



# FARMRAIL CORPORATION

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## **FREIGHT TARIFF FMRC 8000-K (Supersedes and Cancels Tariff FMRC 8000-J)**

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### **Rules, Regulations and Charges Applying to Switching of Cars at and between Points Served by Farmrail Corporation and Interchanges with Other Railroads**

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Governed, except as otherwise provided herein, by Uniform Freight Classification (see Item 10)

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#### **ISSUED BY:**

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**SECTION 1 [C] - APPLICATION OF TARIFF**

The rules, regulations and charges published herein apply to rail freight traffic handled by FMRC. Interline traffic between FMRC and connecting railroads will be handled as interline switching service. All provisions of this tariff apply to such interline traffic.

FMRC Sunbelt Division switching limits extend from Weatherford, OK to Erick, OK. FMRC Orient Division switching limits extend from Westhom, OK to Elmer, OK.

<b><u>SUNBELT DIVISION (via CLINTON)</u></b>		<b><u>ORIENT DIVISION (via ALTUS)</u></b>	
<u>Station</u>	<u>Number</u>	<u>Station</u>	<u>Number</u>
Weatherford, OK	05626	Clinton, OK	15807
Indianapolis, OK	05730	Burns Flat, OK	04183
Clinton, OK	05807	Dill City, OK	04199
Foss, OK	05943	Sentinel, OK	04287
Canute, OK	06016	Cambridge, OK	04348
Elk City, OK	06094	Lone Wolf, OK	04409
Sayre, OK	06260	Lugert, OK	04476
Erick, OK	06402	Blair, OK	04575
		Altus, OK	04673
		Elmer, OK*	04783
<b><u>ORIENT DIVISION (via CLINTON)</u></b>			
		Westhom, OK	03788
		Foley, OK	03860

# Local service only, via trackage rights. \* Station out of service.

FMRC's gross weight limitation of 268,000 pounds applies at all stations except Altus, OK, Clinton, OK, Foss, OK, Canute, OK, Elk City, OK, Westhom, OK where the limitation is 286,000 pounds.

Interchange connections are made with:

- BNSF at Altus, OK; Enid, OK (via GNBC)
- GNBC at Altus, OK; Clinton, OK
- UP at Altus, OK (via WTJR); Enid, OK (via GNBC and BNSF)
- WTJR at Altus, OK

## **SECTION 2 [C] – GENERAL RULES AND REGULATIONS**

### **ITEM 10 [NC]. Description of Governing Classification**

The term “Uniform Freight Classification” when used herein means Uniform Freight Classification 6000-series.

### **ITEM 20 [NC]. Station Lists and Conditions**

This tariff is governed by the Official Railroad Station List, OPSL 6000-series, issued by RAILINC, Agent.

### **ITEM 30 [NC]. Reference to Tariffs, Items, Notes, Rules, etc.**

References made in this tariff to tariffs, items, notes, rules, etc. are continuous and include supplements to and successive issues of such tariffs, items, notes, rules, etc.

### **ITEM 40 [NC]. National Car Service Order Tariff**

This tariff is subject to provisions of various Surface Transportation Board Service Orders and General Permits, as shown in Tariffs NSO 6400-series, STB NSO 6100-series.

### **ITEM 50 [NC]. Hazardous Commodities**

Shipments of hazardous commodities under this tariff are subject to regulations of the U.S. Department of Transportation, as shown in the Bureau of Explosives Tariff, STB BOE 6000-series.

### **ITEM 60 [NC]. Carrier’s Limited Liability**

FMRC will not be responsible for loss due to natural shrinkage and/or any differences between origin and destination weights, except where loss results from defective equipment.

### **ITEM 70 [NC]. Application of Charges for Switching Service**

1. Charges for interline switching service (see Item 80) apply to movement of a car between a customer track or team track served by FMRC and the junction beyond which a connecting railroad has performed or will perform service on the car.
2. Charges for local switching service (see Item 120) apply to movement of a car between two customer tracks and/or team tracks, both of which are served directly by FMRC or by means of a switch performed by GNBC.
3. Switching charges apply for movement of a car loaded in one direction and empty in the other direction. If the car is loaded in both directions, switching charges apply for each loaded movement.

4. An empty car placed at a customer track or team track that is returned empty because no load is available, or an empty car otherwise handled and returned empty to or from a customer track, team track, or connecting railroad, is subject to the applicable switching charge for a loaded movement.
5. If a shipment of freight requires two or more cars for its movement, switching charges apply for each car.
6. Switching charges are in addition to all other rates and charges assessed by FMRC and/or connecting railroads participating in movement of a car.

### **SECTION 3 [C] – CHARGES FOR SWITCHING SERVICE**

#### **ITEM 80 [C-I]. Charges for Interline Switching Service**

Charges for interline switching service performed by FMRC are, per carload:

<b><u>SUNBELT DIVISION (via Clinton)</u></b>		
<u>Station</u>	<u>Rate</u>	
Weatherford, OK	\$ 342	[I]
Indianapolis, OK	284	[I]
Clinton, OK	241	[I]
Foss, OK	316	[I]
Canute, OK	353	[I]
Elk City, OK	396	[I]
Sayre, OK	487	[I]
Erick, OK	562	[I]
<b><u>ORIENT DIVISION</u></b>		
<u>Station</u>	<u>(via Clinton)</u>	<u>(via Altus)</u>
	<u>Rate</u>	<u>Rate</u>
Westhom, OK	\$ 278 [I]	\$278 [I]
Custer City, OK	N.A.	N.A. [I]
Clinton, OK	241 [I]	241 [I]
Burns Flat, OK	391 [I]	525 [I]
Dill City, OK	370 [I]	562 [I]
Sentinel, OK	N.A. [C]	503 [I]
Cambridge, OK	N.A. [C]	465 [I]
Lone Wolf, OK	N.A. [C]	433 [I]
Lugert, OK	N.A. [C]	401 [I]
Blair, OK	N.A.	348 [I]
Altus, OK	N.A.	321 [I]
Elmer, OK	N.A.	N.A.

Charges for interline switching service performed by FMRC in conjunction with connecting railroads will be set by tariff or by customer contract. In some instances, the connecting carrier may have authority to establish rates to or from FMRC stations.

**ITEM 90 [NC]. Fuel Surcharges**

Fuel surcharges do not apply to FMRC charges for interline switching service.

**ITEM 100 [NC]. Charges for Hazardous Commodities**

A premium of \$50 per carload of a hazardous commodity applies to all switching service charges. Special rates apply to TIH/PIH shipments and will be issued on the customer's reasonable request.

**ITEM 110 [NC]. Absorption of Charges for Interline Switching Service**

Portions of the charges for interline switching service will be absorbed in accordance with published tariffs or agreements in effect between FMRC and connecting railroads, if any.

**ITEM 120 [NC]. Charges for Local Switching Service**

Local switching service will be performed and administered under customer contract.

**ITEM 130 [C]. Charges for Car Demurrage**

Cars handled by FMRC are subject to the following demurrage rules unless special arrangement is made in advance:

1. Customers are allowed forty-eight (48) hours' free time to load or unload cars before demurrage applies. Free time begins the first 7:00 A.M. after placement or constructive placement and expires 48 hours later, excluding Sundays and holidays (see Item 230).
2. Demurrage for railroad-marked or TTX-owned cars will be charged and billed by FMRC at the following rates for each day from constructive placement through the date of empty release:
  - A. \$40 for each of the first five (5) days after expiration of free time.
  - B. \$60 for each subsequent day through the date of release.
3. Except as provided under customer contract, demurrage for private-marked cars not containing or to be loaded with a non-hazardous commodity will be charged and billed by FMRC at the rate of \$5 for each day from constructive placement through the date of actual placement.

4. Except as provided under customer contract, demurrage for private-marked cars containing or to be loaded with a hazardous commodity will be charged and billed by FMRC at the rate of \$20 for each day from constructive placement through the date of actual placement.
5. If a car is determined to be overweight as defined in Item 200, there will be no free time as allowed above. Demurrage for overweight cars will be charged and billed by FMRC at the rate of \$80 per day from actual placement through empty release of the cars.
6. If a car is determined to be oversized as defined in Item 210, there will be no free time as allowed above. Demurrage for oversized cars will be charged and billed by FMRC at the rate of \$80 per day from actual placement through empty release of the cars.

Cars will be constructively placed to a customer if conditions preclude actual placement on the customer track. If a car is constructively placed, the customer will be notified by e-mail. The car will be placed when the next regular switching operation occurs after restrictive conditions are removed.

**ITEM 140 [NC]. Charge for Diversion or Reconsignment to GNBC**

A charge of \$500 will apply to a loaded car interchanged to FMRC and subsequently diverted or reconsigned to a GNBC station or customer.

**ITEM 150 [NC]. Charge for Intra-Plant Switching**

A charge of \$150 will apply to a loaded car placed on a customer or team track that is switched out at the customer's request for resequencing during the same switching operation.

**ITEM 160 [NC]. Charge for Secondary Switching**

A charge of \$300 will apply to a loaded car placed on a customer or team track that is switched out at the customer's request for replacement at another time and requires temporary storage in a different location (see Item 130).

**ITEM 170 [NC]. Charge for Inter-Plant Switching**

A charge of \$500 will apply to a loaded car switched out at the customer's request for movement between plant or team tracks within the switching limits of FMRC.

**ITEM 180 [C-I]. Charge for Reciprocal Switching**

A charge of \$321 [I] will apply to movement of a loaded car between customer or team tracks at Altus, OK and interchange with BNSF or WTJR.

### **ITEM 190 [NC]. Charge for Turning Cars**

A charge of \$400 will apply when a car requiring loading or unloading from one side or end is not properly placarded and, at the customer's request, is turned and returned to the same track after initial placement. Such charge will not apply if the Bill of Lading carries a notation that the car was placarded, and the placard disappeared before placement.

### **ITEM 200 [C-I-N]. Charge for Overweight Cars**

Overloaded cars up to 270,000 pounds will be accepted at stations rated for 268,000 pounds but will be assessed a charge of \$25 per hundredweight for excess weight. FMRC reserves the right to reject any car with a gross weight of 270,000 pounds or more as stated on the waybill or by reasonable belief from observation (see Item 130).

Overloaded cars up to 286,600 will be accepted at stations rated for 286,000 but will be assessed a charge of \$50 per hundredweight for excess weight. FMRC reserves the right to reject any car with a gross weight of 286,000 pounds or more as stated on the waybill or by reasonable belief from observation (see Item 130).

### **ITEM 210 [NC]. Charge for Oversized Loads**

Oversized shipments, as defined below, will be handled in extra train service, subject to advance notification and dimensional clearance. The charge for each oversized load will be issued on reasonable request, determined on a case-by-case basis, and assessed in lieu of charges for switching service published herein. A shipment shall be deemed as oversized if the lading exceeds eleven (11) feet in width, extends over the length of the car, or is more than seventeen (17) feet above the rail (see Item 130).

### **ITEM 220 [NC]. Charges for Car Storage**

Charges for non-hazardous loaded or empty cars accepted at FMRC's sole discretion for temporary storage, subject to available track capacity and anticipated duration, will include an inbound and outbound switch charge and daily rate appropriate to railroad circumstances and customer requirements on a case-by-case contractual basis. Cars containing a hazardous commodity or residue may only be stored subject to a private track-lease agreement.

### **ITEM 230 [NC]. Normal Switching Service**

FMRC performs normal switching service on weekdays (Monday through Friday) as needed, with the exception of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Eve Day, Christmas Day, and New Year's Eve Day. Normal business office hours are from 8:00 A.M. to 5:00 P.M.

### **ITEM 240 [NC]. Charge for Extra Switching Service**

Extra switching service requiring special assignment of a locomotive and crew to supplement normal switching service (see Item 230) will be performed only on the customer's request

submitted twenty-four (24) hours in advance of the requirement and at a charge of \$250 per hour or fraction thereof, subject to a minimum of four (4) and maximum of twelve (12) hours and to the availability of equipment and personnel. This charge is in addition to other applicable switching charges. Hours are computed from the time the locomotive and crew are dispatched until the service has been performed and the locomotive and crew have returned to the point of dispatch (including waiting time, but excluding time elapsed for the convenience of FMRC).

#### **ITEM 250 [NC]. Terms of Payment**

Payment of all charges for switching services performed by FMRC is due within fifteen (15) days from the date of billing. Interest equivalent to the lesser of eighteen percent (18%) per year or the maximum allowable rate under Oklahoma law will be assessed for late payment, calculated through the day payment is received and based on a year of 360 days.

### **SECTION 4 [NC] – DEFINITION OF TERMS**

For the purposes of this tariff, the following terms have the indicated meanings:

**Connecting railroad** – Any railroad interchanging with FMRC other than GNBC.

**Customer** – The person or entity (shipper, receiver, consignor, consignee or agent) responsible for freight shipments in cars handled by FMRC and for payment of any applicable charges named herein. Specifically, with respect to demurrage charges, “customer” shall mean any person or entity receiving cars from GNBC or FMRC for loading or unloading.

**Customer track** – An industrial track or spur serving a plant and owned or leased by the plant operator.

**Hazardous commodity** – Any substance or material defined by the U.S. Department of Transportation as a hazardous commodity in 49 C.F.R. 171.8, as may be amended from time to time.

**Interline switching service** – Movement of interline traffic interchanged to or from another railroad and a customer track or team track served by FMRC.

**Interline traffic** – A loaded railcar interchanged between FMRC and a connecting railroad for which the connecting railroad has performed or will perform service.

**Local switching service** – Movement of a loaded railcar by FMRC between two customer tracks or team tracks served directly by FMRC or by means of a switch performed by GNBC or a connecting railroad.

**Plant** – The land, buildings, machinery, apparatus and fixtures employed by a customer in carrying on a trade or industrial business.

**Team track** – A track designated by FMRC for use by the general public.

## **EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS**

A.M.	- Ante Meridian
BNSF	- BNSF Railway Company
etc.	- Et cetera
FMRC	- Farmrail Corporation
FRA	- Federal Railroad Administration
GNBC	- Grainbelt Corporation
N.A.	- Not Applicable
NSO	- National Service Order, Western Trunk Line Committee, Agent
OPSL	- Official Railroad Station List, RAILINC, Agent
PIH	- Poisonous by Inhalation Hazard
P.M.	- Post Meridian
TIH	- Toxic by Inhalation Hazard
UP	- Union Pacific Railroad Company
U.S.	- United States of America
WTJR	- Wichita, Tillman & Jackson Railway Co., Inc.
[C]	- <u>Underscored</u> portion indicates item change
[NC]	- Brought forward without change
[I]	- Denotes Increase
[N]	- Denotes new item added
[R]	- Denotes Decrease or Reduction