item 580 – Turning of PTC or DP Locomotives	November 1 st , 2022
(N)	Item 311 – Intermediate Switching	December 11 th , 2022
(N)	Item 312 – Watco Equipment Used Offline	April 13 th , 2023
(I)	Exceptions by Railroad – RWRR	May 1 st , 2023
(C)	Item 325 – Empty Cars Returned Unused or Ordered Unused	June 1 st , 2023
(N)	New Subscribing Railroads (VESO)	March 1 st , 2024
(C)	Item 410 – Closing Doors – inspection language added	July 15 th , 2024
(C)	Item 570 – Buffer Car Requirements	August 23 rd , 2024
(D)	Item 80 - Removed	February 1st, 2025
(I)	Item 120 – Demurrage	February 1st, 2025
(I)	Item 130 – Demurrage	February 1st, 2025
(I)	Item 160 – Charges for TIH/PIH	February 1st, 2025
(D)	Item 200 – Removed	February 1st, 2025
(D)	Item 210 – Removed	February 1st, 2025
(C)	Item 220 - Holding of explosives, hazardous materials (other than TIH/PIH)	February 1st, 2025
(I)	Item 300 – Intra-Plant Switching (IPS)	February 1st, 2025
(C)	Item 301 – Added Verbiage	February 1st, 2025
(I)	Item 305 – Intra-Terminal Switching	February 1st, 2025
(I)	Item 310 – Inter-Terminal Switching	February 1st, 2025
(I)	Item 311 – Intermediate Switching	February 1st, 2025
(I)	Item 312 – Watco Equipment Used Offline	February 1st, 2025
(C)	Item 320 – Release w/o fwd instructions – move into Item 315	February 1st, 2025
(I)	Item 325 – Empty Car Returned Unused	February 1st, 2025
(D)	Item 330 – Removed	February 1st, 2025
(I)	Item 335 – Cars interchanged in error	February 1st, 2025
(I)	Item 340 – Industry Setback	February 1st, 2025
(I)	Item 345 – Stop In Transit – move into item 375	February 1st, 2025
(I)	Item 350 – Service outside normal operating hours	February 1st, 2025
(I)	Item 355 -Special Train Service	February 1st, 2025
(I)	Item 360 – Turn Cars	February 1st, 2025
(I)	Item 365 – Empty Car Switching – move into item 325	February 1st, 2025
(I)	item 375 – Diversion	February 1st, 2025
(D)	Item 390 – Removed	February 1st, 2025

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Revision Type	Item Number and Description	Effective Date
(D)	Item 395 – Removed	February 1st, 2025
(I)	Item 400 – Weighing	February 1st, 2025
(I)	Item 410 – Closing Doors	February 1st, 2025
(D)	Item 415 – Removed	February 1st, 2025
(I)	Item 420 – Locomotives dead on own wheels	February 1st, 2025
(D)	Item 425 – Removed	February 1st, 2025
(I)	Item 435 – Ordering empty cars for placement by specific number	February 1st, 2025
(D)	Item 500 – Removed	February 1st, 2025
(I)	Item 520 – asset use for loading and unloading	February 1st, 2025
(I)	Item 530 – Deadhead deliveries and pick-ups	February 1st, 2025
(I)	Item 540 – Additional train crews	February 1st, 2025
(I)	Item 550 – Holding a unit train en-route	February 1st, 2025
(D)	Item 560 – Removed	February 1st, 2025
(I)	Item 570 – Movement of buffer cars	February 1st, 2025
(I)	Item 580 – Turning of PTC locos – moved into item 360	February 1st, 2025
(C)	Item 600 – Time limit for filing loss or damage claims	February 1st, 2025

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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.

If you are not equipped to obtain a copy of this publication from the WATCO web site, a hard copy will be mailed to you, provided you furnish, to the address shown below; a formal written request for a printed copy. This formal request is required on an annual basis in accordance with the Surface Transportation Board's policy decision under Ex Parte 528, Disclosure, Publication and Notice of Change of Rates and Other Service Terms for Rail Common Carriage. **An annual \$100 subscription fee will be assessed for those who wish to receive a hard copy.**

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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.

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.



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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.

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.



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ITEM 50 GLOSSARY OF TERMS

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.

DOCK: Online utility that allows user to manage their inventory while online as well as release of empty railcars. Contact your Customer Service Representative with questions via email at CS1@watco.com, CS2@watco.com or CS3@watco.com or via phone at (866) 889-2826.

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.

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.

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ITEM 50 GLOSSARY OF TERMS

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 of loaded or empty railcars between interchange tracks of one carrier to interchange tracks of another carrier within the same station or designated switching limits. The carrier performing the switch 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.

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.

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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.

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 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.

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ITEM 50 GLOSSARY OF TERMS

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.

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.

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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 <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

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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 DOCK, 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 the date for which it was ordered, demurrage will apply from the first 12:01 AM of the date for which it was ordered. This is only applicable if the order date is provided to WTS by the railroad in which it was ordered through. 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.**



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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/>**

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.

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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 120 of WTS 9011 tariff.
 - 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.

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 **\$10,000 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 **\$10,000 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



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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

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 a private storage agreement or demurrage per ITEMS 120 & 130, the charges outlined below will 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 DEMURRAGE DAYS WILL COMMENCE: Immediately following arrival of the equipment on the WTS Railroad, the car will be considered in demurrage 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.

LIABILITY: See WTS 9011 Series.

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.

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SECTION II STORAGE RULES AND CHARGES

Storage requires a private contract between WTS railroad and the customer. *Please contact the Storage team at storage@watco.com to discuss your railcar storage needs*

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. A charge of **\$300 per car** will apply. 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

- A. 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 per car** will apply with a **maximum of \$1,800 per service**.
- B. An incidental switch fee will be assessed when a WTS Railroad crew must switch a car multiple times in and out of constructive placement due to the Customer's inability to accept delivery of cars at the destination industry. A charge of **\$180 per car** will apply **per additional switch** after initial switch out of PCON status. No maximums will apply.

ITEM 305 INTRA-TERMINAL SWITCHING

A WTS Railroad will perform intra-terminal switching on loaded or empty cars. A charge of **\$550 per car** will apply. 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.

Empty equipment moving to or from facilities for cleaning, lining, relining, maintenance, modification, repair or repositioning not immediately preceded by or followed by a revenue movement via the WTS railroad will be assessed a charge of **\$550 per car**.

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. A charge of **\$550 per car** will apply. 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 311 INTERMEDIATE SWITCHING

Except as otherwise noted in individual switching supplements <https://www.watco.com/customer-tools/tariffs/> a WTS railroad will provide intermediate switching services for both loaded or empty railcars **at a charge of \$550 per car** against the delivering carrier

ITEM 312 WATCO EQUIPMENT USED IN UNAUTHORIZED MOVE



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When a shipper loads a Watco controlled, owned or leased railcar without written permission and routes it without a Watco road in the linehaul or revenue route, a charge of **\$10,000 per car per occurrence** will be assessed to the shipper

ITEM 315 IMPROPER RELEASE OF CARS PLACED FOR LOADING OR UNLOADING OR WITHOUT FORWARDING INSTRUCTIONS

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 per car** will apply on each car, up to a **maximum charge of \$1,200 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 per car** will apply on each car, up to a **maximum charge of \$1,200 per occurrence**.

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 per car** with a **maximum charge of \$1,200 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.**

ITEM 325 EMPTY CARS RETURNED UNUSED OR ORDERED 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 **\$500 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, or car order is cancelled or modified to an origin or destination not originally specified, a charge of **\$500 per car** will be assessed against the person, firm or corporation ordering the car. 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
- C. When a customer requests a WTS railroad return a previously received empty car to interchange within the switching district/terminal, a charge of **\$500 per car** will apply. This item applies to all equipment, including but not limited to private car and tank car equipment.
 - 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.

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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
- E. when we have received an embargo or OPSL note error message, also known as an 824 EDI message

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 **\$550 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.

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 **\$500 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 = **\$750 per car**
 2. Greater than 75 miles = **\$750 per car plus \$3.00 per mile in excess of 75 miles**

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 **\$500 per hour** or fraction thereof, but not less than **\$4,000 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.

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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 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 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/>

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 per train mile** over the actual distance operated by the special train, **subject to a minimum of 40 miles or 5,000 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 LOCOMOTIVES OR 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 **\$750 per car** will apply. 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 an Inter-Terminal Switch charge. Charges of other carriers would be in addition to the charges of the WTS Railroad.

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

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locomotive to be interchanged back the railroad providing power, a charge of **\$750 per locomotive** will apply to the party requesting the turn. This charge will only apply if operationally agreed upon by the WTS railroad.

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.

ITEM 375 **DIVERSION OR STOP IN TRANSIT 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 stopped in transit or diverted prior to arrival** of car at billed destination shall be charged a rate of **\$400 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);



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- 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.

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 400 WEIGHING

A charge of **\$300 per car** when scale is en-route of movement and no additional switching is required. An out of route movement to weigh a car would be subject to a linehaul charge. Weigh charges are in addition to any other chargeable services performed in connection therewith.

ITEM 405 OVERWEIGHT LOADS

An overweight 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.

If car is overweight, 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 overweight 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 overweight at origin after having been removed from industry or if a car is found to be overweight at railroad tracks where loaded or if a car is found to be overweight after the car has departed the origin station, the overweight 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 when applicable, 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 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 overweight car, will be deducted from the proceeds of sale. **If a car found to be overweight can be safely moved, or is discovered as overweight at destination, a surcharge of \$750.00 per car will be applicable.**

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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 SECURING DOORS, HATCHES, GATES or TIE-DOWN DEVICES

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 inspect railcar doors, 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 **\$500 per occurrence** will apply.

ITEM 420 LOCOMOTIVES, DEAD, ON OWN WHEELS

The applicable charge for switching locomotives, dead on their own wheels will be **\$1,000 per loco**, unless specified in another item or publication.

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 (TERHD)
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		

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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 **\$500 per car** applies. When cars are ordered out of storage by specific car number, applicable charges may be found in the customer’s private storage contract

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.

SECTION IV

UNIT TRAIN SERVICES

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 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 **\$500 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

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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 **\$3,500 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 **\$3,500 per additional train crew** will be assessed.

ITEM 550 HOLDING A UNIT TRAIN or BLOCK OF CARS EN-ROUTE

When a unit train or multi-car block 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 train in question would negatively impact network fluidity by continuing towards destination, a "Train Held" notice will be issued to the payer of freight or responsible party. Hold fees of **\$6,000 per day** will begin once the train is staged. There is no free time provided for holding a train.

If the shipper or consignee is requesting to hold a train or block of cars, 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 570 BUFFER CAR REQUIREMENTS

- Equipment: Covered Hopper, Box Car, Gondola or Tank 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: Any Non-Hazardous material
- Minimum Weight: 90,000 lbs.
- Charge for Movement: A charge of **\$550 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.

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.

WTS may at its sole discretion reject any claim where the customer notifies WTS of the loss or damage more than 24 hours after a railcar/container being provided to the customer. WTS may also in its sole discretion reject any claim where WTS is not given the opportunity to inspect and investigate the loss or damage. WTS assumes no responsibility for any damage, loss or injury to stored private railcars/containers or their contents, except to the extent caused by the negligence or intentional acts of WTS. Demurrage costs will not arise until the inspection has been performed or WTS has informed customer of declining said request of inspection.



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The shipper is responsible for securing product in order to withstand forces inherent in transportation as per the AAR. It is the operating customer at destination's responsibility to identify any damage during unloading and to communicate any concealed damage within 24 hours of unloading to WTS, and WTS may refuse any notice of claim for damage where such notice is given to WTS after the product leaves the initial destination

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.

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/>. 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 ACCESSORIAL & SWITCHING TARIFF

FREIGHT TARIFF WTS 9012 SUMMARY OF CHARGES

Item	Description	Charges(s)
120	Demurrage Days for Loading or Unloading All Equipment Other Than Exceptions Loading – 1 Credit Unloading – 2 Credits	\$150/day
120	Demurrage Days for Loading or Unloading Equipment used for moves requiring formal clearance Loading – 1 Credit Unloading – 2 Credits	\$200/day
130	Demurrage Days for Anything Other Than Loading or Unloading 1 Credit Upon Disposition	\$150/day
160	Charges for TIH/PIH Held by Railroad	\$10,000/day
220	Holding of Explosives, Hazardous Materials (other than TIH/PIH)	\$200/day
300	Intra-Plant Switching	\$300/car
301 A	Incidental Switching	\$180/car Max \$1,800/service
301 B	Incidental Switching	\$180/car No Maximums
305	Intra-Terminal Switching	\$550/car
310	Inter-Terminal Switching	\$550/car
311	Intermediate Switching	\$550/car
312	Watco Equipment Used In Unauthorized move	\$10,000/car per occurrence
315	Improper Release of Railcars & Release Without Forwarding Instructions	\$400 per car \$1200 max
325	Empty Cars Returned Unused	\$500/car
335	Cars Interchanged in Error	\$550/car

Item	Description	Charges(s)
340	Industry Setback (In Terminal)	\$500/car
340	Industry Setback (Out of Terminal) Up to 75 miles	\$750/car
340	Industry Setback (Out of Terminal) Greater than 75 miles	\$750/car plus \$3.00/mile
350	Service Outside Normal Operating or Service Hours	\$500/hour \$4000 min/ request
355	Special Train Service	\$125/mile \$5000 min
360	Turning Cars & Locomotives	\$750/car
375	Diversion	\$400/car
400	Weighing – En Route	\$300/car
405	Overweight Load Surcharge: Does not Include Freight Charges	\$750/car
410	Closing/Securing doors, hatches, dunnage or tie-down devices	\$500 per occurrence
420	Locomotive, Dead, On Own Wheels	\$1.00 per loco
435	Ordering Empty Cars in for Placement by Specific Car Number	\$500/car
510	Additional Cut Charges	\$8500/cut
520	Asset Use for Loading and Unloading	\$500/hr
530	Deadhead Deliveries and Pickups	\$3500/occurrence
540	Additional Train Crews	\$3500/crew
550	Holding Unit Train En-Route	\$6,000/day
570	Movement of Buffer Cars	\$550/car

FREIGHT TARIFF WTS 9012 EXCEPTION BY RAILROAD

AUSTIN WESTERN RAILROAD – AWRR
EASTERN IDAHO RAILROAD – EIRR
GREAT NORTHWEST RAILROAD – GRNW
PALOUSE RIVER & COULEE CITY RAILROAD – PCC
KAW RIVER RAILROAD – KAW
KANSAS & OKLAHOMA RAILROAD - KO
LUBBOCK AND WESTERN RAILWAY – LBWR
PECOS VALLEY SOUTHERN RAILWAY - PVS
SOUTH KANSAS AND OKLAHOMA RAILROAD - SKOL
STILLWATER CENTRAL RAILROAD - SLWC
SWAN RANCH RAILROAD - SRRR
TEXAS AND NEW MEXICO RAILWAY - TXN

Item	Description	Charges(s)
120	Demurrage	See Pages 33-35 below

WISCONSIN & SOUTHERN RAILROAD - WSOR

Item	Description	Charges(s)
325	Empty Cars Returned Unused When over Chicago Interchange	\$650/car
335	Interchange/Delivery Error When over Chicago Interchange	\$550/car plus \$4.50 per mile

DUTCHTOWN SOUTHERN RAILROAD - DUSR

Item	Description	Charges(s)
335	Railroad Setback	\$125 (TIH/PIH) \$100 (loaded) \$50 (empty)
340	Industry Setback	\$125 (TIH/PIH) \$100 (loaded) \$50 (empty)

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

JACKSONVILLE PORT TERMINAL RAILROAD - JXPT

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

TEXAS COASTAL BEND RAILROAD LLC (TCBR)		
Item	Description	Charges(s)
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

EXCEPTION 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:
 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).



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EXCEPTION BY RAILROAD

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
 - e. , which is not attributable to the WTS Railroad.
 - f. 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).



FREIGHT TARIFF WTS 9012 EXCEPTION BY RAILROAD

DEMURRAGE CALCULATION EXAMPLE

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 **\$105.00** per Demurrage day, except Empty Private Cars held on railroad tracks will be assessed **\$75.00** 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.

