a Genesee & Wyoming Company

RCPE TARIFF 0900-7

EFFECTIVE: January 1, 2019 **EXPIRES**: December 31, 2019

COMMODITIES: All TIH-PIH Commodities as defined by AAR Circular No. OT-55 Series
ORIGIN: Wolsey, SD or Tracy, MN
DESTINATION: Pierre, SD or Onida, SD
ROUTE: RCPE only, rule 11 applies

ITEM 1000 – GENERAL RULES:

A. Any services not covered by the charges in this document are subject to the rules and provisions of the 6006-series, & 6007-series Charge Catalogs. This Rate Authority can be cancelled upon 20 days' notice. Reverse application applies only on rejected shipments moving back toward original origin via reverse route. Each shipment hereunder shall be tendered to Carriers on a Uniform Straight Bill of Lading. RCPE-T-0900-series must be shown on all bills of lading tendered for shipment. Except when specifically provided herein, rates do not include switching charges at origin or destination. Shipments shall be billed accounting Rule 11.
B. Upon tender of a car or cars containing TIH-PIH to a rail carrier for delivery to RCPE in interchange for delivery to the receiver or directly to RCPE, the shipper shall give notice of the shipment to RCPE by providing RCPE a copy of the Notice attached as Appendix A hereto. The Notice must be completely filled out and tendered to RCPE by the instructions specified on the bottom of Appendix A. RCPE shall use the Notice to track the car in order to be able to comply with the regulatory requirements once the car or cars arrive for interchange to RCPE. RCPE will notify the recipient of the arrival of the car or cars and the estimated time of delivery.

ITEM 1001 – PROCEDURE ON DELIVERY AND PLACEMENT OF CARS:

Receiver shall be prepared to receive carloads of TIH-PIH commodities immediately upon notification of availability at destination by RCPE. There will be no free time granted to receiver once notification takes place. Charges will begin at 12:01AM the morning after notification to the receiver or the first day of deliverable service, whichever occurs first.

If a receiver or receiving location is unable to accept a TIH-PIH commodity carload when it is first tendered after notice and available for delivery, and RCPE must then hold the car(s) in its rail facilities, a charge of $3,000 per car, per day or portion thereof will be assessed until the car or cars are placed at the billed destination.

ITEM 1003 – PROCEDURE ON UNSAFE OR IMPROPERLY LOADED CARS:

When a car is deemed unsafe based on the criteria below or for failure to comply with 49 CFR 174.3, a penalty of $10,000 may be assessed to the Shipper:

- A car is overloaded, imbalanced or has a shifted load.
- A car is spilling, leaking, or dusting.
- A car containing TIH-PIH commodities or residue is identified moving on RCPE for which shipping instructions were not regulatory compliant.

ITEM 1005 – PROCEDURE ON ANY MAJOR ADJUSTMENT FOR TIH-PIH CARS:

When RCPE provides any of the following tasks to a TIH-PIH car or cars, a charge equating to actual cost plus 25% (minimum ^$3,000) will be assessed to the party requesting or requiring these services:

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

ITEM 1007 – PROCEDURE ON UNSAFE CONDITION AT CUSTOMER FACILITY:

Where at RCPE's sole discretion, safe railway operations are not possible because of an extreme condition or practice including, but not limited to the conditions below, train service will be suspended until the condition is rectified to the satisfaction of RCPE's safety/environmental staff.

- A CONDITION OR PRACTICE LIKELY TO CAUSE: PERMANENT DISABILITY; LOSS OF LIFE OR BODY PART; EXTENSIVE LOSS OF STRUCTURE, EQUIPMENT OR MATERIAL; OR REPEATED/OR MULTIPLE UNRESOLVED CONDITIONS OR PRACTICES THAT MAY HAVE A SAFE WORK-AROUND.

ITEM 1009 – LOSS OR DAMAGE:

No claim for physical loss or damage to any one shipment transported hereunder shall be made or filed by receiver for amounts of $250.00 or less. Any claims should be filed with the destination RCPE.

ITEM 1011 – FUEL SURCHARGE:

Shipments are subject to Fuel Surcharge Tariff 92000.

ITEM 1013 – RATE:

Notwithstanding any other rate provisions for transportation of a TIH-PIH car on RCPE, the rate shall be:

- Wolsey, SD to Pierre, SD: ^$3,709 per railcar + plus fuel surcharge
- Tracy, MN to Pierre, SD: ^$4,769 per railcar + plus fuel surcharge
- Wolsey, SD to Onida, SD: ^$3,618 per railcar + plus fuel surcharge
- Tracy, MN to Onida, SD: ^$4,680 per railcar + plus fuel surcharge

APPENDIX A

NOTICE OF SHIPMENT OF TIH-PIH

TIH/PIH COMMODITY TRANSPORTATION NOTICE

COMPANY PROVIDING NOTICE:

COMMODITY NAME:

MOVEMENT INFORMATION

ORIGIN RAIL STATION:	ORIGIN RAILROAD:	COMPLETE RAIL ROUTE:	
DESTINATION RAIL STATION:	DESTINATION RAILROAD:	ORIGIN STATION ON RCPE:	DESTINATION STATION ON RCPE:
WAYBILL/BOL DATE:	WAYBILL/BOL NUMBER:	CAR INITIAL:	
APPLICABLE RATE AUTHORITY:		FREIGHT PAYOR:	

CUSTOMER INFORMATION

CONSIGNEE:	CONSIGNOR:
EMERGENCY CONTACT NAME:	EMERGENCY CONTACT PHONE NUMBER:

SPECIAL INSTRUCTIONS

RCPE INFORMATION FOR SHIPMENT	CUSTOMER REPRESENTATIVE GIVING NOTICE	
NAME:	NAME:	
TITLE:	TITLE:	
DATE:	DATE	
ESTIMATED MOVE DATE	PHONE:	EMAIL:

ADDITIONAL INFORMATION FOR CUSTOMER

1. Notice must be delivered to RCPE upon tender of a car or cars containing TIH/PIH to a rail carrier for delivery to RCPE.
2. A notice must be filed for each individual shipment.
3. By sending the notice for shipment, the customer agrees to conform to and be bound by all applicable industry and RCPE tariffs governing the shipment of TIH/PIH commodities.
4. By receiving the notice, RCPE does not commit to a specific date or service schedule for the movement of the shipment listed in the application.

EMAIL COMPLETED APPLICATION TO: RCPE-CS@gwrr.com or FAX TO: 904-999-5329