

The Provisions herein, if effective, will not result in adverse effect
on the human environment.

NORTHEAST TEXAS CONNECTOR, LLC

FREIGHT TARIFF NETC 7000

**Rules & Other Governing Provisions
General Rules and Regulations Unlimited
Demurrage Charges
Local and Proportional Rates
Accessorial Charges
At and between all Stations on the
Northeast Texas Connector, LLC**

THIS TARIFF ALSO APLIES ON ALL INTERSTATE TRAFFIC IN THE STATE OF TEXAS

Issued: July 1, 2020

Effective: July 1, 2020

Issued by:

**Northeast Texas Connector, LLC
711 Church Street
Sulphur Springs, TX 75482**

TABLE OF CONTENTS

Table of Contents 2

Method of Adding, Changing or Deleting Items in this Tariff 3

Alphabetical List of Stations From and To Which Rates Apply 3

Explanation of Abbreviations (and Reference Marks) 3

SECTION 1 – RULES AND OTHER GOVERNING PROVISIONS and GENERAL RULES AND REGULATIONS UNLIMITED 4

ITEM 5 – Uniform Freight Classification and Exceptions 4

ITEM 10 – Station List and Conditions 4

ITEM 15 – Explosives, Dangerous Articles..... 4

ITEM 20 – Reference to Tariffs, Items, Notes of Rules 4

ITEM 40 – Consecutive Numbers 4

ITEM 45 – Capacities and Dimensions of Railcars 4

ITEM 105 – Straight or Mixed Carloads 4

ITEM 210 – Application of Reference Marks 5

ITEM 220 – Prepayment of Charges 5

ITEM 230 – Application 5

ITEM 240 – Loaded Railcars Refused 5

ITEM 250 – Perishable Freight 5

SECTION 2 – DEMURRAGE CHARGES 6

ITEM 300 – Railcars Subject to Demurrage 6

ITEM 301 – Purpose 6

ITEM 305 – Explanation of Terms 6

ITEM 310 – Notification to Consignee or Consignor 9

ITEM 315 – Notification to be given to NETC..... 9

ITEM 320 – Railcars Held for Loading/Unloading 10

ITEM 330 – Heavy Duty of Special Type Flat Cars Held for Loading/Unloading 11

ITEM 340 – Railroad Cars Held For Other Purposes 12

ITEM 345 – Empty Railcars Ordered But Not Used 12

ITEM 350 – Demurrage Plans and Prices 13

ITEM 360 – Claims 13

SECTION 3 – LOCAL AND PROPORTIONAL RATES 14

ITEM 400 – Application 14

ITEM 405 – Proportional Rates 14

ITEM 410 – Local Rates 14

ITEM 415 – Payment 14

ITEM 430 – Freight, All Kinds 14

ITEM 490 – Prepayment or Guarantee of Charges and Security Deposits for Payment of Demurrage and Other Accessorial Charges 15

SECTION 4 - ACCESSORIAL CHARGES 16

ITEM 500 – Special Train Service 16

ITEM 505 – Holidays 16

ITEM 510 – Intra-Plant Switch 16

ITEM 511 – Intra-Terminal Switch 16

ITEM 512 – Inter-Terminal Switch 16

ITEM 513 – Reciprocal Switch 16

ITEM 515 – Extra Switch 17

ITEM 520 – Railroad Error Delivery 17

ITEM 521 – Turning Cars 17

ITEM 522 – Overloaded or Improperly Loaded Rail Cars 17

ITEM 523 – Modification of Lading Prior to Movement 18

ITEM 524 – Diversion 18

ITEM 525 – Storage Cars 18

METHOD OF ADDING, CHANGING OR DELETING ITEMS IN THIS TARIFF

Changes to this tariff will be made by issuing supplements. These supplements will show the action taken on each item, namely:

- <A> Addition
- Changes resulting in neither an increase nor a decrease
- <I> Increase
- <C> No Change
- <D> Reductions

Underscored portion denotes changes/additions.

There will be only one supplement to this tariff in effect at any time. Any item contained in a prior supplement will be brought forward to subsequent supplements, showing the original effective date of the item.

ALPHABETICAL LIST OF STATIONS FROM AND TO WHICH RATES APPLY

GENESIS SUBDIVISION STATIONS:

<u>STATE</u>	<u>STATION</u>	<u>NUMBER</u>	<u>NOTES</u>
TX	Greenville	1000	
TX	Commerce	2000	
TX	Sulphur Springs	3000	Interchange with Kansas City Southern
TX	Mount Vernon	4000	
TX	Winfield	5000	
TX	Mount Pleasant	6000	Interchange with Union Pacific

EXPLANATION OF ABBREVIATIONS (AND REFERENCE MARKS)

- AAR Association of American Railroads
- BOE Bureau of Explosives
- NETC Northeast Texas Connector, LLC
- OPSL Official Railroad Station List, (Railinc, Agent)
- MP Milepost
- UP Union Pacific
- KCS Kansas City Southern Railway
- TX State of Texas
- RER Official Railway Equipment Register (R.E.R Publishing Corporation, Agent)
- STB Surface Transportation Board
- STCC Standard Transportation Commodity Code
- UFC Uniform Freight Classification (Uniform Freight Classification Committee, Agent)

SECTION 1 – RULES AND OTHER GOVERNING PROVISIONS and GENERAL RULES AND REGULATIONS UNLIMITED

ITEM 5 – Uniform Freight Classification and Exceptions

Governed, except as otherwise provided herein, by Uniform Freight Classification, UFC 6000 Series.

Provisions formerly shown herein and not brought forward are hereby eliminated.

ITEM 10 – Station List and Conditions

This tariff is governed by the Official Railroad Station List, OPSL 6000 Series, to the extent shown below:

Prepay Requirement and Station Conditions - For additions and abandonments of stations and except as otherwise shown herein, for prepay requirements, changes in the names of stations, restrictions as to the acceptance or delivery of freight and changes in station facilities. When a station is abandoned, on a date specified in the above named tariff, the rates from and to that station published in this tariff are inapplicable on or after that date.

ITEM 15 – Explosives, Dangerous Articles

For rules and regulations governing the transportation of explosives and other dangerous articles, and for specifications of shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see tariff BOE 6000 Series.

ITEM 20 – Reference to Tariffs, Items, Notes of Rules

Where reference is made in this tariff to tariffs, items notes or rules, such references are continuous and include supplements to and successive issues of such tariffs and reissues of items, notes and rules.

ITEM 40 – 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 the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last number.

ITEM 45 – Capacities and Dimensions of Railcars

For marked capacities, lengths, dimensions, and cubical of railcars, see The Official Railway Equipment Register, RER 6414 Series.

ITEM 105 – Straight or Mixed Carloads

The rates published in this tariff apply on straight or mixed carloads, unless specifically indicated otherwise.

SECTION 1 – RULES AND OTHER GOVERNING PROVISIONS and GENERAL RULES AND REGULATIONS UNLIMITED

ITEM 210 – Application of Reference Marks

In all cases where reference marks are shown in the rate column, but not immediately preceded by a rate, they are to be used in connection with the rate appearing next after such reference mark.

ITEM 220 – Prepayment of Charges

All charges under this tariff must be prepaid, unless satisfactory arrangements with the NETC have been made prior to performance of service.

ITEM 230 – Application

Rates in this tariff apply in addition to otherwise lawfully applicable freight charges, and shall accrue solely to the NETC.

ITEM 240 – Loaded Railcars Refused

A loaded railcar refused by connecting line or consignee will be returned to the consignor or connecting line at the tariff rate applicable for a new shipment. If a loaded railcar is refused by consignee and returned to a hold track, a charge of \$170.00 per railcar will be assessed for the movement from the hold track to consignee or consignor located on the NETC.

ITEM 250 – Perishable Freight

Perishable freight, under refrigeration, will be accepted from connecting lines for delivery to a consignee located on the NETC, provided that the NETC shall not be required to provide protective service.

SECTION 2 – DEMURRAGE CHARGES

ITEM 300 – Railcars Subject to Demurrage

All railroad and privately owned railcars held for or by NETC consignors or consignees are subject to demurrage rules and charges contained in this tariff, except the following:

1. Railcars for loading or unloading NETC materials while on the NETC tracks or private sidings connecting therewith
2. Railcars of refused or unclaimed freight to be sold by the NETC, for the time held beyond legal requirements
3. Railcars assigned to shippers, returned empty to assignment points to the extent storage rules apply
4. Railcars moving on their own wheels, under transportation charges, as freight
5. Railcars of railroad ownership, leased for storage of commodities, while held on lessee's tracks
6. Loaded private railcars held on private tracks
7. Empty private railcars held on private tracks
8. Empty railcars ordered and rejected as unsuitable for loading

ITEM 301 – Purpose

NETC bases its freight transportation prices and service on the expectation that railcars furnished to customers will be promptly loaded and unloaded. The purpose of this section is to describe how the time railcars under the control of customers is defined, and to specify the prices that NETC charges should a customer retain control of railcars beyond the free time specified in this section.

ITEM 305 – Explanation of Terms

For the purposes of applying provisions of this section, the following definitions will govern:

Actual placement – The time at which a railcar is placed by NETC, in an accessible position for loading or unloading, or at a point designated by the consignor or consignee.

Consignee – The party to whom a shipment is consigned on the bill of lading or other shipping document or the party entitled to receive the shipment.

Consignor – The party in whose name a railcar is ordered or the party who furnishes forwarding instructions.

Constructive Placement – When a railcar cannot be actually placed by NETC because of any condition attributable to the consignor or consignee, including order notification and inbound shipments, such railcar will be held on NETC tracks and notice will be given to the consignor or consignee that the railcar is held awaiting disposition instructions. A railcar which has been placed by NETC on private, or other than public delivery tracks, including lead tracks, serving the consignor or consignee will be considered constructively placed without notice.

SECTION 2 – DEMURRAGE CHARGES

ITEM 305 – Explanation of Terms (continued)

Demurrage Day – A 24-hour period or part thereof, commences the first 0001 hours after tender, except holidays.

Disposition – Information, including forwarding instructions or release, which allows the railroad to either tender or release a railcar from the consignor's or consignee's account.

Empty Railcars Ordered and Not Used – An empty railcar ordered and placed for loading and not used in transportation service.

Empty Release Information – Notice by the consignee, given to authorized personnel of NETC, that a railcar is unloaded and available for pick up. Information given must include: identity of consignee, party furnishing information, railcar initial and number, location of empty railcar, and the date and time of release. The date and time of release cannot be earlier than the date and time notice is given.

Forwarding Instructions – Shipping instructions given by consignor to NETC at the point of loading, containing all of the necessary information to transport the shipment to final destination.

Holiday – The following days are considered holidays for purposes of this tariff: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Lease Track – Any trackage leased to a user through written lease agreement. Lease track will be treated as private track under this section.

Loading – The complete or partial loading of a railcar in conformity with AAR and NETC loading and clearance rules and the furnishing of forwarding instructions.

Loaded Railcar – A railcar that is completely or partially loaded.

Notification – Any communication furnished either in writing or verbally, to all parties entitled to receive same under the requirements of this section.

Order date – The date that the consignor/consignee requires placement of railcar.

Other Than Public Delivery Track – Any trackage assigned for individual use, including privately owned or leased track.

Partial Unloading – Partial unloading of a railcar and furnishing of forwarding instructions to NETC.

Private Railcar – A railcar bearing other than railroad reporting marks and which is not a railroad controlled railcar and on which railroad does not pay per diem.

Private Track – Any trackage which is not owned or which is leased to a user by the railroad or a third party.

Public Delivery Track – Any track open to the general public for loading and unloading.

SECTION 2 – DEMURRAGE CHARGES

ITEM 305 – Explanation of Terms (continued)

Railroad Controlled Railcar – A railcar bearing other than railroad reporting marks, provided to the railroad directly by the railcar companies or others, for use by the railroad in serving any of its customers.

Reconsignment – An order from the consignor to bill a railcar for redelivery to other than the original consignee, said order being received after the railcar is delivered to its original destination. (An order to turn a railcar over to another party, that does not require additional movement of the railcar, is not a reconsignment).

Refused Loaded Railcar – When an original loaded railcar is refused by the consignee at destination without being unloaded.

Reloading – When a railcar is held by consignee for loading after being released empty to NETC.

Reshipment – A new document by which the entire original shipment is forwarded in the same railcar to another destination.

Stopped In Transit – A railcar is held en route because of any conditions attributed to the consignor, consignee, or owner.

Tender – The notification by NETC to the consignee of the actual or constructive placement of a loaded railcar for unloading or the consignor of the actual or constructive placement of an empty railcar for loading.

Time – Local time is applicable, expressed on the basis of the 24-hour clock. Example: 12:01 a.m. is expressed as 0001 hours or 01:01 p.m. as 1301 hours.

Unloading – The complete unloading of a railcar and notice received from the consignee that the railcar is empty and available to NETC.

SECTION 2 – DEMURRAGE CHARGES

ITEM 310 – Notification to Consignee or Consignor

The following notifications will be furnished by NETC as indicated:

1. Railcar for delivery on Other than Public Delivery Tracks:

- Notice of constructive placement if railcar is held on NETC tracks due to reasons attributed to the consignee or consignor.
- Delivery of railcar upon tracks of consignee will constitute notice.

2. Railcar for delivery on Public Delivery Tracks:

- Notice will be given to the party entitled to receive notice when a railcar is actually placed.

3. Railcar Stopped in Transit:

- Notice will be given to the consignor, consignee, or owner responsible for a railcar being stopped on the NETC, upon arrival of the railcar at the point of stoppage.

4. Refused Loaded Railcar:

- When a railcar is refused at destination, NETC will give notice of such refusal to the consignee or owner.

5. Notification may be given electronically, verbally or in writing, and will contain the following:

- Railcar initial and number
- If lading transferred en route, the initial and number of the original railcar
- Commodity
- Date
- Location

ITEM 315 – Notification to be given to Northeast Texas Connector

Railroad personnel are on duty from 8:00 a.m. to 5:00 p.m. weekdays, except holidays, to receive forwarding instructions, empty release information, or other disposition of railcars. When railroad personnel are not on duty, an electronic recording device will be available to receive such communication from the consignee or consignor. The date and time such communication is received and recorded will govern any demurrage charges incurred. Forwarding instructions, empty release information, or other disposition of railcars may also be provided in writing by facsimile machine. The date and time of such communication is received and recorded will govern any demurrage charges incurred.

Notice may be given to NETC by:

Telephone: (903) 348-5890

SECTION 2 – DEMURRAGE CHARGES

ITEM 320 – Railcars Held for Loading/Unloading

This item does not apply to private railcars.

Railcars held for loading:

Tender – The notification by NETC to consignor of the actual or constructive placement of any empty railcar on orders of the consignor. A railcar held by NETC will be constructively placed on “order date” if the railcar order is not cancelled prior to order date or if placement instructions have not been received by NETC.

Release – Date and time forwarding instructions are received from consignor by NETC. Once forwarding instructions are received by the NETC, the consignor is acknowledging that its railcar is loaded, all seals (if applicable) are in place, and all hatches or doors are closed and that the railcar is available for pick up. A railcar found to be improperly loaded or overloaded will not be considered released until the load has been adjusted properly and suitable for shipping. A railcar placed on interchange tracks of consignor doing its own switching must also be returned to interchange tracks for release.

Computation – Time will be computed from the first 0001 hours after tender until release. If a railcar is placed prior to the date for which it was ordered, time will be computed from the first 0001 hours on the date for which it was ordered until released. On a reloaded railcar, the time will be computed from the first 0001 hours after notice is received by NETC that the railcar is empty until released. When the same railcar is loaded and reloaded, empty release information must be furnished to NETC. If not furnished, demurrage will continue until forwarding instructions are received.

Free Time – The first 24 hours after time computation begins will be demurrage free, except that a railcar placed on Friday will be free until Monday midnight. If a holiday occurs during free time, 24 hours additional free time will be granted.

Railcars held for unloading:

NETC delivers railcars received in interchange under load to consignee by next available train after receipt from connecting carriers. Unless arrangements are made otherwise, NETC cannot be responsible for anticipating delivery schedule of consignor or consignee.

Tender – The notification by NETC to consignee of actual or constructive placement of loaded railcar.

Release – Date and time that the railroad receives notice that a railcar is empty. When a railcar is unloaded by the railroad, the railcar will be released at the time the unloading process is complete.

Computation – Time will be computed from the first 0001 hours after tender until release. When the same railcar is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received by the railroad.

Free Time – The first 24 hours after time computation begins will be demurrage free, except that a railcar placed on Friday will be free until Monday midnight. If a holiday occurs during free time, 24 hours additional free time will be granted.

SECTION 2 – DEMURRAGE CHARGES

ITEM 330 – Heavy Duty of Special Type Flat Cars Held for Loading/Unloading

This item applies to use of heavy duty or special type flat car with AAR mechanical designations “FD”, “FW”, or “FM”.

Heavy duty or special type flat cars held for loading:

Tender – The notification by NETC to consignor of the actual or constructive placement of any empty railcar on orders of the consignor. A special designation railcar will not be held until “order date” by NETC and will be constructively placed for consignee after railcar is received in interchange by next available train after receipt from connecting carriers.

Release – Date and time forwarding instructions are received from consignor by NETC. Once forwarding instructions are received by the NETC, the consignor is acknowledging that its railcar is loaded, all seals (if applicable) are in place, and all hatches or doors are closed and that the railcar is available for pick up. A railcar found to be improperly loaded or overloaded will not be considered released until the load has been adjusted properly and suitable for shipping. A railcar placed on interchange tracks of consignor, doing its own switching, must also be returned to interchange tracks for release.

Computation – Time will be computed from the first 0001 hours after tender until release. When the same railcar is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received by the railroad.

Free Time – A railcar will be allowed the first 24-hour period, or fraction thereof, after the first 0001 hours after placement or notification if a railcar is held en route.

Heavy duty or special type flat cars held for unloading:

NETC delivers railcars received in interchange under load to consignee by next available train after receipt from connecting carriers. Unless arrangements are made otherwise, NETC cannot be responsible for anticipating delivery schedule of consignor or consignee.

Tender – The notification by NETC to consignor of the actual or constructive placement of loaded railcar.

Release – Date and time that the railroad receives notice that a railcar is empty. When a railcar is unloaded by the railroad, the railcar will be released at the time the unloading process is complete.

Computation – Time will be computed from the first 0001 hours after tender until release. When the same railcar is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received by the railroad.

Free Time – A railcar will be allowed the first 24-hour period, or fraction thereof, after the first 0001-hours after placement or notification if the railcar is held en route.

SECTION 2 – DEMURRAGE CHARGES

ITEM 340 – Railroad Cars Held For Other Purposes

Applicable to railcars held on orders of consignor or consignee while awaiting disposition instructions from the consignor or consignee as a result of conditions attributable to consignee or consignor.

Tender – Notification by NETC to consignee or consignor of actual or constructive placement of loaded railcar.

Release – Date and time that the railroad receives notice as to the disposition of a railcar. When a railcar is unloaded by the railroad, the railcar will be released at the time the unloading process is complete.

Computation – Time will be computed from the first 0001 hours:

1. After tender until release on: railcar delivered; empty for loading ordered and not used (other than rejected railcar); partially unloaded; reconsigned; reshipped; stopped in transit
2. After railcar is received by NETC until date of disposition on railcar received from connecting carrier
3. After tender until date of refusal on refused loaded railcar by consignee
4. After tender until date of disposition on refused loaded railcar by consignor

ITEM 345 – Empty Railcars Ordered But Not Used

This item does not apply to empty railcars rejected by consignor as unfit for loading, provided railroad has been notified within 24 hours of tender.

Tender – The notification, actual or constructive placement of empty railcar.

Released – Date and time disposition instructions are received by railroad.

Computation – Time will be computed from the first 0001 hours after tender until released. If a railcar is placed prior to the date for which it was ordered, time will be computed from the first 0001 hours on the date for which it was ordered until released. On a railcar for reloading, time will be computed from the first 0001 hours after notice is received that the railcar is empty until released.

Charges – A railcar ordered and not used are subject to normal demurrage terms and charges. An additional handling charge of \$150.00 will be assessed on an empty railcar ordered and not used.

SECTION 2 – DEMURRAGE CHARGES

ITEM 350 – Demurrage Plans and Prices

Settlement of charges will be made on a monthly basis on all railcars released during the calendar month.

Unless otherwise agreed upon by the NETC in writing, demurrage charges will be assessed by NETC against the consignor at origin or consignee at destination, who will be responsible for payment.

Calculation of Charges – Following expiration of free time, charges will accrue as follows:

1. \$75.00 per day for railroad cars, \$100.00 per day for private cars held on railroad owned tracks
2. Refrigerated box cars with mechanical designations “RP” or “FPL” will be assessed \$75.00 per day demurrage
3. Heavy duty or special type flat car with AAR mechanical designations
4. “FD”, “FW”, or “FM” will be assessed \$150.00 per day demurrage unless otherwise agreed upon
5. If a shipment requires the use of a heavy duty or special type flat car with AAR mechanical designations “FD”, “FW”, or “FM”, use and detention charges for such a railcar provided in Freight Tariff RIC 6740-Series will apply in addition to demurrage

ITEM 360 – Claims

In order to be allowed relief from demurrage charges as billed, a claim must be received by NETC in writing no later than 15 days following the month in which the bill was issued, stating fully the conditions for which relief was claimed.

Relief will be granted only under the following circumstances:

Railroad Error – If, through delivering railroad error, demurrage charges are assessed, demurrage charges will be adjusted to the amount that would have accrued if not for such error. (Railcar bunching is not considered to be a railroad error.)

Strike Interference – When it is impossible to load, unload, or receive a railcar from or make a railcar available to NETC because of strike interference at the point where loading or unloading is to be accomplished, demurrage will be assessed at \$40.00 per day for the railcar affected. Demurrage will accrue to NETC during the period of the strike interference, provided:

1. The disruption exceeds 10 days duration during one calendar month
2. The provisions of this item will not apply to an inbound railcar when waybills are dated four days after the beginning of the strike interference and a loaded railcar when ordered after the beginning and prior to the end of the strike interference

Weather Interference – When due to severe weather conditions such as tornados, hurricanes, floods, or snow storms, the operations of consignee or consignor are disrupted, the demurrage directly attributable thereto will be cancelled provided the disruption exceeds two days in duration.

SECTION 3 – LOCAL AND PROPORTIONAL RATES

ITEM 400 – Application

Except as specifically provided herein, rates in this tariff apply as local and proportional rates. Rates in this tariff apply to all shipments on the NETC, unless otherwise agreed by specific tariff, exempt quotation or contract.

ITEM 405 – Proportional Rates

Proportional rates are limited in their application to traffic destined to, or originating from specific points or territories, including rates which are published for application on traffic destined “from beyond”; “when destined beyond”; or when to or from interchange with connecting carriers. Proportional rates apply to all shipments when the NETC does not participate in a through rate.

ITEM 410 – Local Rates

Local rates apply on movements of carloads between any two stations solely on the NETC and do not include carloads interchanged with connecting carriers.

ITEM 415 – Payment

Rates assessed in this section will be billed by the NETC, and are billable to and payable by the payer of line haul rates and charges assessed by connecting carriers.

Payment Terms: Net 30 Days - Past Due 30 Days - Add 2% per Month Late Charge.

ITEM 430 – Freight, All Kinds

Unless otherwise agreed upon, in addition to rates provided elsewhere in this tariff, the rates in this item apply.

For all railcar traffic containing commodities without agreed upon rates, a fee of \$800.00 per railcar applies. This rate does not apply to excess dimensions, hazardous materials, radioactive, or idlers.

Unless otherwise agreed upon, a fee of \$400.00 per railcar will be assessed for idlers.

SECTION 3 – LOCAL AND PROPORTIONAL RATES

Extra Handling Charges Table:

Unless otherwise agreed upon, in addition to rates provided elsewhere in this tariff, the rates in this table apply.

Application Description Rate

ITEM 480 Excess Dimensions Carload exceeding: 10' 6" wide, \$3,500.00 per railcar 17' high, or 110 net tons

ITEM 485 Hazardous Material Shipment moving under \$1,500.00 per railcar STCC 49 xxx xx. Unless otherwise specified here within tariff.

ITEM 490 Radioactive Shipment moving under \$2,500.00 per railcar STCC 49 26x xx or 49 29x xx

ITEM 490 – Prepayment or Guarantee of Charges and Security Deposits for Payment of Demurrage and Other Accessorial Charges

A security deposit to insure payment of any demurrage, detention, storage, accessorial, and/or freight charges that may accrue will be required from any consignor, consignee, beneficial owner, or other responsible parties, hereafter referred to as customer which is not on credit list and/or is placed on bad credit list:

1. Is not on NETC's authorized credit list
2. Fails to pay demurrage, detention, storage, accessorial and/or freight charges upon specific written demand referring to this tariff provision

The deposit must be paid in cash, certified check, cashier's check, or money order before any freight railcar, container or trailer is delivered to such customer for loading or unloading. The deposit for each freight railcar, container or trailer must be in the minimum amount of \$225.00 or up to the maximum amount of demurrage, detention, storage, accessorial or freight charges that accrued on any one freight railcar, container or trailer during the preceding 24 months.

NETC will refund the balance of the deposit to the customer within 30 days after the equipment is released to NETC after deducting all unpaid charges on that equipment. Such deposit will not be transferable to another freight railcar, container or trailer.

Security deposits will no longer be required after the customer either

1. Is placed on NETC's authorized credit list
2. Has paid all outstanding demurrage, detention, storage, accessorial and/or freight charges and has given assurance to the satisfaction of the NETC that future demurrage, detention, storage, accessorial, and/or freight charges will be paid within the credit period prescribed by the STB

SECTION 4 - ACCESSORIAL CHARGES

ITEM 500 – Special Train Service

Shipments that require handling in a special train service with one engine to or from stations on the NETC and connecting carriers will be charged \$1500.00 per train. Should multiple engines be required for handling the special train a charge of \$2000.00 per train will be assessed. A charge of \$200.00 per event will be assessed for the cancelation of a requested special train.

Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

Normal service hours are outlined in the railroad's published schedule, but can be modified by request with the approval of the Manager of Transportation.

The above charges apply in addition to otherwise applicable freight charges.

ITEM 505 – Holidays

If service is required to be performed on a holiday as defined in ITEM 305 a switch fee of \$1700.00 will be assessed.

Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

ITEM 510 – Intra-Plant Switch

A switching movement of cars 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 will be assessed a charge of \$150.00 per car. Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

ITEM 511 – Intra-Terminal Switch

A switching movement (other than intra-plant switching) from track to another track of the same carrier within the switching limits of one station or industrial switching district will be assessed a charge of \$300.00 per car. Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

ITEM 512 – Inter-Terminal Switch

A switching movement from a track of one carrier to a track of another carrier when both tracks and movements are within the switching limits of one station or industrial switching district will be assessed a charge of \$300.00 per car. Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

ITEM 513 – Reciprocal Switch

A switching movement to and from industries on NETC track within the NETC switching district, as defined by MP 489.4 to 555.0 is considered a reciprocal switch and will be assessed a charge of \$500.00 per car.

ITEM 515 – Extra Switch

If a second switch is requested during a normal train crew shift by a customer, a switching charge of \$500.00 will be assessed. Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

ITEM 520 – Railroad Error Delivery

When loaded or empty cars are delivered to the NETC in error by connecting carriers and are returned to the same carrier without being loaded or emptied on the NETC, a charge of \$500.00 per car will be assessed to the connecting carrier. (See note)

Note- NETC will not be responsible for car hire on these cars, and will reclaim from the connecting carrier all car hire assessed.

If additional service is requested outside of normal service days or hours, the shipper or receiver will be assessed a special service charge of \$1500.00. If the special service request is on a holiday, as outlined in this tariff, the service charge will be \$1700.00. Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

ITEM 521 – Turning Cars

Charges for the turning of a car are \$150.00 per car when the turning is performed on or within the customer's siding or performed on NETC tracks in the immediate station or industrial switching district.

Charges for the turning of a car are \$150.00 plus the extra switch fee of \$500.00 (**ITEM 515**) when the turning is performed on NETC tracks outside the immediate station or industrial switching district.

Written confirmation must be received by the NETC prior to performing the service in will be limited on the availability of crews.

ITEM 522 – Overloaded or Improperly Loaded Rail Cars

The NETC will assess a charge of \$500.00 per car on each car that is determined to be overloaded and/or improperly on the NETC

The customer is responsible for any damage to the railcar caused by overloading and/or improperly loading of the railcar.

Cars found to be overloaded must be partially unloaded to the weight limited of the railcar by the customer at the customer's expense where placed by the NETC for offloading. Cars found to be improperly loaded must be partially re-loaded and approved for travel by the NETC Mechanical Department. Demurrage charges will be assessed on the overloaded car from the day the shipper is notified of the overloaded car until the car is accepted by the NETC as being within the lading limits or safe limits of the car. No demurrage 'free' days will be allowed on overloaded or improperly loaded cars.

If the NETC Transportation Department determines that the overloaded or improperly loaded car can be returned to the shipping point for reduction/rebalancing the switching charge contained in ITEM 515 of this tariff will be assessed in addition to charges in this item.

ITEM 523 – Modification of Lading Prior to Movement

To modify any prior submitted lading prior to the occurrence of movement from industry track, the NETC will assess a fee of \$75.00 per car.

ITEM 524 – Diversion

To modify any prior submitted lading after the occurrence of movement from the industry track, the NETC will assess a fee of \$275.00 per car. Any additional transportation switching charges resulting from this car traveling to a different connecting rail carrier will be assessed in addition to the diversion charge.

ITEM 525 – Storage Cars

Long term storage must be approved by the MTO prior to the billing of any cars to NETC. NETC will assess a storage fee of \$5 per day, per car for cars less than 74 feet in length. In addition to the through freight rate, there is also an additional switch fee of \$200 per car inbound, as well as \$200 per car outbound, which are subject to storage and written contract.