

Yellowstone Valley Railroad LLC
www.watcocompanies.com



**DEMURRAGE, STORAGE, ACCESSORIAL
AND TERMINAL FREIGHT TARIFF YSVR 6010-B**
(Cancels and Supersedes YSVR 6010-A and supplements thereto)

**CONTAINING DEMURRAGE AND STORAGE CHARGES
TERMINAL SWITCHING AND MISCELLANEOUS RAILROAD
CHARGES
APPLYING AT ALL POINTS ON THE YSVR**

**FOR GENERAL RULES & CONDITIONS OF CARRIAGE
SEE TARIFF WTS 9011-SERIES**

APPLICABLE ON EXPORT, IMPORT, INTERSTATE AND INTRASTATE TRAFFIC

ISSUE DATE: December 10, 2011

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(except where otherwise noted)

ISSUED BY:

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CHECK SHEET OF ITEMS AND REVISIONS

The items contained in this publication are listed consecutively by number. The item that has been changed will contain one of the following reference marks placed under column "REVISION TYPE" next to the item number:

- (A) Denotes increase
- (R) Denotes reductions
- (C) Denotes changes in wording which result in neither increases nor reductions in charges
- (N) Denotes new 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 when item(s) have been changed

Revision Type	Item Number and Description Effective Date
(A) (N)	ITEM .05 – REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC. January 1, 2012
(N)	ITEM .10 – CONSECUTIVE NUMBERS January 1, 2012
(N)	ITEM .20 – CHANGE IN PROVISION(S) January 1, 2012
(N)	ITEM .25 – CHARGES HEREIN SUBJECT TO INCREASE January 1, 2012
(N)	ITEM .30 – CURRENCY January 1, 2012
(N)	ITEM .35 – TRANSPORTATION January 1, 2012
(C)	ITEM 10 – REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC. (Removed in its entirety and now shown as part of ITEM .05) January 1, 2012
(N)	ITEM 10 – GLOSSARY January 1, 2012
(C)	ITEM 20 – METHOD OF CANCELLING ITEMS (Removed in its entirety) January 1, 2012
(A) (N)	ITEM 20 – PAYMENT TERMS January 1, 2012
(C)	ITEM 30 – SUPPLEMENTS AND REISSUES (Removed in its entirety and now shown as part of ITEM .05) January 1, 2012
(A) (N)	ITEM 30 – SECURITY DEPOSITS FOR PAYMENT OF CHARGES January 1, 2012
(C)	ITEM 40 – DEMURRAGE CHARGES (Removed in its entirety and now shown as part of ITEM 110) January 1, 2012
(N)	ITEM 40 – NOTIFICATION January 1, 2012
(C)	ITEM 50 – EMPTY CARS ORDERED OR APPROPRIATED FOR LOADING BUT NOT USED (Removed in its entirety and now shown as part of ITEM 200) January 1, 2012
(N)	ITEM 50 – NOTIFICATION TO YSVR January 1, 2012
(C)	ITEM 60 – PRIVATE CARS HELD ON RAILROAD TRACKS (Removed in its entirety and now shown as part of ITEMS 70, 80, 90 and 100) January 1, 2012
(A) (N)	ITEM 60 – CLAIMS January 1, 2012
(C)	ITEM 70 – CARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING (Removed in its entirety and now shown as part of ITEM 100) January 1, 2012
(A) (N)	ITEM 70 – APPLICATION January 1, 2012
(A) (N)	ITEM 75 – CHARGES FOR TOXIC OR POISONOUS INHALATION HAZARD (TIH/PIH) January 1, 2012
(C)	ITEM 80 – FREE TIME (Removed in its entirety and now shown as part of ITEMS 105 and 110) January 1, 2012
(A) (N)	ITEM 80 – CARS HELD FOR COMPLETE OR PARTIAL LOADING January 1, 2012
(C)	ITEM 90 – HOLIDAYS (Removed in its entirety and now shown as ITEM 115) January 1, 2012
(A) (N)	ITEM 90 – CARS HELD FOR COMPLETE OR PARTIAL UNLOADING January 1, 2012
(C)	ITEM 100 – PLACEMENT (Removed in its entirety and now shown as part of ITEM 10) January 1, 2012
(A) (N)	ITEM 100 – CARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING January 1, 2012
(N)	ITEM 105 – FREE TIME January 1, 2012
(C)	ITEM 110 – RELEASE NOTIFICATION (Removed in its entirety and now shown as part of ITEM 50) January 1, 2012
(A) (N)	ITEM 110 – DEMURRAGE PLAN AND PRICES January 1, 2012
(N)	ITEM 115 – HOLIDAYS January 1, 2012
(A) (N)	ITEM 120 – STORAGE OF LOADED OR EMPTY PRIVATE CARS ON RAILROAD TRACKS January 1, 2012
(A) (N)	ITEM 140 – STORAGE OF RAILWAY EQUIPMENT MOVING ON OWN WHEELS January 1, 2012
(A) (N)	ITEM 150 – STORAGE OF EXPLOSIVES, HAZARDOUS MATERIALS (OTHER THAN TIH/PIH) January 1, 2012
(A) (N)	ITEMS (160 – 175) – SWITCHING January 1, 2012
(A) (N)	ITEM 180 – EARLY RELEASE OF CARS PLACED FOR LOADING OR UNLOADING January 1, 2012
(A) (N)	ITEM 190 – RELEASE OF CARS WITHOUT FORWARDING INSTRUCTIONS January 1, 2012

CHECK SHEET OF ITEMS AND REVISIONS (con't)

Revision Type	Item Number and Description Effective Date
(C)	ITEM 200 – WEIGHING (Removed in its entirety and now shown as part of ITEM 285) January 1, 2012
(A) (N)	ITEM 200 – EMPTY CARS RETURNED UNUSED January 1, 2012
(C)	ITEM 201 – TURNING CARS (Removed in its entirety and now shown as part of ITEM 270) January 1, 2012
(C)	ITEM 202 – RECONSIGNMENT OR DIVERSION (Removed in its entirety and now shown as part of ITEM 290) January 1, 2012
(C)	ITEM 203 – INTRA-PLANT SWITCHING (Removed in its entirety and now shown as part of ITEM 160) January 1, 2012
(C)	ITEM 204 – INTRA-TERMINAL SWITCHING (Removed in its entirety and now shown as part of ITEM 170) January 1, 2012
(C)	ITEM 205 – SPECIAL SWITCHING (Removed in its entirety and now shown as part of ITEMS 250 and 260) January 1, 2012
(A) (N)	ITEM 205 – ORDERING EMPTY CARS IN FOR PLACEMENT BY SPECIFIC CAR NUMBER January 1, 2012
(C)	ITEM 206 – SPECIAL TRAIN (Removed in its entirety and now shown as part of ITEMS 240, 250 and 260) January 1, 2012
(R)	ITEM 207 – CARS SWITCHED OUT OF CONSTRUCTIVE PLACEMENT (Removed in its entirety) January 1, 2012
(A) (C)	ITEM (208 – 213) – OVERLOADED CARS (Removed in its entirety and now shown as part of WTS 9011-series) January 1, 2012
(N)	ITEM 210 – CARS INTERCHANGED OR DELIVERED TO YSVR IN ERROR January 1, 2012
(A) (N)	ITEM 215 – CHARGES FOR DELAY OF CARS January 1, 2012
(C)	ITEM 220 – SETBACK CHARGES FOR CARS HANDLED IN ERROR (Removed in its entirety and now shown as part of ITEM 210) January 1, 2012
(A) (N)	ITEM 220 – INDUSTRY SETBACK January 1, 2012
(C)	ITEM 221 – REJECTED CARS (Removed in its entirety and now shown as part of ITEM 200) January 1, 2012
(C)	ITEM 222 – RELEASE PRIOR TO COMPLETE LOADING OR UNLOADING (Removed in its entirety and now shown as part of ITEM 180) January 1, 2012
(C)	ITEM 223 – EMPTY CARS ORDERED OR SUPPLIED FOR SPECIFIC DESTINATIONS OR JUNCTIONS (Removed in its entirety and now shown as part of ITEM 340) January 1, 2012
(C)	ITEM 230 – STORAGE (Removed in its entirety and now shown as part of ITEMS 120 - 150) January 1, 2012
(A) (N)	ITEM 230 – LOCOMOTIVES, DEAD, ON OWN WHEELS January 1, 2012
(N)	ITEM 235 – REASONABLE DISPATCH January 1, 2012
(C)	ITEM 240 – EMPTY CARS ORDERED AND NOT LOADED (Removed in its entirety and now shown as part of ITEM 200) January 1, 2012
(N)	ITEM 240 – OVERSIZED/DIMENSIONAL LOADS January 1, 2012
(C)	ITEM 250 – PER DIEM (Removed in its entirety and now shown as part of ITEMS 310 and 350) January 1, 2012
(C)	ITEM 260 – WEIGHT RESTRICTIONS (Removed in its entirety and now shown as part of WTS 9011- series) January 1, 2012
(A) (N)	ITEMS 250 & 260 – SWITCHING OUTSIDE NORMAL OPERATING OR SERVICE HOURS & SPECIAL FREIGHT TRAIN January 1, 2012
(A) (N)	ITEM 270 – TURNING CARS TO PERMIT LOADING/UNLOADING January 1, 2012
(A) (N)	ITEM 280 – EMPTY CAR SWITCHING January 1, 2012
(A) (N)	ITEM 285 – WEIGHING January 1, 2012
(A) (N)	ITEM 290 – DIVERSION/RECONSIGNMENT CHARGES January 1, 2012
(N)	ITEM 300 – PRIVATE CAR APPLICATION FOR RAILROAD MARKS January 1, 2012
(N)	ITEM 310 – PRIVATE CAR MILEAGE January 1, 2012
(N)	ITEM 340 – EQUIPMENT SUPPLIED FOR SPECIFIC DESTINATION OR JUNCTIONS January 1, 2012
(N)	ITEM 350 – MILEAGE ALLOWANCE ON SHIPPER OWNED OR LEASED CARS January 1, 2012
(N)	ITEM 360 – ITEMS FORMERLY SHOWN January 1, 2012

ITEM 0.05 REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

This publication is now available on the Internet for viewing or sending directly to your printer. YSVR Home Page address is <http://www.watcocompanies.com>. All customers shipping with the YSVR should review the publications posted on the Website before tendering freight to or from any of the railroads as revisions to the publications will be made from time to time by supplement or reissuing the publications in their entirety.

From the Home Page click the 'Railroads' 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 the YSVR.

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 specifying the specific railroad and tariff number. 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 \$100.00 subscription fee will be assessed for those who wish to receive a hard copy.**

Watco Transportation Services
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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 0.10 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 0.20 CHANGE IN PROVISION(S)

YSVR 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. YSVR will make available on its web site this publication in the latest amended form. Shipper should review this publication before tendering freight to YSVR. Revisions to this publication will be made from time to time by reissuing the publication in its entirety.

ITEM 0.25 CHARGES HEREIN SUBJECT TO INCREASE

Charges published herein are subject to increase by republication.

ITEM 0.30 CURRENCY

Charges published herein are stated in United States Dollars.

ITEM 0.35 TRANSPORTATION

YSVR agrees to transport shipments with reasonable dispatch. YSVR 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.

ITEM 10 **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 will not issue Actual Placement Notices.

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 the Official Railway Equipment Register.

ASSIGNEE: A shipper who has requested and has been assigned specific cars.

BILL OF LADING: Uniform Bill of Lading as contained in the Uniform Freight Classification UFC 6000-Series, subject to modification as may from time to time.

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 YSVR does not control the flow of inbound cars from connecting railroads, no allowance can 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.

CLOSING EVENT: The event in a car cycle that closes the cycle and results in computation of time and charges.

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 YSVR 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 YSVR on private or other than public delivery tracks, including lead tracks serving the consignee, shipper, loader or unloader, will be considered constructively placed without notice.

CONSTRUCTIVE PLACEMENT TIME: The time from constructive placement until a car is actually placed.

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.

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 either Tender, as defined in this Item, or release the car from the shipper's, consignee's, loader's, or unloader's account.

DIVERSION: An order from the shipper or consignee to deliver car(s) to other than the original billed destination.

ITEM 10 **GLOSSARY OF TERMS (con't)**

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 YSVR electronically via BNSF Web Tools (SWITCH AND RELEASE), that car is unloaded and available to YSVR. Release will be effective on date and time advice is received by YSVR. See SWITCH AND RELEASE shown in alphabetical order within this item 10.

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 YSVR. Forwarding instructions will be effective on date and time advice is received by YSVR.

Advice received by YSVR to move a car from a shipper's loading or storage track to YSVR' 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 YSVR 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.

IDLER CAR: An empty car used to protect overhanging loads, or used between cars loaded with long material.

INDUSTRIAL INTERCHANGE 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 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.

INTRA-TERMINAL SWITCHING: A 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 YSVR and an industrial track or team track on connecting lines on traffic having origin and destination within the same switching limits of the same station or industrial switching district. Charges of connecting carriers will be in addition to charges provided herein.

LEASED TRACK: A track leased to a user through a written lease agreement and is considered the same as a private track for demurrage 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 YSVR loading and clearance rules, advice that the car is available for movement, and the furnishing of forwarding instructions.

ITEM 10 **GLOSSARY OF TERMS (con't)**

NOTIFICATION: When required, notification will be furnished either electronically or in writing to all parties entitled to receive notification.

ORDER IN CUSTOMER: A customer who, by prior arrangement, has notified YSVR that cars shall not be placed, or considered to be placed, for loading or unloading, until YSVR 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.

OTHER THAN PUBLIC DELIVERY TRACK: Any tracks 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: A car which is not owned or leased by a railroad.

PRIVATE TRACK: Any track not owned or leased by a railroad.

PUBLIC DELIVERY TRACK: Any track for use by the general public for loading and unloading (i.e. Team Track).

RAILROAD CONTROLLED CAR: Any car other than a private car.

RECONSIGNMENT: Any order from the shipper to bill a car to other than the original destination. (An order to turn over the car to another party, that does not require an additional movement of the car, is not a reconsignment).

REFUSED LOADED CAR: An original loaded car refused at destination without being unloaded.

RELEASE: The notification received from loader 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 YSVR 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 a 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 billing is received from the Third-party.

RESHIPMENT: A new document by which the entire original shipment is forwarded in the same car to another destination.

RUN AROUND: Car(s) placed ahead of previous arrivals.

SNAPSHOT (DEMURRAGE AND STORAGE): A daily fee applied to each car held on railroad tracks or rail siding (team track) awaiting customer disposition, including cars held on railroad tracks for loading or unloading awaiting placement to railroad controlled track, actually placed, and constructively placed. **Private cars ordered to or actually placed on privately owned track and Rail-controlled cars ordered to track are not chargeable.**

SWITCH AND RELEASE (BNSF WEB TOOL): Order in or release a railcar into/from your YSVR served facility, including rejecting equipment. Go to BNSF.com: Login and go to the Ship tab. Voice Activated: 1-888-428-2673 option 2 (both available 24/7).

ITEM 10 GLOSSARY OF TERMS (con't)

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: YSVR, without notification, will place cars for loading or unloading immediately upon their availability for placement.

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 YSVR has received an order for placement from the Spot on Arrival Customer.

STRAIGHT DEMURRAGE: Straight demurrage rules provide for an allowance of a definite period, called "free time," for the loading or unloading of cars and for a definite charge by the day for all cars held beyond that period.

STOPPED IN TRANSIT: When cars are held en route because of any condition attributable to the shipper, or consignee, or owner.

STORAGE DAY: A twenty-four (24) hour period, or fraction thereof.

TEAM TRACK: Any track designated by YSVR for use by the general public for loading and unloading (i.e. Public Delivery Track).

TENDER: The actual or constructive placement of an empty or loaded car.

TIH/PIH: Toxic Inhalation Hazards (TIH) and Poison Inhalation Hazards (PIH), including all commodities listed in 49 CFR Table 172.101 (Hazardous Materials Table) with a Special Provision code in Column 7 of 1 thru 6, or 13 as defined in 49 CFR §172.102. The terms TIH and PIH are synonymous as they apply to this Tariff.

TIME: Local time is applicable, expressed on the basis of the twenty-four (24) hour clock.

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 20 **PAYMENT TERMS**

Charges that accrue per this Tariff are due and payable according to YSVR credit extension terms, as stated in WTS Rules Publication 9011-Series.

ITEM 30 **SECURITY DEPOSITS FOR PAYMENT OF CHARGES**

YSVR has the right to demand that a rail customer (YSVR served shipper, YSVR served consignee or other YSVR served party responsible for the payment of demurrage), with a history of delinquency or nonpayment of freight, demurrage or other charges not in bona fide dispute, deposit with YSVR 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. YSVR will determine the suitability of the security tendered. (All instruments on deposit are hereinafter referred to as "security")

If an YSVR invoice not in bona fide dispute is not paid when due, immediately thereafter YSVR 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, YSVR 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, YSVR will issue an embargo against all rail transportation by YSVR to and from that rail customer, so long as congestion exists or otherwise continues. In short, carriers 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 YSVR on any security or monies deposited with it. It is within the discretion of the YSVR 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 YSVR will be released and returned.

**SECTION I
DEMURRAGE RULES AND CHARGES**

ITEM 40 NOTIFICATION

Notification to Shipper, Loader, Unloader, Consignee, Freight Payer or party entitled to receive notice.

- A. The following notification will be furnished as indicated:
1. Cars for Other Than Public Delivery Tracks:
 - a. Notice of constructive placement shall be sent or given if a car is held on tracks of YSVR at an available hold point or at billed destination due to any condition attributable to the shipper, consignee, loader or unloader which prevents YSVR from making actual placement.
 - b. Delivery of car upon tracks of consignee will constitute notice. YSVR Train Crew will record placement events. The date and time of the YSVR Train Crew's record will govern the charges in this tariff.
 2. Cars for Public Delivery Tracks:
 - a. Notice of constructive placement shall be sent or given if a car is held on tracks of YSVR at an available hold point or at billed destination due to any condition attributable to the shipper, consignee, loader or unloader which prevents YSVR 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 **YSVR served customer** (Shipper, Loader, Unloader, Consignee, Freight Payer or party entitled to receive notice) to notify the YSVR Customer Service at westregions-disp@watcocompanies.com or a fax at **620-240-5702** of fax number or email address changes. Should YSVR 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 been given on any Constructive Placement notice attempted to be delivered.

ITEM 50 NOTIFICATION TO YSVR

YSVR will accept forwarding instructions or other disposition twenty-four hours via EDI to BNSF or BNSF webtools.

All notices to **YSVR** 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 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 180)

ITEM 60 CLAIMS

In order to be allowed relief from a billed amount, a claim must be presented to YSVR, in writing, within **thirty (30)** days of the billing date, with supporting documentation, stating fully the conditions for which relief is claimed, identifying contested cars by car initial, car number and location.

Claims sent to YSVR which are not found to be valid will be subject to a **processing fee of \$50.00** for each incorrectly disputed car. Claims are to be sent via email to YSVRdisputes@watcocompanies.com or to the following address:

Yellowstone Valley Railroad
Attn: YSVR DISPUTES
315 W. 3rd Street
Pittsburg, KS 66762

All claims not received within thirty (30) days will result in invoice being considered valid and prompt payment will be expected.

Improper Charges:

If, by error, demurrage or storage charges are improperly assessed, charges will be adjusted to the amount that would have accrued but for such error.

Unacceptable Claims:

Bunching and run around will not be considered railroad error and no allowance will be made.

Weather Interference:

Acts of God: In the event it is impossible for shipper, loader, consignee, or unloader to get to a car or to load or to unload a car due to acts of God, including, but not limited to flood, storm, earthquake, hurricane, tornado, or to other severe weather or climatic conditions, the demurrage directly chargeable thereto will be adjusted, provided the impediment is at least two (2) days in duration. Notification of this impediment must be made to westregioncs-disp@watcocompanies.com. Customer will notify customer service within 24 hours of interference, and will provide daily updates until back in service.

ITEM 70 APPLICATION

- 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 the YSVR. ***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 YSVR, and will be applied on the basis of “Straight Demurrage” as defined in Item 10, between YSVR and ALL YSVR SERVED CONSIGNEES AND SHIPPERS except as cars for loading or unloading of STCC 14413 and 32959 will be applied on the basis of “Snapshot (Demurrage and Storage)” as defined in Item 10, between YSVR and ALL YSVR SERVED CONSIGNEES AND SHIPPERS.
- 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 YSVR company material while held on YSVR tracks or private sidings connecting therewith.
 2. Cars of refused or unclaimed freight to be sold by YSVR for the time held beyond legal requirements.
 3. Cars of railroad ownership, leased 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 paid by YSVR.
 4. Loaded private cars held on private tracks unless under railroad control and made subject to demurrage under the provisions of Item 80 or 90.
 5. Empty private cars held on private tracks.
 6. Empty cars ordered and rejected as unsuitable for loading within 48 hours following order date or actual placement date.
 7. If Item 75 is applicable, this Item will not apply.

ITEM 75 CHARGES FOR TOXIC 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 consignee’s or shipper’s controlled tracks or at consignee’s or shipper’s facility upon arrival and the rail car must be held by YSVR, a charge of **\$2,500.00** 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.
- B. **Held awaiting “forwarding instructions” as defined in Item 10:** When YSVR 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 consignee or shipper requesting the move has not provided proper forwarding instructions and such car is moved by YSVR to a railroad track, and is held awaiting proper forwarding instructions, a charge of **\$2,500.00** 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 YSVR to a railroad track and will continue until proper forwarding instructions are received.

In addition to the above charges, consignees or shippers will be liable for all Federal, State, Local penalties or fines which may be assessed for the holding of rail cars containing (TIH/PIH) on railroad controlled tracks and shall be jointly and severally 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/consignor, 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 YSVR 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 YSVR for providing protection or surveillance of any commodity provided in this Item while held on YSVR property.

ITEM 80 CARS HELD FOR COMPLETE OR PARTIAL LOADING

LOADING: As defined in Item 10 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 75 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.

ITEM 90 CARS HELD FOR COMPLETE OR PARTIAL UNLOADING

UNLOADING: As defined in Item 10 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 75 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).
 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.

ITEM 100 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 YSVR.
- D. If Item 75 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 70).
 - c. Cars waiting for payment of accrued charges.
 - d. Cars held for other purpose, except as covered by Items 80 & 90, which is not attributable to YSVR.
 - e. 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 YSVR 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 Items 80 & 90, which is not attributable to YSVR.
 - 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).

ITEM 105 FREE TIME

Cars for loading or unloading will be allowed forty-eight (48) hours free time, except STCC 14413 and 32959 will be assessed "Snapshot (Demurrage and Storage)" for which there is no free time. Free time begins at the first 12:01 A.M. after the car is constructively or actually placed (See Item 10).

ITEM 110 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 80).
 2. Cars held for complete or partial unloading (see Item 90).
 3. Cars held for purposes other than loading and unloading (see Item 100).
 4. Loaded and empty private cars held on railroad tracks (see Items 80, 90 and 100).
 5. Refused loaded cars (see Item 100).
 6. Cars for loading of STCC 14413 and 32959 will be applied on the basis of “Snapshot (Demurrage and Storage)” as defined in Item 10, between YSVR and ALL YSVR SERVED CONSIGNEES AND SHIPPERS.
 7. Cars for unloading of STCC 14413 and 32959 will be applied on the basis of “Snapshot (Demurrage and Storage)” as defined in Item 10, between YSVR and ALL YSVR SERVED CONSIGNEES AND SHIPPERS.
- B. Demurrage charges will be assessed against the facility served by YSVR (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 (see Item 105), each chargeable day will be assessed **\$75.00** per Demurrage day, except Grain and Grain Products Loading into Covered Hoppers will be assessed **\$50.00** per Demurrage day and except STCC 14413 and 32959 will be assessed “Snapshot (Demurrage and Storage)” as seen in Table 1.
 2. Railcars for dimensional shipments will be assessed **\$150.00** per Demurrage day.
 3. All demurrage will begin assessment of **\$150.00** per Demurrage day on the Fourth Chargeable Day and thereafter, except Grain and Grain Products Loading into Covered Hoppers will continually be assessed **\$50.00** per Demurrage Day and except STCC 14413 and 32959 will be assessed “Snapshot (Demurrage and Storage)” as seen in Table 1.

Transaction Type: Snapshot Demurrage charges**Table 1:**

Number of Cars*	Daily Rate
1 - 5 Cars	\$75
6 - 10 Cars	\$100
11 - 20 Cars	\$150
> 20 Cars	\$250

*Includes CP Status for Private Cars and CP or AP Status for Rail-Controlled Cars.

- D. Adjustments must be handled through the railroad error claim provisions set forth in Item 60.
- E. YSVR 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, except for cars applied on the basis of “Snapshot (Demurrage and Storage)” as defined in Item 10.
- F. The applicable charge will accrue on all days, except holidays (see Item 115) that fall as the first chargeable day.

ITEM 115 HOLIDAYS

Wherever reference is made to “holidays”, it shall mean only the days listed below.

New Years Day (January 1st) (See Note)
Memorial Day – Last Monday of May
Independence Day – July 4 (See Note)
Labor Day – First Monday of September
Thanksgiving Day – Fourth Thursday of November
Christmas Day – December 25 (See Note)

NOTE: When this date occurs on a Sunday, the following Monday will be observed as the holiday.

**SECTION II
STORAGE RULES AND CHARGES**

ITEM 120 **STORAGE OF LOADED OR EMPTY PRIVATE CARS ON RAILROAD TRACKS**

COMPUTATION OF CHARGES: If the total number of loaded or empty private cars in stored status and available to be ordered in on the next scheduled service exceeds the shipper or consignee's available storage agreement capacity on any particular day, then storage charges will be assessed at a rate of **\$75.00 per Storage day**.

Storage will apply from the first 12:01 AM after notification of availability and constructive placement of empty private cars on railroad tracks until the actual placement on private leased tracks.

RESPONSIBILITY OF CAR: The shipper, receiver, owner or lessee is responsible for the car while in stored status according to the customer storage arrangement in place.

LIABILITY: See WTS 9011 Series.

STORAGE PLAN:

- A. Unless otherwise advised, charges will be assessed against the contracted storage customer on the railroad.
- B. Settlement of charges will be made on a monthly basis on each car released from storage during each calendar month.

ITEM 140 **STORAGE OF RAILWAY EQUIPMENT MOVING ON OWN WHEELS**

APPLICATION:

This item applies to railway equipment held on YSVR tracks that will move or has moved on its own wheels as freight under transportation charges. If Item 75 is applicable, this Item will not apply.

COMPUTATION OF CHARGES: Storage charges will be assessed at a rate of **\$75.00 per Storage day**.

RESPONSIBILITY OF CAR: The shipper, receiver, owner or lessee is responsible for the car while in stored status according to the customer storage arrangement in place.

LIABILITY: See WTS 9011 Series.

STORAGE DAYS WILL COMMENCE:

- A. At Origin or Enroute: From the first 12:01 AM following placement of the equipment in storage and continuing until equipment is released from hold tracks. (Notice of arrival will be given consignee within twenty-four (24) hours after arrival of equipment at hold point).
- B. At Destination: From the first 12:01 AM after notice of arrival is given consignee and continuing until equipment is released from hold tracks. (Notice of arrival will be given consignee within twenty-four (24) hours after arrival of equipment at hold point).

STORAGE PLAN:

- A. Unless otherwise advised, charges will be assessed against the contracted storage customer on the railroad.
- B. Settlement of charges will be made on a monthly basis for all equipment released from storage during each calendar month.

ITEM 150 STORAGE OF EXPLOSIVES, HAZARDOUS MATERIALS (OTHER THAN TIH/PIH)**SUBJECT TO TARIFF BOE 6000 (HAZARDOUS MATERIALS REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION)****APPLICATION:**

- A. This Item applies on loaded cars 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 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.
- D. Demurrage charges will be in addition to the charges provided in this Item.
- E. If Item 75 is applicable, this item will not apply.

STORAGE DAYS WILL COMMENCE:

- A. At Origin: From the first 12:01 AM following release of the car and continuing until a document is given YSVR containing all necessary information to forward the car.
- B. At Destination: From the first 12:01 AM after notice of arrival is given consignee and continuing until the car is released or placed on private tracks.

STORAGE PLAN:

- A. Charges will be billed on a monthly basis.
- B. Charges will apply per chargeable day until removal from railroad premises.

STORAGE CHARGE: \$75.00 per car, per Storage day.

**SECTION III
SWITCHING AND MISCELLANEOUS CHARGES**

ITEM 160 **INTRA-PLANT SWITCHING**

The YSVR will perform intra-plant switching on loaded or empty cars at a charge of **\$150.00** per car non-hazardous or **\$200.00** per car hazardous (STCC series 28, 29, 48, & 49).

ITEM 170 **INTRA-TERMINAL SWITCHING**

The YSVR will perform intra-terminal switching on loaded or empty cars at a charge of **\$400.00** per car non-hazardous or **\$450.00** per car hazardous (STCC series 28, 29, 48, & 49).

Empty equipment moving in intra-terminal switching service to or from facilities for cleaning, lining, relining, maintenance, modification or repair not immediately preceded by or followed by a revenue movement via the YSVR will be assessed a charge of **\$150.00** per car.

ITEM 175 **INTER-TERMINAL SWITCHING**

The YSVR will perform inter-terminal switching on loaded or empty cars at a charge of **\$400.00** per car non-hazardous or **\$500.00** per car hazardous (STCC series 28, 29, 48, & 49).

ITEM 180 **EARLY RELEASE OF CARS PLACED FOR LOADING OR UNLOADING**

When a shipper instructs the release of a car(s) previously placed for loading or unloading, but YSVR 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 YSVR, the car(s) will remain on demurrage as if the release had not been instructed, and the **intra-terminal switch charge** will apply on each car, up to a **maximum charge of \$1,200.00** per occurrence.

When the placement of a car(s) cannot be accomplished due to early release of car(s) previously placed for loading or unloading or for other reasons not attributed to YSVR the car(s) will remain on demurrage as if the car(s) had not been ordered and **the intra-terminal switch charge** will apply on each car, up to a **maximum charge of \$1,200.00** per occurrence.

ITEM 190 **RELEASE OF CARS WITHOUT FORWARDING INSTRUCTIONS**

When on instructions, loaded or empty cars moving on own wheels, are removed from industry, shop, team track or interchange tracks and are held by carrier awaiting forwarding instructions, a charge of **\$400.00** per car with a **maximum charge of \$1,200.00** per bill of lading will be assessed against the loader, shipper, or party 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 subject to demurrage charges.**

ITEM 200 **EMPTY CARS RETURNED UNUSED**

- A. When an empty car received from a connecting railroad for loading by an industry located on YSVR is refused by the industry because the car is not in proper condition to load and car must be returned to the connecting railroad, a switching charge of **\$400.00** in one direction only will be assessed against the connecting railroad furnishing the car.
- B. When an empty car received from a connecting railroad is rejected for loading by an industry located on YSVR, and returned unused for reasons other than described in (A) above, car will be returned to the connecting railroad and a switching charge of **\$400.00** in one direction only will be assessed against the person, firm or corporation ordering the car. If advice has not been received from the industry who ordered the car within twenty-four (24) hours exclusive of Saturdays and Sundays, demurrage charges will start from the first 12:01 AM after car is placed and will be charged until the car has been removed from the loading location.
- C. When an empty car furnished by YSVR (not a connecting railroad) is appropriated to a customer based upon a car order and subsequent notification is give to YSVR that car(s) is no longer needed, a switching charge of **\$400.00** 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.

ITEM 205 **ORDERING EMPTY CARS IN FOR PLACEMENT BY SPECIFIC CAR NUMBER**

When empty cars are stored or otherwise held for loading, and customer requests such cars per day 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” charge of **\$50.00** per car applies. Charge applies regardless of car ownership and whether the cars are stored or held on railroad tracks or on customer lease tracks.

ITEM 210 **CARS INTERCHANGED OR DELIVERED TO YSVR IN ERROR**

Loaded or empty car(s) received in interchange by YSVR;

- (i) without billing instructions, or
- (ii) at an interchange not specified in the billing, or
- (iii) when YSVR is not in the route, or
- (iv) when shipper, consignee or owner changes billing instructions to move car(s) via an outbound carrier other than YSVR

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 **\$283.00** per car.

ITEM 215 **CHARGES FOR DELAY OF CARS**

A receiving carrier refusing to accept cars when offered by the YSVR shall pay a delay charge of **\$50.00** per day for each refused car. Such charges will be in addition to all other applicable charges.

ITEM 220 **INDUSTRY SETBACK**

Upon receipt of a request to return car(s) previously released on YSVR, YSVR will perform the service at a charge of **\$350.00** per car, provided car(s) is within the switching terminal. If the service of another carrier(s) is necessary to effectively return the car(s) their charges(s) will be **in addition to the \$350.00** per car.

Note: If car(s) is beyond the switching terminal, in addition to any other carrier’s charges, a charge predicated on the distance traveled on YSVR between the turning point and point of original release will be assessed as follows: Less than 100 miles = **\$575.00** per car; More than 100 miles = **\$1,130.00** per car.

ITEM 230 **LOCOMOTIVES, DEAD, ON OWN WHEELS**

The applicable charge for switching locomotives, dead on their own wheels will be **\$790.00**, unless specified in another item or publication.

ITEM 235 REASONABLE DISPATCH

YSVR will transport railcars over its line with reasonable dispatch. YSVR and connecting carrier(s) do not guarantee rail service on any scheduled time frame.

ITEM 240 OVERSIZED/DIMENSIONAL LOADS

The charge for each handling oversized loads will be defined on an individual basis. In any case, switching service will be performed at carrier's convenience.

Consignee, shipper, or owner must provide YSVR personnel advance notice by phone at **208-733-4686 ext. 2** that an over-sized shipment handled in regular switching service or special switching service will be required, as well as the initial and number of the car(s) to be switched. YSVR will email or fax a special request form noting the requested initial and numbers of the cars(s), along with the date service is to be performed and where invoice needs to be sent. Once form is signed and returned to YSVR either via an email at westregioncs-disp@watcocompanies.com or a fax at **620-240-5702** confirming the request, YSVR will begin operational coordination of request.

ITEM 250 SWITCHING OUTSIDE NORMAL OPERATING OR SERVICE HOURS

- A. The provisions in this Item apply where YSVR is requested by consignee, shipper, or owner to furnish necessary locomotive(s) and crew(s) to perform industrial switching service at other than normal assigned time for a specific location.
- B. Charges will be assessed at a rate of **\$250.00** per hour or fraction thereof, **subject to a minimum charge of \$2,000.00**. Charges shall be assessed for each request for switching service, regardless of the number of cars, and will be in addition to any other chargeable services performed in connection therewith.
- C. Consignee, shipper, or owner must provide YSVR personnel advance notice by phone at **208-733-4686 ext. 2** that switching outside of normal operating or service hours will be required, as well as the initial and number of the car(s) to be switched. YSVR will email or fax a special request form noting the requested initial and numbers of the cars(s), along with the date service is to be performed and where invoice needs to be sent. Once form is signed and returned to YSVR either via an email at westregioncs-disp@watcocompanies.com or a fax at **620-240-5702** confirming the request, YSVR will begin operational coordination of request.

ITEM 260 SPECIAL FREIGHT TRAIN SERVICE

Special freight train service is defined as a train which is operated on an expedited schedule or under special service or transportation requirements specified by the shipper, consignee or the agent of either at a charge in addition to the applicable class or commodity rates or fares, or a train which is assembled in accordance with instructions give to YSVR by a shipper, consignee, or agent of either. Upon request and at the convenience of YSVR, special freight train service will be furnished on YSVR, subject to the charges and conditions specified in this Item.

- A. Charges will be assessed at a rate of **\$250.00** per hour or fraction thereof, **subject to a minimum charge of \$2,000.00**. Charges shall be assessed for each request for special freight train service, regardless of the number of cars, and will be in addition to any other chargeable services performed in connection therewith.
- B. Consignee, shipper, or owner must provide YSVR personnel advance notice by phone at **208-733-4686 ext. 2** as to each special freight train service to be made under this tariff giving YSVR 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 YSVR 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, YSVR will email or fax a form noting all of the necessary information provided originally via phone, along with date service is to be performed and where invoice needs to be sent. Once this form is signed and returned to YSVR either via an email at westregioncs-disp@watcocompanies.com or a fax at **620-240-5702** confirming the request, YSVR will begin operational coordination of request.

ITEM 270 **TURNING CARS TO PERMIT LOADING/UNLOADING**

When a customer requests YSVR to turn car(s) for the purpose of loading or unloading, YSVR will bill the customer making the turn request **\$400.00** per car non-hazardous or **\$500.00** per car hazardous (STCC series 28, 29, 48, & 49) for each car that YSVR turns. Consignee, shipper, or owner must provide YSVR personnel advance notice by phone at **208-733-4686 ext. 2** as to each turn to be made under this tariff giving YSVR all necessary information as to car numbers and any other information and instructions pertinent to such movement, allowing sufficient time for YSVR to consummate whatever arrangements may be necessary to facilitate the movement. Prior to service being performed, YSVR will email or fax a form noting all of the necessary information provided originally via phone, along with date service is to be performed and where invoice needs to be sent. Once this form is signed and returned to YSVR (either via an email at westregions-disp@watcocompanies.com or a fax at **620-240-5702**) confirming the request, YSVR will begin operational coordination of request.

ITEM 280 **EMPTY CAR SWITCHING**

When a customer requests YSVR return a previously received empty car to interchange, an intra-terminal switch charge will apply based on the last contents of the car in one direction. This Item applies to all equipment, including but not limited to, private car and tank car equipment. This Item excludes empty cars that fall under the provisions of Item 200.

ITEM 285 **WEIGHING**

A charge of **\$500.00** per car to weigh. Weigh charges are in addition to any other chargeable services performed in connection therewith.

ITEM 290 **DIVERSION/RECONSIGNMENT CHARGES**

General Application:

- A. When YSVR has taken physical possession of the car(s) from a connecting carrier.
- B. Diversions/Reconsignments 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/Reconsignments will not be accepted
 - a. After car has been interchanged to a connecting carrier
 - b. After actual placement
 - c. Require YSVR 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. YSVR reserves the right to reject a diversion or reconsignment request for any reason.
- E. YSVR will make diligent effort to effect desired diversion or reconsignment when the car is in YSVR possession.
 - a. YSVR 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. YSVR will not be responsible for executing a diversion/reconsignment order on a specified day or time of day
- F. YSVR personnel must receive advance notice by phone at **208-733-4686 ext. 2**
- G. Once YSVR personnel approves diversion, YSVR must receive an email at westregions-disp@watcocompanies.com or a fax at **620-240-5702** confirming request with details of where to send charges before diversion will be completed.
- H. Cars diverted or reconsigned prior to arrival of car at billed station or after arrival (but not spotted) of car at billed destination shall be charged a rate of **\$400.00** per car as well as the otherwise applicable tariff charge for the move.

ITEM 300 PRIVATE CAR APPLICATION FOR RAILROAD MARKED CARS

YSVR is aware that shippers and/or consignees may sometimes lease railcars from other railroads for shipments that may originate or terminate on YSVR. Such railcars normally contain the reporting marks of the lessor railroad. In order to avoid the assessment of demurrage charges by YSVR when such railcars are located on private or leased tracks, on YSVR rail lines, it is necessary that shippers apply to and receive the approval of, YSVR for the designation of such cars as “private” cars for the purposes of demurrage or storage. YSVR 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 YSVR not less than thirty (30) days prior to the date that the “private” car designation should take effect to carhire@watcocompanies.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)
 - d. Length of time requested for the private railcar designation
 - e. Copy of applicable railcar lease (upon request of YSVR)
- B. YSVR will provide a written reply to each request within thirty (30) days of receipt of the request. YSVR, in its sole discretion may accept or reject the request in whole or in part. YSVR may accept a smaller number of railcars than requested and/or for a shorter amount of time.

ITEM 310 PRIVATE CAR MILEAGE

The YSVR is not a party to the ASLG 6007 Tariff-series nor the RIC 6007-Tariff series and does not pay private car mileage.

ITEM 340 EQUIPMENT SUPPLIED FOR SPECIFIC DESTINATION OR JUNCTIONS

Empty cars that are ordered or supplied for specific destination or junctions that are loaded and billed to travel other than ordered or supplied route will incur a charge of **\$515.00** per car. This charge will be assessed by the YSVR.

NOTE: Charges can also be imposed by other roads involved or car owners.

ITEM 350 MILEAGE ALLOWANCE ON SHIPPER OWNED OR LEASED CARS

Shipper owned or leased cars moving under freight rates published in this tariff or in any connecting line tariff will be zero rated on the YSVR.

ITEM 360 ITEMS FORMERLY SHOWN

WTS 9011 tariff series may contain items formerly shown in this tariff. Items covered in WTS 9011 tariff series that formerly were located in this tariff will become effective in WTS 9011 tariff series on the effective date of this tariff issuance.