KCS 8100 – E TITLE PAGE

#### **Kansas City Southern**



## SWITCHING AND TERMINAL TARIFF KCS 8100–E Revision 18 (Cancels and Supercedes KCS Tariff 8100-E Revision 17)

(Change in Items 35, 110 210 and 996)

#### **CONTAINS**

#### RULES – REGULATIONS – PRIVILEGES RECIPROCAL CHARGES

**AND** 

## OTHER TERMINAL AND MISCELLANEOUS CHARGES

APPLICABLE AT

STATIONS ON THE

**KCS** 

**ISSUED BY:** 

BRANDON L. STEENSON
NANCY M. HANSON
THE KANSAS CITY SOUTHERN RAILWAY COMPANY
P O BOX 219335
KANSAS CITY, MO 64121-9335

ISSUE DATE: July 9, 2014

EFFECTIVE DATE: July 9, 2014 (except as otherwise noted)

KCS 8100 – E PAGE 1

#### KCS SWITCHING AND TERMINAL TARIFF 8100-E

#### **Publication Availability**

Item 1

#### **KCS WEB SITE**

This publication is now available on the Internet for viewing or sending directly to your printer. The KCS Home Page address is http://www.kcsouthern.com. From the Home Page click the 'For Customers' link, then choose 'Accessorial Charges' link and click the 'Switching and Terminal Service' link. KCS has provided a link to the Adobe Homepage so that Acrobat Reader software can be downloaded onto your computer allowing you to print a copy on your personal computer. An annual \$100.00 subscription fee will be assessed for those who wish to receive a hard copy.

If you are not prepared to obtain a copy of this publication directly from the KCS web site, a hard copy will be mailed to you, provided you furnish, to the address shown below, a formal written request for a printed copy. This formal request is required on an annual basis in accordance with the Surface Transportation Board's policy decision under Ex Parte 528, Disclosure, Publication and Notice of Change of Rates and Other Service Terms for Rail Common Carriage.

Manager Sales & Marketing Contracts Kansas City Southern P O Box 219335 Kansas City, MO 64121-9335

| KCS 8100 – E   | PAGE 2 |
|--|--------|
| TABLE OF CONTENTS  | ITEMS  |
| Publication Availability                                     | 1      |
| RULES AND REGULATIONS – SECTION 1                            |        |
| Description and Governing Classification                     | 5      |
| Station List and Conditions                                  | 10     |
| Explosives and Dangerous Articles                            | 15     |
| Reference to Tariffs, Items, Notes, Routes, Etc.             | 20     |
| Consecutive Numbers  | 25     |
| Capacities and Dimensions of Cars                            | 30     |
| Application of Reciprocal Switch Charges                     | 35     |
| Plan of Tariff   | 40     |
| Change in Provision(s)                                       | 50     |
| SPECIAL RULES AND REGULATIONS – SECTION 2                    |        |
| Absorption of Connecting Lines' Switching Charges            | 60     |
| Rates Applicable from or to St. Louis, MO via KCS            | 65     |
| Car Rental Charge for Special Heavy Capacity Flat Cars       | 70     |
| Date to Determine Level of Charge                            | 80     |
| Application and Definitions                                  | 85     |
| Demurrage and Storage Rules and Charges                      | 90     |
| Detention Charges on Heavy Duty Flat Cars                    | 95     |
| Empty Cars Returned Unused                                   | 100    |
| Empty Cars, Movement of                                      | 105    |
| Railroad Initials and Names (Referred to in Items 60 and 65) | 110    |
| Cars Interchanged or Delivered to KCS in Error               | 120    |
| Reciprocal Switching Terminals and Rail Connections          | 125    |

PAGE 3

KCS 8100 – E

| TABLE OF CONTENTS   | ITEMS       |
|---|-------------|
| Order Bills of Ladings  | 130         |
| Charges Herein Subject to Increase  | 135         |
| Packaging Requirements  | 140         |
| Private Tracks  | 145         |
| Rules Governing Weighing  | 150         |
| Security Deposits for Payment of Demurrage or Other Accessorial Charges                                     | 155         |
| Security Deposits for Payment of Reciprocal Switching Charges   | 160         |
| Switching of Cars Involving Setback   | 165         |
| Switching of Locomotives, Dead, On Own Wheels, Not Otherwise Provided in this Tariff                        | 170         |
| Switching of Over-sized Loads or Special Train Shipments  | 175         |
| Switching Outside Of Normal Operating or Service Hours  | 185         |
| Turning Cars to Permit Loading/Unloading  | 190         |
| Determination of Weights for Assessment of Switching Charges  | 195         |
| RECIPROCAL SWITCHING – SECTION 3 Reciprocal Switching at All Stations on KCS                                | 200 – 420   |
| INTER-TERMINAL SWITCHING – SECTION 4 Inter-Terminal Switching at All Stations on KCS                        | 510 – 520   |
| INTRA-TERMINAL SWITCHING – SECTION 5 Intra-Terminal Switching at All Stations on KCS                        | 600         |
| INTRA-PLANT SWITCHING – SECTION 6 Intra-Plant Switching at All Stations on KCS                              | 700         |
| INTERMEDIATE AND MISCELLANEOUS SWITCHING CHARGES – SECTION 7 Intermediate & Miscellaneous Switching Charges | 800 – 860   |
| DOCKAGE RULES AND CHARGES – SECTION 8 Dockage Rules & Charges – KCS Docks at Port Arthur                    | 900 – 996   |
| WEIGHING RULES AND CHARGES – SECTION 9 Weighing Rules and Charges   | 1000 – 1160 |
| SPECIAL TRAIN RULES AND CHARGES – SECTION 10 Special Train Rules and Charges                                | 1200 – 1240 |

## SECTION 1

# GENERAL RULES AND

REGULATIONS

| KCS 8100 – E | PAGE 4 |
|--------------|--------|
|              |        |
|              |        |

## GENERAL RULES AND REGULATIONS – SECTION 1 SUBJECT AND APPLICATION ITEM

#### DESCRIPTION AND GOVERNING CLASSIFICATION

5

This tariff is governed by the provisions of Tariff Uniform Freight Classification 6000-Series, herein referred to as Tariff UFC 6000-Series.

#### STATION LIST AND CONDITIONS

10

This tariff is governed by Tariff OPSL 6000-Series to the extent shown below:

#### PREPAY REQUIREMENTS AND STATION CONDITIONS

For additions and abandonments of stations, and except as otherwise provided herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight, and changes in stations facilities.

When a station is abandoned as of a date specified in the above named tariff, the rates from or to such station as published in this tariff are inapplicable on or after that date.

#### EXPLOSIVES AND DANGEROUS ARTICLES

15

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

#### REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

20

Where reference is made herein 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, etc.

#### **CONSECUTIVE NUMBERS**

25

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.

#### CAPACITIES AND DIMENSIONS OF CARS

30

For marked capacities, lengths, dimensions and cubical capacities of cars, see The Official Railway Equipment Register.

#### APPLICATION OF RECIPROCAL SWITCH CHARGES

35

Section 3 names reciprocal switch charges between industries named therein and interchanges of carriers at terminals listed in Item 125. Industries not named in Section 3, as well as leased storage tracks, will be considered closed to reciprocal switching, and waybill must be surrendered to effect delivery or waybill must be issued to effect linehaul movement.

If an industry is involved in a name change due to lease, merger or acquisition, the charge applicable to the previously named industry will continue to apply until such time as amendment is made and the new industry is listed.

| KCS 8100 – E | PAGE 5 |
|--------------|--------|
|              |        |

## GENERAL RULES AND REGULATIONS – SECTION 1 SUBJECT AND APPLICATION ITEM

#### **APPLICATION OF RECIPROCAL SWITCH CHARGES(continued)**

35

Effective August 1, 2014, KCS will not accept more cars in reciprocal switch service than can reasonably be accommodated by KCS' Interchange Tracks and/or by the Industry's Industrial Tracks, whichever number is smaller. Switching capacity may be specifically noted within this publication for some Industries for informational purposes based on typical equipment length. Lack of such specific notations does not imply unlimited capacity. Various operational factors may further limit the number of cars that can be effectively interchanged, spotted, or pulled at Industries specifically named in this publication.

PLAN OF TARIFF 40

Section 1 – General Rules and Regulations

Section 2 – Special Rules and Regulations

Section 3 - Reciprocal switching at all stations on KCS

Section 4 - Inter-terminal switching at stations on KCS

Section 5 - Intra-terminal switching at stations on KCS

Section 6 - Intra-plant switching at stations on KCS

Section 7 – Intermediate and miscellaneous charges

Section 8 - Dockage Rules and Charges - KCS Docks located at Port Arthur, TX

Section 9 – Weighing Rules and Charges

Section 10 – Special Train Rules and Charges

#### **CHANGE IN PROVISION(S)**

**50** 

KCS 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 this publication for freight tendered after the effective date of the changes. KCS will make available on its web site this publication in its latest amended form. Customer should review this publication before tendering freight to KCS. Revisions to this publication will be made from time to time by reissuing the publication in its entirety.

## SECTION 2

# SPECIAL RULES AND

### **REGULATIONS**

| KCS 8100 – E | PAGE 6 |
|--------------|--------|
|              |        |

## SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION ITEM

#### ABSORPTION OF CONNECTING LINES' SWITCHING CHARGES

60

Except as otherwise provided herein, or in Tariffs, Circulars, Contracts or Exempt Quotations, KCS **will absorb** the lawfully applicable reciprocal switch charge of connecting lines identified in Item 110, with the exception that KCS will only absorb up to and including a maximum of \$300.00 per car. (See Exception 1 - 6)

- Exception 1: KCS will neither pay nor absorb charges assessed by an intermediate switch line when a direct interchange exists between the road haul carrier and KCS.
- Exception 2: KCS will not absorb switching charges on coal in excess of \$105.00 per car.
- Exception 3: KCS will not absorb Mississippi River Transfer charges in excess of \$138.00 per car on traffic originating or terminating at industries on the Manufacturers Railway Company (MRS).
- Exception 4: KCS will not absorb switching charges of UP at E. St. Louis, IL in excess of \$148.00 per car.
- Exception 5: To the extent switching charges **are not absorbed pursuant to the item**, such charges will be assessed against the consignor or consignee in addition to all other applicable charges.
- Exception 6: Where under the provisions of this section, switching charges **are subject to a maximum absorption amount**, any charges in excess of such maximum will be assessed in addition to all other applicable charges.

#### RATES APPLICABLE FROM OR TO ST LOUIS, MO VIA KCS APPLY AS FOLLOWS 65

- A. From or to all industries assigned sidings and other facilities on the TRRA in St. Louis, MO switching district, **reciprocal switching charges do not** apply.
- B. From or to interchange points of the TRRA with the BNSF, UP, and NS in St. Louis, MO switching district, reciprocal switching charges of these lines from or to such interchanges are applicable and **will be absorbed** to the extent authorized in this section.
- C. From or to interchange points of the ALS with the BNSF and UP reciprocal switching charges of these lines from or to such inter-changes are applicable and **will be absorbed** to the extent authorized in this section.
- D. From or to interchange point with the MRS at the Western end of the Douglas MacArthur Bridge (southern approach), reciprocal switching charges of the MRS are applicable and will be absorbed to the extent authorized in this section.

| KCS 8100 – E | PAGE 7 |
|--------------|--------|
|              |        |

## SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION ITEM

#### CAR RENTAL CHARGE FOR SPECIAL HEAVY CAPACITY FLAT CARS

70

A charge of \$653.00 per car in addition to the regular switching charge named herein will be made for each car used both originating and terminating within the same switching district as named in this tariff, for the movement of a shipment for which carrier furnished flat cars bearing mechanical designations FG or FW of any capacity, and cars of designation FM of 200,000 pounds and over nominal capacity, and a charge of \$1,923.00 per car used on flat cars bearing mechanical designation FD as named in Rule 21 The Official Railway Equipment Register.

#### DATE TO DETERMINE LEVEL OF CHARGE

80

The applicable rate or charge herein will be the charge in effect on the date of actual physical interchange or transaction.

## APPLICATION AND DEFINITIONS APPLICATION

85

Switching charges contained in this Tariff shall apply to the switches identified in (a) through (e) as follows:

- 1) a movement of a loaded car in one direction and the same car returned empty in the reverse direction will be assessed one switch charge;
- 2) a movement of the same car moved empty in both directions will be assessed one switch charge on the reverse movement:
- 3) a movement of an empty car in one direction, and not returned, will be assessed one switch charge and switching of another loaded car will not be considered as off-setting one-way movement of an empty car;
- 4) a movement of the same car moved loaded in both directions will be assessed a switch charge for each loaded movement.

#### **DEFINITIONS**

- (a) Intra-Plant Switching A switching movement of cars 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.
- (b) Intra-Terminal Switching A switching movement of cars (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.
- (c) Inter-Terminal Switching A switching movement of cars from a track of one carrier to a track of another carrier when both tracks and movement are within the switching limits of the same station or industrial switching district.
- (d) Reciprocal Switching A switching movement of cars from a plant or industry located on KCS to the point of interchange with connecting carriers or vice versa.
- (e) Intermediate Switching A switching movement of cars from the interchange tracks of one connecting carrier to the interchange tracks of another connecting carrier within the switching limits of the same station on which the switch carrier neither originates nor terminates the shipment nor receives a line-haul.
- (f) Linehaul Traffic As used in this tariff, traffic moving to or from a point beyond the switching limits.
- (g) Switching Limits Except as otherwise provided herein, the switching limits of KCS will be confined to the most distant industry listed at a terminal from the point of interchange with connections shown at that terminal.

| KCS 8100 – E | PAGE 8 |
|--------------|--------|
|              |        |

#### SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION **ITEM**

#### DEMURRAGE AND STORAGE RULES AND CHARGES

90

- Charges published in this tariff are also subject to demurrage and storage rules and charges as provided in KCS 6000-Series.
- Empty cars which are ordered for loading at tracks or industries will be subject to demurrage rules and charges as provided in KCS 6000-Series.

#### DETENTION CHARGES ON HEAVY DUTY FLAT CARS

95

When special type heavy duty flat cars as described in RIC 6740-Series, are used in switch service, the detention charges of said tariff will be in addition to regular local switching rates named herein, demurrage charges and all other terminal charges or other lawful charges, and are to be paid by the shipper or consignee and shall accrue to the carrier owning or leasing the equipment.

Note: When the special type heavy duty flat cars, as described in RIC 6740-Series, are ordered and placed, but not used, detention charges set forth above shall be assessed, but in no case shall the detention charges for such car ordered and placed, but not used, be less than the charge of \$653.00 per car.

#### EMPTY CARS RETURNED UNUSED

100

- A. When an empty car received from a connecting railroad for loading by an industry located on KCS 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 \$395.00 in one direction only will be assessed against the connecting railroad furnishing the car. (See Note 1).
- B. When an empty car received from a connecting railroad is rejected for loading by an industry located on KCS, and returned unused for reasons other than described in (A) above, car will be returned to the connecting railroad and a switching charge of \$395.00 in one direction only will be assessed against the person, firm or corporation ordering the car.
- C. When an empty car furnished by KCS (not a connecting railroad) is appropriated to a customer based upon a car order and subsequent notification is given to KCS that car(s) is no longer needed, a switching charge of \$395.00 will be assessed against the person, firm or corporation ordering the car. Demurrage will also be charged for all detention, including, Saturdays, Sundays and legal holidays from the date and time of actual or constructive placement until released, with no free time allowance. (See Note 2).
- Note 1. Switching charge will not apply on inbound loaded cars reloaded at the same location by industry after car is unloaded.
- Note 2. Switching charge will not apply when car is refused by industry because the car is not in proper condition to load.

| KCS 8100 – E | PAGE 9 |
|--------------|--------|
|--------------|--------|

| SPECIAL RULES AND REGULATIONS – SECTION 2 |      |
|---|------|
| SUBJECT AND APPLICATION                   | ITEM |

#### EMPTY CARS, MOVEMENT OF

105

110

Charges published in this tariff applying on loaded cars will include the movement of the same car returned empty via reverse routing.

#### RAILROAD INITIALS AND NAMES (REFERRED TO IN ITEMS 60 AND 65)

| CARRIERS<br>INITIALS | CARRIER NAME                              |
|----------------------|---|
| AGR                  | ALABAMA & GULF COAST RAILWAY LLC          |
| ALM                  | ARKANSAS, LOUISIANA & MISSISSIPPI RAILWAY |
| ALS                  | ALTON & SOUTHERN RAILWAY COMPANY          |
| AM                   | ARKANSAS AND MISSOURI RAILROAD CO         |
| AOK                  | ARKANSAS OKLAHOMA RAILROAD INC.           |
| BLR                  | BLACKLANDS RAILROAD                       |
| BNSF                 | BNSF RAILWAY CO                           |
| CN                   | CANADIAN NATIONAL RAILWAY CO              |
| CIC                  | CEDAR RAPIDS AND IOWA CITY RAILWAY CO     |
| CAGY                 | COLUMBUS AND GREENVILLE RAILWAY CO        |
| CCPN                 | CORPUS CHRISTI TERMINAL RAILROAD INC      |
| CPRS                 | CP RAIL SYSTEM                            |
| CSXT                 | CSX TRANSPORTATION                        |
| DSRR                 | DELTA SOUTHERN RAILROAD CO                |
| DQE                  | DE QUEEN AND EASTERN RAILROAD CO          |
| FSR                  | FT SMITH RAILROAD CO                      |
| GTRA                 | GOLDEN TRIANGLE RAILROAD                  |
| GWWE                 | GATEWAY EASTERN RAILWAY COMPANY           |
| IMRR                 | ILLINOIS & MIDLAND RAILROAD INC           |
| IAIS                 | IOWA INTERSTATE RAILROAD CO               |
| KCS                  | THE KANSAS CITY SOUTHERN RAILWAY CO       |
| KRR                  | KIAMICHI RAILROAD CO                      |
| LNW                  | THE LOUISIANA AND NORTH WEST RAILROAD CO  |
| MNBR                 | M & B RAILROAD, LLC                       |
| MNA                  | MISSOURI & NORTHERN ARKANSAS RAILROAD CO  |
| MOC                  | MISSOURI CENTRAL RAILROAD COMPANY         |
| MRS                  | MANUFACTURERS RAILWAY COMPANY             |
| NOPB                 | NEW ORLEANS PUBLIC BELT RAILROAD          |
| NS                   | NORFOLK SOUTHERN RAILWAY CO               |
| PHRR                 | PORT HARBOR RAILROAD                      |
| PTRA                 | PORT TERMINAL RAILROAD ASSOCIATION        |
| TIBR                 | TIMBERROCK RAILROAD CO                    |
| TNER                 | TEXAS NORTHEASTERN RAILROAD               |
| TRRA                 | TERMINAL RAILROAD ASSOCIATION OF ST LOUIS |
| UP                   | UNION PACIFIC RAILROAD CO                 |
| WTNN                 | WEST TENNESSEE RAILROAD CORP              |
|                      |   |

| KCS 8100 – E | PAGE 10 |
|--------------|---------|
|              |         |

## SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION ITEM

#### CARS INTERCHANGED OR DELIVERED TO KCS IN ERROR

120

- A. Loaded or empty car(s) received in interchange by KCS:
  - (i) without billing instructions, or
  - (ii) at an interchange not specified in the billing, or
  - (iii) when KCS is not in the route, or
  - (iv) when consignor, consignee or owner changes billing instructions to move cars(s) via an outbound carrier other than KCS

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 \$241.00 per car. This charge will be assessed against the delivering carrier. (See Exceptions)

Exception: Car(s) loaded or empty received in interchange from the CN in error will be returned within the same switching district at a charge of \$435.00 per car;

Exception: Car(s) loaded or empty received in interchange from the UP in error will be returned within the same switching district at a charge of \$445.00per car.

Exception: Cars received in error at Beaumont, TX and handled in Run-Through Trains to Corpus Christi, TX will be returned to delivering carrier at a charge of \$1200.00 per car, to be assessed against delivering carrier.

- B. If car(s) is held by KCS awaiting disposition or necessary data from delivering carrier, an additional charge of \$100.00 per car will be assessed against the delivering carrier for each day or fraction thereof, car(s) is held from the first 7:01 A.M. following written notification to whom that car(s) is being held for disposition until disposition is furnished.
- C. KCS will not be liable for any setback, switching or linehaul charges assessed by another carrier resulting from billing error or an interchange error of another carrier.

KCS 8100 – E PAGE 11

## SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION ITEM

125

CN, GWWE, NS, UP

#### RECIPROCAL SWITCHING TERMINALS AND RAIL CONECTIONS

STATION NAME CARRIER INITIALS

ALEXANDRIA, LA UP BATON ROUGE, LA CN, UP via CN BEAUMONT, TX BNSF, UP CHAISON, TX UP CHICAGO, IL CN, NS, UP COCKRELL, IL CN CORINTH, MS NS, WTNN DALLAS, TX BNSF, UP DE RIDDER, LA BNSF, TIBR EAST ST LOUIS, IL ALS, BNSF, CN, CSXT, GWWE, NS, UP FEDERAL, IL FT SMITH. AR AM, FSR, UP GRANITE CITY, IL BNSF, TRRA, PHRR GULFPORT, MS **CSXT** JACKSONVILLE, IL **BNSF** JOPLIN, MO BNSF, MNA, UP KANSAS CITY, MO/KS BNSF, IC&E, NS, UP LOUISIANA, MO **BNSF** ALS, BNSF, CSXT, MOC, MRS, NS, TRRA, UP MADISON, IL MARSHALL, MO UP MERIDIAN, MS MNBR, NS MONROE, LA ALM, DSSR, UP NEOSHO, MO **BNSF** NEW ORLEANS, LA (SEE NOTE 1) BNSF, CSXT, CN, NOPB, NS, UP PT ARTHUR, TX UP SHREVEPORT (BOSSIER CITY), LA UP SPRINGFIELD, IL CN, IMRR, UP ST LOUIS, MO **BNSF** TEXARKANA, AR/TX TNER, UP TUPELO, MS **BNSF** TUSCALOOSA, AL NS VENICE, IL BNSF, CN, NS

NOTE 1: Connection with the CSXT via NOPB; UP via NOPB; BNSF via NOPB

WOOD RIVER, IL

| KCS 8100 – E | PAGE 12 |
|--------------|---------|
|              |         |

#### SPECIAL RULES AND REGULATIONS - SECTION 2 SUBJECT AND APPLICATION ITEM

#### ORDER BILLS OF LADING

130

Order bills of lading will not be issued covering Inter-terminal, Intra-plant, or Intra-terminal movements.

#### CHARGES HEREIN SUBJECT TO INCREASE

135

Charges published herein are subject to increase by republication.

#### PACKAGING REQUIREMENTS

140

Shipments of articles which do not comply with the package requirements of Tariff UFC 6000-Series will not be accepted for Inter-terminal or Intra-terminal movements.

#### PRIVATE TRACKS 145

Cars will be switched to privately-owned or leased tracks ONLY on behalf of the industry who owns or leases the tracks. Any other individual or firm desiring to use the tracks must make arrangements with the owner or lessee who, in turn, must advise KCS in writing of the arrangement.

After arrival of loaded, privately-owned or leased cars(s) at billed destination, consignor, consignee or owner will be given forty-eight (48) hours free time (exclusive of Saturdays, Sundays or legal holidays) to order car(s) to spot for unloading, with free time computed from beginning of the first demurrage day after arrival, commencing at 07:01 A.M. After expiration of the forty-eight (48) hours free time, car(s) will be subject to otherwise applicable demurrage rules and charges and Saturdays, Sundays and legal holidays will be included after the first chargeable day. If car(s) is ordered to a private or leased storage track, the appropriate switch charge from storage track to the unloading spot will apply.

#### RULES GOVERNING WEIGHING

150

Weights will be determined and applied in accordance with the provisions of Section 9 of this tariff.

No switch charge will be assessed when cars are weighed for the assessment of freight charges by KCS on KCS linehaul traffic. Rules for weighing of cars where KCS performs reciprocal switch service for another line-haul carrier are published in Section 9 of this tariff.

| KCS 8100 – E | PAGE 13 |
|--------------|---------|
|              |         |

## SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION ITEM

## SECURITY DEPOSITS FOR PAYMENT OF DEMURRAGE OR OTHER ACCESSORIAL CHARGES.

155

KCS has the right to require that a rail customer (Consignor, Consignee or other party responsible for the payment of demurrage, storage or other accessorial charge), with a history of delinquency or nonpayment of charges not in bona fide dispute, deposit with KCS money or security adequate to pay an average monthly bill of that party calculated over the past six months. (1) The deposit may be satisfied with cash, letter of credit, surety bond or other appropriate instrument. KCS will determine the suitability of the security tendered. (All instruments on deposit are hereinafter referred to as 'security').

If a bill not in bona fide dispute is not paid when due, immediately thereafter KCS will satisfy the bill by application against the security on deposit. Thereafter, the rail customer will be required to immediately pay any remaining billed amount not in bona fide dispute and to reinstate the value of the security to its former level or to another level equivalent to its average monthly charge.

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 so deposit or maintain the security, KCS may refuse to provide any further rail service until the deposit requirement is fulfilled. If service is refused, KCS will issue an embargo against all rail transportation by KCS to and from that rail customer.

No interest will be paid by KCS on any security deposited with it. It is within the discretion of the KCS to determine when creditworthiness of the rail customer no longer necessitates the imposition of a security deposit. If rail service to the customer is permanently discontinued, upon satisfaction of all bills any remaining security on deposit will be released and returned.

(1) New rail customers will be required to deposit security equal to an anticipated average monthly bill.

## SECURITY DEPOSITS FOR PAYMENT OF RECIPROCAL SWITCHING CHARGES 160

A security deposit to insure payment of any reciprocal switching charges that may accrue will be required from any carrier who fails to pay reciprocal switching charges within thirty (30) days after being billed.

The deposit must be paid in cash, cashier's check or money order before any loaded car will be accepted or delivered in interchange for a reciprocal switch for delivery or receipt to/or from an industry.

The deposit for each loaded freight car must be in the minimum amount of the applicable tariff published reciprocal switching charge.

Security deposits will no longer be required after the delinquent carrier has paid all outstanding reciprocal switching charges and has given assurance to the satisfaction of the reciprocal switching carrier that future reciprocal switching charges will be paid within the prescribed credit time.

| KCS 8100 – E |
|--------------|
|--------------|

## SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION ITEM

#### SWITCHING OF CARS INVOLVING SETBACK

165

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

Cars held awaiting forwarding instructions that are to be furnished by shipper and/or consignee will be assessed an additional charge of \$100.00 per car for each day or fraction of a day the car is held from the first 7:01 A.M. following written notification that this car(s) is subject to demurrage charges.

Note: If car(s) is beyond the switching terminal in line-haul, as described in item 85, in addition to any other carrier's charges, a charge for the roundtrip to and from the location where the car is routed in reverse direction, will be assessed as follows:

Less than 100 miles = \$575.00 per car 101-499 miles = \$1,130.00 per car 500-1000 miles = \$2,000.00 per car

## SWITCHING OF LOCOMOTIVES, DEAD, ON OWN WHEELS, NOT OTHERWISE PROVIDED IN THIS TARIFF

Where no specific charge is provided in this tariff for switching locomotives, the applicable charge on switching of locomotives, dead on their own wheels will be \$790.00.

#### SWITCHING OF OVER-SIZED LOADS OR SPECIAL TRAIN SHIPMENTS 175

Over-sized shipments, as defined in Note 1, will be handled in regular switching service, as defined in Note 2, whenever possible. The charge for each inter-terminal, intra-terminal or reciprocal movement will be \$800.00 per car and will be assessed in lieu of the regular published inter-terminal, intra-terminal or reciprocal charges in this tariff

Special switching service, as defined in Note 2, will be provided at a charge of \$2,010.00 per car for each special switch, and will be assessed in lieu of the regular published inter-terminal, intra-terminal or reciprocal switch charges in this tariff.

Note 1: A shipment shall be defined as over-sized under any of the following conditions:
......lading exceeds twelve (12) feet in width;
......lading extends over the length of the car;
......lading extends twenty (20) feet above the rail;
.....lading weighs 200,000 pounds or more.

Note 2: Regular and Special Switching Service Defined:

Regular switching service is defined as a service accorded shipments which <u>can be</u> handled by a regular switching assignment.

Special switching service is defined as a service which cannot be handled by a regular switching assignment because of excess weight, height, width or length and will only be provided when in the judgment of KCS special switch service is necessary, or when specifically requested by consignee, consignor or owner. In any case, special switching service will be performed at carrier's convenience.

| KCS 8100 | $-\mathbf{E}$ | PAGE 15 |
|----------|---------------|---------|
| KCS 8100 | $-\mathbf{E}$ | PAGE 15 |

| SPECIAL RULES AND REGULATIONS – SECTION 2 |      |
|---|------|
| SUBJECT AND APPLICATION                   | ITEM |

## SWITCHING OUTSIDE OF NORMAL OPERATING OR SERVICE HOURS (Except as otherwise provided – see Note 1)

185

- 1. The provisions in this item apply where KCS is requested by consignee, consignor 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.
- 2. Charges will be assessed at a rate of \$315.00 per hour or fraction thereof, but not less than \$2,520.00 per request. 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.
- 3. Consignee, consignor or owner must provide KCS personnel advance notice by phone 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. Prior to service being performed, KCS must receive a FAX message confirming the request, listing the initial and number of the car(s) previously furnished by phone.

**Note 1: The following will apply to industries at Sauget, IL:** When switching service is required on non-business days, i.e., Saturdays, Sundays and legal holidays, KCS will furnish engines and crews to perform necessary switching as instructed at the following rates:

| Minimum Day   | (8 hours or less) | (Single Unit)           | \$1,193.00        |
|---------------|-------------------|-------------------------|-------------------|
| Minimum Day   | (8 hours or less  | (Double Unit)           | \$1,479.00        |
| Overtime Rate | (Over 8 hours)    | (Single or Double Unit) | \$315.00 per hour |

The above charges cover furnishing engine and crew only for a maximum of twelve (12) hours. Should additional Service be required another engine and crew will be assigned at the rates stated above.

| KCS 8100 – E | PAGE 16 |
|--------------|---------|
| •            |         |

## SPECIAL RULES AND REGULATIONS – SECTION 2 SUBJECT AND APPLICATION ITEM

#### TURNING CARS TO PERMIT LOADING/UNLOADING

190

When a customer requests KCS to turn car(s) for the purpose of loading or unloading, KCS will bill the customer making the turn request \$750 for each car that KCS turns.

#### DETERMINATION OF WEIGHTS FOR ASSESSMENT OF SWITCHING CHARGES 195

Where switching charges are based on the weight of the shipment, the following will apply:

- (a) Shipments handled in intra-terminal switching service on this railroad and shipments switched by this railroad to a connecting line will be weighed only when a track scale is located convenient to the route of the switch movement. In such cases, charges will be assessed based on the scale weights. Where scales are not conveniently located, charges will be assessed as provided in paragraph (c).
- (b) Shipments delivered to this railroad by connecting lines or by this railroad to connecting lines will not be weighed. If connecting line weights are furnished, charges will be assessed based on such weights. If such weights are not available, charges will be assessed as provided in paragraph (c).
- (c) Except as provided in paragraph (a) and (b), charges will be assessed on the basis of the marked capacity of the car used except that on shipments in tank cars, charges will be assessed based on minimum weight determined in accordance with the provisions of Rule 35 of the Tariff UFC 6000-Series.

# SECTION 3 RECIPROCAL SWITCHING

| KCS 8100 – E   |                |      |         | PAGE 17                  |
|----------------|----------------|------|---------|--------------------------|
| TYPE OF SWITCH | RECIPROCAL [+] | SECT | TION 3  | ITEM 200                 |
| THEOFSWITCH    | RECH ROCAL [+] | SECI | 11011 3 | 11EW 200                 |
| STATION:       | ALEXANDRIA, LA |      |         | NG CHARGE<br>ARS PER CAR |
| COMPANY NAME   | STREET ADDRESS | NOTE |         | UP                       |

Martin Roy O Lumber Company dba: Colfax Treating Company

dba: Colfax Treating Company 74 Wadley (Pineville) \$320

|                 |           | PAGE 18                  |
|-----------------|-----------|--------------------------|
| RECIPROCAL [+]  | SECTION 3 | ITEM 210                 |
| BATON ROUGE, LA | ·- · · ·  | NG CHARGE<br>ARS PER CAR |
|                 |           | BATON ROUGE, LA SWITCHI  |

| COMPANY NAME  | STREET ADDRESS                  | NOTE | CN    | UP    |
|---|---------------------------------|------|-------|-------|
| Agway Systems, Inc.   | 1002 Barge Terminal Rd          | 1    | \$715 | \$715 |
| Clean Harbors Environmental (formerly Safety Kleen)                       | 13351 Scenic Highway            |      | \$715 | \$715 |
| Deltech Corp.   | 11911 Scenic Highway            |      | ***   | \$715 |
| Exide Technologies  | 2400 Brooklawn Drive            |      | \$715 | \$715 |
| ExxonMobil Chemical Co. (formerly Exxon Chemical An                       | 4999 Scenic Highway<br>nericas) |      | \$400 | \$300 |
| ExxonMobil Chemical Co.<br>(Plastics Plant)<br>(formerly Exxon-Chemical A | 11675 Scotland Ave              |      | ***   | \$715 |
| ExxonMobil Chemical Co. (formerly Paxon Polymer Co.                       | 12875 Scenic Highway            |      | ***   | \$715 |
| ExxonMobil Corp.<br>(Resins Plant)<br>(formerly Exxon Chemical Ar         | 12480 Scenic Highway mericas)   |      | \$715 | \$715 |
| ExxonMobil Refinery<br>(formerly Exxon Co. USA)                           | 4045 Scenic Highway             |      | \$400 | \$300 |
| Glazer's Company of LA  | 1876 Sorrel Ave                 |      | \$400 | \$300 |
| Greater Baton Rouge Port<br>Commission                                    | Route 5, Box 45                 | 2    | \$715 | \$715 |

Note 1: All cars billed to or from these locations will be subject to a charge of \$15.00 per car in addition to all other charges.

Note 2; For charges to Greater Baton Rouge Port Commission Westside Facility, See Union Pacific Railroad Circular 8005- Series.

<sup>\*\*\*</sup> Industry Jointly Served

| KCS 8100 – E                                     |                              |      |                        | PAGE 19              |
|--|------------------------------|------|------------------------|----------------------|
| TYPE OF SWITCH                                   | RECIPROCAL [+]               | SEC  | ΓΙΟΝ 3                 | ITEM 210 (continued) |
| STATION:   | BATON ROUGE, LA              |      | SWITCHING<br>IN DOLLAR |                      |
| COMPANY NAME                                     | STREET ADDRESS               | NOTE | CN                     | UP                   |
| Lion Copolymer                                   | 1836 Shada Ave               |      | \$400                  | \$300                |
| Oxbow Calcining LLC (formerly Great Lakes Carbon | 2200 Brooklawn Drive<br>LLC) |      | \$715                  | \$715                |
| Pat Company                                      | 601 Neosho                   |      | \$400                  | \$300                |
| Solvay<br>(formerly Rhodia Inc)                  | 1275 Airline Highway         |      | ***                    | \$300                |
| Southern Scrap Materials Co.,                    | Inc 6847 Scenic Highway      |      | \$400                  | \$300                |
| Stupp & Mannesmann Line<br>Pipe LLC              | 12555 Ronaldson Rd           |      | ***                    | \$715                |

2400 Sorrell Avenue

\$400

\$300

Wilson Warehouse

<sup>\*\*\*</sup> Industry Jointly Served

| KCS 8100 – E   |                    |      |                               | PAGE 20 |
|--|--------------------|------|-------------------------------|---------|
| TYPE OF SWITCH   | RECIPROCAL [+]     | SEC  | TION 3 IT                     | EM 220  |
| STATION:   | BEAUMONT, TX       |      | SWITCHING CH<br>IN DOLLARS PI |         |
| COMPANY NAME   | STREET ADDRESS     | NOTE | BNSF                          | UP      |
| Louis Dreyfus  | 1745 Buford Street |      | \$220                         | \$300   |
| Port of Beaumont<br>Navigation District of<br>Jefferson County | 1225 Main Street   |      | \$220                         | \$300   |

| KCS 8100 – E           |                  |          |        | PAGE 21                   |
|------------------------|------------------|----------|--------|---------------------------|
| TYPE OF SWITCH         | RECIPROCAL [+]   | SECT     | TION 3 | ITEM 240                  |
| THE OF SWITCH          | RECH ROCAL [1]   | <u> </u> | 10113  | TIENI 240                 |
| STATION:               | CORINTH, MS      |          |        | ING CHARGE<br>ARS PER CAR |
| COMPANY NAME           | STREET ADDRESS   | NOTE     |        | NS                        |
| M L Sandy Lumber Sales | 615 Cox Street   |          |        | \$286                     |
| World Color            | 2787 S Harper Rd |          |        | \$286                     |

| KCS 8100 – E               |                      |      |  | F     | PAGE 22 |
|----------------------------|----------------------|------|--|-------|---------|
| TYPE OF SWITCH             | RECIPROCAL [+]       | SEC' | TION 3                                 | ITEM  | I 250   |
| STATION:                   | CORPUS CHRISTI, TX   |      | SWITCHING CHARGE<br>IN DOLLARS PER CAR |       |         |
| COMPANY NAME               | STREET ADDRESS       | NOTE | BNSF                                   | CCPN  | UP      |
| Corpus Christi Grain Co.   | 100 Talbert Rd.      |      |  | \$250 |         |
| Corpus Christi Produce Co. | 238 N. Port Ave.     |      |  | \$250 |         |
| Featherlite Bldg. Products | 3822 Agnes           |      |  | \$250 |         |
| H E Butt Grocery           | 102 McBride Lane     |      |  | \$250 |         |
| Naylor's Farm & Ranch      | 4250 Five Points Rd. |      |  | \$250 |         |
| Omni Fluids Co.            | 4646 Southview Dr.   |      |  | \$250 |         |
| Ray West Warehouses Inc.   | 4801 Baldwin Blvd.   |      |  | \$250 |         |
| Western Steel Co.          | 105 Villa Dr.        |      |  | \$250 |         |
|                            |                      |      |  |       |         |

\$250

4733 Baldwin Blvd.

Wholesalers Inc.

| KCS 8100 – E  |  |      |                        | PAGE 23        |
|---|--|------|------------------------|----------------|
| TYPE OF SWITCH  | RECIPROCAL [+]   | SECT | TION 3                 | ITEM 260       |
| STATION:  | DALLAS, TX   |      | SWITCHING<br>IN DOLLAR |                |
| COMPANY NAME  | STREET ADDRESS   | NOTE | CARRIER                | AND CHARGE     |
| Nexeo Solutions<br>(previously Ashland Distribution<br>Whse.) | White Rock Industrial<br>on 3101 Wood Drive<br>Garland, TX |      | BNSF<br>UP             | \$267<br>\$285 |
| Shippers Warehouse Inc.<br>(previously City Delivery Servi    | White Rock Industrial<br>ce) 3422 Kingsley<br>Garland, TX. |      | BNSF<br>UP             | \$267<br>\$285 |
| Dixie Plywood Co. of Dallas                                   | White Rock Industrial<br>3060 Miller Road<br>Garland, TX.  |      | BNSF<br>UP             | \$267<br>\$285 |
| Dixie Plywood Co. of Dallas                                   | 2005 Hightower Drive<br>Garland, TX                        |      | BNSF<br>UP             | \$267<br>\$285 |
| D A P Products Inc.   | White Rock Industrial<br>13555 Jupiter Rd                  |      | BNSF<br>UP             | \$267<br>\$285 |
| 84 Lumber Co  | 2906 W Miller Road<br>Garland, TX                          |      | BNSF<br>UP             | \$267<br>\$285 |
| Empire Terminal Warehouse                                     | White Rock Industrial<br>11213 Petal St.<br>Dallas, TX.    |      | BNSF<br>UP             | \$267<br>\$285 |
| Exel Inc.   | 2722 S. Jupiter Rd.<br>Garland, TX.                        |      | BNSF<br>UP             | \$267<br>\$285 |
| Hope Lumber<br>(Formerly Vaughn & Sons)                       | White Rock Industrial 2610 W. Miller Road Garland, TX.     |      | BNSF<br>UP             | \$267<br>\$285 |
| IFS Industries<br>(formerly The Dow Chemical Co.)             | White Rock Industrial<br>2326 Lonnecker<br>Garland, TX     |      | BNSF<br>UP             | \$267<br>\$285 |

<sup>+++</sup>Industry No Longer Served

+++

Mead WestVaco Corp.

| TYPE OF SWITCH | RECIPROCAL [+] | SECTION 3 | ITEM 260    |
|----------------|----------------|-----------|-------------|
|                |                |           | (continued) |

| STATION:                       | DALLAS, TX                               |       | SWITCHING CHARGE                      |       |
|--------------------------------|--|-------|---------------------------------------|-------|
| COMPANYALAGE                   | DDDDG NG                                 | ) (DE | IN DOLLARS PER CAR CARRIER AND CHARGE |       |
|                                |  | OTE   |                                       |       |
| Phibro - Tech                  | 1000 North 1st Street                    |       | BNSF                                  | \$267 |
| (EX Southern California Chem)  | Garland, TX                              |       | UP                                    | \$285 |
| P & E Incorporated             | 12662 International                      |       | BNSF                                  | \$267 |
| (EX Piper Industries)          | Dallas, TX                               |       | UP                                    | \$285 |
| Plastican, Inc.                | 2651 Santa Anna Ave.                     |       | BNSF                                  | \$267 |
|                                | Dallas, TX                               |       | UP                                    | \$285 |
| Scholle Corp.                  | White Rock Industrial                    |       | BNSF                                  | \$267 |
|                                | 3001 W. Kingsley                         |       | UP                                    | \$285 |
|                                | Garland, TX                              |       |                                       |       |
| Sherwin Williams Company       | White Rock Industrial                    |       | BNSF                                  | \$267 |
|                                | 2802 W. Miller Road<br>Garland, TX       |       | UP                                    | \$285 |
| Snavely Forest Products Inc.   | White Rock Industrial<br>11223 Plano Rd. |       | BNSF                                  | \$267 |
|                                | Garland, TX                              |       | UP                                    | \$285 |
| Southwest Logistics            | White Rock Industrial                    |       | BNSF                                  | \$267 |
| (EX: Sunbelt Warehouse)        | 13745 Jupiter<br>Dallas, TX              |       | UP                                    | \$285 |
| Temple-Inland                  | White Rock Industrial                    |       | BNSF                                  | \$267 |
| •                              | 11333 Kingsley                           |       | UP                                    | \$285 |
|                                | Dallas, TX.                              |       |                                       |       |
| U. S. Ink                      | 12010 Corporate Drive                    |       | BNSF                                  | \$267 |
| (Division of Sun Chemical)     | Dallas, TX                               |       | UP                                    | \$285 |
| Warehouse Specialist Inc (WSI) | White Rock Industrial                    |       | BNSF                                  | \$267 |
|                                | 11115 Petal St.<br>Dallas, TX.           |       | UP                                    | \$285 |
| Warehouse Specialist Inc       | 12110 Garland Rd                         |       | BNSF                                  | \$267 |
| •                              | Dallas, TX.                              |       | UP                                    | \$285 |

| KCS 8100 – E               |                               |      |        | PAGE 25                |
|----------------------------|-------------------------------|------|--------|------------------------|
| TYPE OF SWITCH             | RECIPROCAL [+]                | SECT | TION 3 | ITEM 270               |
|                            |                               |      |        | <u> </u>               |
| STATION:                   | DE RIDDER, LA                 |      |        | G CHARGE<br>RS PER CAR |
|                            |                               |      |        |                        |
| COMPANY NAME               | STREET ADDRESS                | NOTE | BNSF   | TIBR                   |
|                            |                               |      |        |                        |
| Highland Growers           | 112 E. 4 <sup>th</sup> Street |      | \$220  | \$220                  |
| O'Neals Feeder Supply Inc. | 115 E. 4 <sup>th</sup> Street |      | \$220  | \$220                  |

| KCS 8100 – E PAGE 26    |                               |                   |        |       |       |       |       |
|-------------------------|-------------------------------|-------------------|--------|-------|-------|-------|-------|
| TYPE OF SWITCH          | RECIPROCAL                    | [+]               | SECTIO | N 3   | I     | TEM 2 | 75    |
| STATION:                | EAST ST. LOU                  | SWITCH<br>IN DOLL |        | _     |       |       |       |
| COMPANY NAME            | STREET ADDRESS                | NOTE              | BNSF   | CN    | CSXT  | NS    | UP    |
| Cargill Inc.            | 430 S. Front Street           | 1, 2              | \$250  |       | \$353 | \$353 | \$353 |
| O'Neill Lumber          | 104 St. Clair Avenue          | 1                 | \$390  | \$390 | \$390 | \$390 | \$390 |
| Quality Distribution    | South 20 <sup>th</sup> Street | 1                 | \$525  | \$525 | \$525 | \$525 | \$525 |
| Brenntag Mid-South Inc. | 800 S. 6 <sup>th</sup> Street | 1, 2              | \$353  |       | \$353 | \$353 | \$353 |
| (previously Robins Sol  | lvents)                       |                   |        |       |       |       |       |
| Safety Kleen            | South 20th Street             | 1                 | \$353  | \$353 | \$353 | \$353 | \$353 |

Note 1: Except as otherwise provided, when KCS' Reciprocal Switching Charge is absorbed in whole or in part by a linehaul carrier, and interchange between KCS and the linehaul carrier is effected by an intermediate carrier, applicable tariff charges assessed by the intermediate carrier for the switch movement of a loaded freight car from or to the connecting carrier or for the return of an empty to the linehaul carrier will be in addition to KCS' Reciprocal Switching Charge.

Note 2: These industries are also reached by the CN. The CN cannot switch to or from connecting railroads.

| KCS 8100 – E   |                |      |                     |     | PAGE 27 |
|----------------|----------------|------|---------------------|-----|---------|
| TYPE OF SWITCH | RECIPROCAL [+] | SECT | TION 3              | ITE | M 280   |
| STATION:       | FT SMITH, AR   |      | SWITCHI<br>IN DOLLA |     |         |
| COMPANY NAME   | STREET ADDRESS | NOTE | AM                  | FSR | UP      |

OK Feed Mills 701 S. B St \$200 \$200

| KCS 8100 – E  |                                   |      |        | PAGE 28                     | ] |
|---|-----------------------------------|------|--------|-----------------------------|---|
| TYPE OF SWITCH  | RECIPROCAL [+]                    | SECT | TION 3 | ITEM 290                    | J |
| STATION:  | GULFPORT, MS                      |      |        | IING CHARGE<br>LARS PER CAR |   |
| COMPANY NAME  | STREET ADDRESS                    | NOTE |        | CSXT                        | J |
| Chiquita Brands International                                 | West Pier 2, Section 2            |      |        | \$225                       |   |
| Dole Food Company   | West Pier 6                       |      |        | \$225                       |   |
| E I DuPont de Nemours   | West Pier 6                       |      |        | \$225                       |   |
| Mississippi Port Authority<br>at Gulfport (Docks and Warehous | Highway 90 & 30 <sup>th</sup> Ave |      |        | \$225                       |   |
| Ports America Gulfport  | West Pier, Section 6              |      |        | \$225                       |   |
| SSA Marine  | West Pier Port of Gulfport        |      |        | \$225                       |   |
| Turbana Corp.   | West Pier 3                       |      |        | \$225                       |   |
| U S Dept. of Defense  | 5200 CBC 2 <sup>nd</sup> Street   |      |        | \$313                       |   |

| KCS 8100 – E            |                            |      |                   | PA    | GE 29 |
|-------------------------|----------------------------|------|-------------------|-------|-------|
| TYPE OF SWITCH          | RECIPROCAL [+]             | SEC  | TION 3            | ITEM  | 300   |
| STATION:                | JOPLIN, MO                 |      | SWITCHIN IN DOLLA |       |       |
| COMPANY NAME            | STREET ADDRESS             | NOTE | BNSF              | MNA   | UP    |
| International Paper Co. | 2609 S. Range Line Road    |      | \$220             | \$220 | \$220 |
| Rock-Tenn Co.           | 4200 East 32 <sup>nd</sup> |      | \$252             | \$252 | \$252 |

| KCS 8100 – E PAGE 30                                |                              |           |  |  |
|---|------------------------------|-----------|--|--|
| TYPE OF SWITCH                                      | RECIPROCAL [+]               | SECTION 3 | ITEM 310                               |  |
| STATION:  | KANSAS CITY, MO-KS           |           | SWITCHING CHARGE<br>IN DOLLARS PER CAR |  |
| COMPANY NAME  | STREET ADDRESS               | NOTE      | BNSF ICE NS UP                         |  |
| Ace Pallet Service, Inc.                            | ****                         |           |  |  |
| Allied Oil & Supply Inc.                            | 5150 E Front Street          |           | \$308                                  |  |
| AM Castle & Co.                                     | 6100 Stilwell                |           | \$308                                  |  |
| Batliner Paper Stock Co.                            | 2501 Front Road              |           | \$308                                  |  |
| Bayer Cropscience<br>(formerly Bayer, Inc., Agri.   | 8400 Hawthorne Rd. Division) |           | \$308                                  |  |
| Blast Inc (K C Cold Storage                         | 500 East 3rd Street          |           | \$308                                  |  |
| Board of Public Utilities<br>(Kaw Power)            | 2015 Kansas Avenue           | 2         | \$308                                  |  |
| Brenntag - Mid South Inc (formerly HCI Chemtech)    | 5200 Stillwell St.           |           | \$308                                  |  |
| Callaway Crusher, Inc.                              | 2701 Manchester              |           | \$308                                  |  |
| Canfield & Joseph                                   | 830 Armourdale               |           | \$308                                  |  |
| Cargill Oilseed Processing                          | 2306 Rochester               | 1         | \$308                                  |  |
| Central Missouri Reload                             | 6680 St. John Ave.           |           | \$308                                  |  |
| Chem Central  | 2522 Nicholson               |           | \$308                                  |  |
| Chemetron Railway Product<br>(formerly True Temper) | ts 6800 St. John             |           | \$308                                  |  |
| CKS Packaging Inc.                                  | 5750 Front Street            |           | \$308                                  |  |

Note 1: Grain, as described in STCC 6001-Series and starting with 01- or 20-, between industries referred hereto and interchange with other carriers, a charge will be \$102 per car will be assessed, except with BNSF, where the charge will be \$200 per car; and with UP, where the charge will be \$300 per car. Note 2: Reciprocal switching on Coal will be \$308 per car, applicable on 10 cars or less received at one time on one bill of lading; \$275.00 per car applicable on 11 to 30 cars (maximum) received at one time on one bill of lading. KCS will not accept more than thirty (30) cars in any twenty-four (24) hour period.

\*\*\*\*

Colgate-Palmolive Co.

<sup>\*\*\*\*</sup>Effective 3/1/06 Industry served by the Kansas City Transportation Company (KCTL)

| KCS 8100 – E   |  |      |        | PA     | GE 31 |
|--|--|------|--------|--------|-------|
| TYPE OF SWITCH   | RECIPROCAL [+]                                     | SECT | TION 3 | ITEM 3 |       |
| STATION:   | KANSAS CITY, MO-KS SWITCHING CHAR IN DOLLARS PER C |      |        |        |       |
| COMPANY NAME ST  | REET ADDRESS                                       | NOTE | BNSF   | ICE NS | UP    |
| Comet Industries   | +++  |      |        |        |       |
| Compass Big Blue   | ****   |      |        |        |       |
| C T I General Motors   | 1200 South 5th St.                                 |      |        | \$308  |       |
| Empire TFR   | 4127 Empire Road                                   |      |        | \$308  |       |
| Advantage Metals Recycling LLC (formerly Galamba Metals Group) |  |      |        | \$550  |       |
| Galamba Metals Group   | ****   |      |        |        |       |
| Gallo Produce  | 110 East 3rd Street                                |      |        | \$308  |       |
| Gerdau Ameristeel  | 1301 N. Chouteau                                   |      |        | \$308  |       |
| Grain Elevator - ADM/Growmark                                  | 6900 Scarritt                                      | 1    |        | \$308  |       |
| Grain Elevator – Hansen/Mueller                                | 1301 Topping                                       | 1    |        | \$308  |       |
| Gunderson Rail Service   | ****   |      |        |        |       |
| High Life Sales  | 1325 North Topping                                 |      |        | \$308  |       |
| Huttig Bldg Prods (Rugby)                                      | 7600 N.E. Gardner Ave.                             |      |        | \$308  |       |
| International Food Products                                    | 1811 North Topping                                 |      |        | \$308  |       |
| Interstate Underground Whse. & Industrial Park                 | 8201 East 23rd Street                              |      |        | \$346  |       |
| Kansas City Power & Light                                      | 4400 East Front Street                             |      |        | \$308  |       |
| Kansas City Power & Light                                      | 8700 Hawthorn                                      |      |        | \$308  |       |

Note 1: Grain, as described in STCC 6001-Series and starting with 01- or 20-, between industries referred hereto and interchange with other carriers, a charge will be \$102 per car will be assessed, except with BNSF, where the charge will be \$200 per car; and to the UP, where the charge will be \$300.

<sup>\*\*\*\*</sup>Effective 3/1/06 Industry served by the Kansas City Transportation Company (KCTL)

<sup>+++</sup>Industry No Longer Served

| KCS 8100 – E                            |                      |           |  | PAG    | E 32                 |  |
|---|----------------------|-----------|--|--------|----------------------|--|
| TYPE OF SWITCH                          | RECIPROCAL [+]       | SECTION 3 |  |        | ITEM 310 (continued) |  |
| STATION:                                | ,                    |           | SWITCHING CHARGE<br>IN DOLLARS PER CAR |        |                      |  |
| COMPANY NAME ST                         | REET ADDRESS         | NOTE      | BNSF                                   | ICE NS | UP                   |  |
| Kansas City Railcar Service             | ****                 |           |  |        |                      |  |
| Laminate Works Inc.                     | ****                 |           |  |        |                      |  |
| Land O' Lakes Purina Feed LLC           | 725 North Olive      |           |  | \$308  |                      |  |
| Les Mendelson                           | 2501 Riverfront Road |           |  | \$308  |                      |  |
| Liquid Transport Corp                   | ****                 |           |  |        |                      |  |
| Lite Weight Products                    | ****                 |           |  |        |                      |  |
| McFarland-Cascade                       | 6680 St. John Ave.   |           |  | \$380  |                      |  |
| Metro Park Warehouse                    | 6901 Stillwell       |           |  | \$402  |                      |  |
| Mid-America Car                         | 1523 North Monroe    |           |  | \$308  |                      |  |
| Midwest Cold Storage                    | 1101 South 5th St.   |           |  | \$308  |                      |  |
| Ozburn-Hessey Logistics                 | 4101 Empire Road     |           |  | \$308  |                      |  |
| Paramount Liquor Co.                    | 5900 Equitable       |           |  | \$308  |                      |  |
| Progress Rail Service                   | 5600 Stillwell       |           |  | \$308  |                      |  |
| Paper Stock Dealers                     | 922 Wyoming          |           |  | \$308  |                      |  |
| PQ Corp.                                | ****                 |           |  |        |                      |  |
| Pulse Logistics                         | 3900 Empire Rd       |           |  | \$308  |                      |  |
| Quality Carriers<br>(dba Transplastics) | 6800 St. John        |           |  | \$525  |                      |  |

<sup>\*\*\*\*</sup>Effective 3/1/06 Industry served by the Kansas City Transportation Company (KCTL)

| KCS 8100 – E             |                          |      |        | PA                         | GE 33 |
|--------------------------|--------------------------|------|--------|----------------------------|-------|
| TYPE OF SWITCH           | RECIPROCAL [+] SECTION 3 |      | TION 3 | ION 3 ITEM 310 (continued) |       |
| STATION:                 | KANSAS CITY, MO          | -KS  |        | ING CHAR<br>ARS PER C      |       |
| COMPANY NAME             | STREET ADDRESS           | NOTE | BNSF 1 | ICE NS                     | UP    |
| Siemens Westinghouse     | 4140 Front Street        |      |        | \$308                      |       |
| Smorgan Steel Grinding   | ****                     |      |        |                            |       |
| Altivity Packaging       | 3244 Gardner             |      | \$308  |                            |       |
| Steel Ventures LLC       | ****                     |      |        |                            |       |
| Teague Lumber Company    | 6800 St. John            |      | \$308  |                            |       |
| Temple Inland Inc        | ****                     |      |        |                            |       |
| Total Distribution       | ****                     |      |        |                            |       |
| Wagner Industries, Inc.  | 1501 Southern Road       |      |        | \$308                      |       |
| Warehouse                | 4700 Deramus Rd.         |      |        | \$308                      |       |
| Warehouse (ex Food Barn) | 855 South 14th           |      |        | \$308                      |       |

\$308

1243 Argentine

Warehouse (ex Food Barn)

<sup>\*\*\*\*</sup>Effective 3/1/06 Industry served by the Kansas City Transportation Company (KCTL)

| KCS 8100 – E                                    |                          |      |        | PAGE 34                 |
|---|--------------------------|------|--------|-------------------------|
| TYPE OF SWITCH                                  | RECIPROCAL [+]           | SECT | TION 3 | ITEM 340                |
| STATION:  | MONROE, LA               |      |        | NG CHARGE<br>RS PER CAR |
| COMPANY NAME                                    | STREET ADDRESS           | NOTE |        | UP                      |
| Berry Plastics<br>(formerly Covalence Plastics) | 4611 Central Ave         |      |        | \$189                   |
| Gulf South Warehouse                            | 4600 Central Ave         |      |        | \$189                   |
| Texas Industries Inc.                           | 4919 Construction Avenue |      |        | \$189                   |

| KCS 8100 – E   |                      |      |        | PAGE 35                   |
|----------------|----------------------|------|--------|---------------------------|
| TYPE OF SWITCH | RECIPROCAL [+]       | SECT | TION 3 | ITEM 350                  |
| STATION:       | NEOSHO, MO           |      |        | ING CHARGE<br>ARS PER CAR |
| COMPANY NAME   | STREET ADDRESS       | NOTE |        | BNSF                      |
| MFA            | 11878 Lime Kiln Road |      |        | \$320                     |
| Ozark Terminal | Hwy 60 North 2 Miles |      |        | \$320                     |

| KCS 8100 – E            |                          |         |        | PAGE 36                  |
|-------------------------|--------------------------|---------|--------|--------------------------|
| TYPE OF SWITCH          | RECIPROCAL [+]           | SEC     | TION 3 | ITEM 370                 |
| STATION:                | PORT ARTHUR, TX          |         |        | NG CHARGE<br>ARS PER CAR |
| COMPANY NAME            | STREET ADDRESS           | NOTE    |        | UP                       |
| Chevron Products        | West End of Seventh St ( | Gate 1) |        | ***                      |
| Flint Hills Resources   | Savannah Ave (Gate 24)   |         |        | ***                      |
| Gulf Maritime Warehouse | 200 Houston Ave          |         |        | \$365                    |
| Port Iron & Supply      | 300 West Seventh St      |         |        | \$365                    |
| Port of Port Arthur     | 100 West Lakeshore       |         |        | \$365                    |

<sup>\*\*\*</sup> Industry Jointly Served

| KCS 8100 – E           |   |      |                                      |       |       | PA    | GE 37 |       |    |
|------------------------|---|------|--------------------------------------|-------|-------|-------|-------|-------|----|
| TYPE OF SWITCH         | RECIPROCAL [+]  |      | YPE OF SWITCH RECIPROCAL [+] SECTION |       |       | N 3   | ľ     | ΓΕΜ 3 | 75 |
| STATION:               | ATION: SAUGET, IL SWITCHING CHARGE IN DOLLARS PER CAR |      |                                      |       |       |       |       |       |    |
| COMPANY NAME           | STREET ADDRESS  | NOTE | BNSF                                 | CN    | CSXT  | NS    | UP    |       |    |
| Afton Chemical         | 501 Monsanto Ave                                      | 1, 2 | \$250                                | \$353 | \$353 | \$353 | \$353 |       |    |
| Big River Zinc Corp    | 2401 Mississippi Ave                                  | 1, 2 | \$250                                | \$353 | \$353 | \$353 | \$353 |       |    |
| Cahokia Marine Service | 2 Monsanto Ave  | 1, 2 | \$250                                | \$353 | \$353 | \$353 | \$353 |       |    |

Note 1: Except as otherwise provided, when KCS' Reciprocal Switching Charge is absorbed in whole or in part by a linehaul carrier, and interchange between KCS and the linehaul carrier is effected by an intermediate carrier, applicable tariff charges assessed by the intermediate carrier for the switch movement of a loaded freight car from or to the connecting carrier or for the return of an empty to the linehaul carrier will be in addition to KCS' Reciprocal Switching Charge.

Note 2: These industries are also reached by the CN. The CN cannot switch to or from connecting railroads.

| KCS 8100 – E  |                       |      |        | PAGE 38                    |
|---|-----------------------|------|--------|----------------------------|
| TYPE OF SWITCH                                      | RECIPROCAL [+]        | SEC  | TION 3 | ITEM 380                   |
| STATION:  | SHREVEPORT, LA        |      |        | UNG CHARGE<br>LARS PER CAR |
| COMPANY NAME  | STREET ADDRESS        | NOTE |        | UP                         |
| Allen Millwork                                      | 6505 St. Vincent Ave. |      |        | \$350                      |
| Arkla Chemical (Div of (Arkansas-Louisiana Gas Co.) | Texas Avenue          |      |        | \$350                      |
| Binswanger & Co.                                    | 451 West 61st St.     |      |        | \$350                      |
| Builders Supply Company, Inc.                       | 1400 Marshall St.     |      |        | \$350                      |
| City of Bossier City                                | 1375 Hamilton Rd.     |      |        | \$350                      |
| Custom - Built Cabinet & Supply                     | 6000 Union Avenue     |      |        | \$350                      |
| General Electric Supply Co.                         | 6001 Union Avenue     |      |        | \$350                      |
| Gym Dandy   | 415 Hamilton Road     |      |        | \$350                      |
| Kerr - McGee Co.                                    | 600 Hamilton Road     |      |        | \$350                      |
| Land O Lakes<br>(formerly Purina Feed LLC)          | 223 West 63rd St.     |      |        | \$350                      |
| PPG Industries Inc.                                 | 525 Cotton St.        |      |        | \$350                      |
| Sears, Roebuck & Co.                                | 6021 Linwood Ave.     |      |        | \$350                      |
| Southwestern Electric Power Co.                     | 6130 Union Ave.       |      |        | \$350                      |
| The Times<br>(formerly Newspaper Production C       | 222 Lake Street       |      |        | \$350                      |

| KCS 8100 – E       |                    |      |                  | PAGE 39     |
|--------------------|--------------------|------|------------------|-------------|
|                    |                    |      |                  |             |
| TYPE OF SWITCH     | RECIPROCAL [+]     | SEC  | FION 3           | ITEM 400    |
|                    |                    |      | 1                |             |
| STATION:           | TEXARKANA, AR - TX |      | SWITCHING CHARGE |             |
|                    |                    |      | IN DOLL          | ARS PER CAR |
|                    |                    |      | 1                |             |
| COMPANY NAME       | STREET ADDRESS     | NOTE |                  | UP          |
|                    |                    |      |                  |             |
|                    |                    |      |                  |             |
| Commercial Storage | 432 Richmond Rd.   |      |                  | \$189       |
| 2                  |                    |      |                  |             |
| Miller-Bowie       | 1007 West 3rd      |      |                  | \$189       |
|                    |                    |      |                  |             |
| Tronox, Inc.       | 2513 Buchanan Rd.  |      |                  | \$189       |

| KCS 8100 – E                          |                      |                                  |  | PAGE 40  |
|---------------------------------------|----------------------|----------------------------------|--|----------|
| TYPE OF SWITCH                        | RECIPROCAL [+]       | SECTION 3 ITE                    |  | ITEM 410 |
| STATION:                              | TUPELO, MS           | SWITCHING CHAR<br>IN DOLLARS PER |  |          |
| COMPANY NAME                          | STREET ADDRESS       | NOTE                             |  | BNSF     |
| Agrium US<br>(formerly Royster-Clark) | Park Lake Road       |                                  |  | \$286    |
| Cooper Tire & Rubber                  | 1804 S. Green Street |                                  |  | \$286    |
| Sunshine Mill                         | 2103 S. Gloster      |                                  |  | \$286    |

| KCS 8100 – E                                 |                                 |                |       | PAGE 41                   |  |
|--|---------------------------------|----------------|-------|---------------------------|--|
| TYPE OF SWITCH                               | RECIPROCAL [+]                  | SECTION 3      |       | ITEM 420                  |  |
| STATION:                                     | TUSCALOOSA, AL                  | TUSCALOOSA, AL |       | ING CHARGE<br>ARS PER CAR |  |
| COMPANY NAME                                 | STREET ADDRESS                  | NOTE           |       | NS                        |  |
| Friday Lumber Co. Inc.                       | 1920 Culver Road                |                |       | \$325                     |  |
| GAF – Elk Corp.<br>(formerly Elk Corporation | 4600 Stillman Blvd.<br>n of AL) |                |       | \$325                     |  |
| Hunt Refining Co. Inc.                       | 1855 Fairlawn Road              |                |       | \$750                     |  |
| Industrial Warehouse<br>Services             | 502 Bearcreek Cutoff Road       |                | \$325 |                           |  |
| KMG-Bernuth Inc.                             | 2901 3 <sup>rd</sup> Street     |                | \$325 |                           |  |
| Peco Foods, Inc                              | 3701 Kauloosa Road              |                |       | \$325                     |  |
| Uniroyal Goodrich Tire                       | 5101 21st Street                |                |       | \$325                     |  |

# SECTION 4 INTER-TERMINAL SWITCHING

| KCS 8100 – E                             |                                  |           |                   | PAGE 42 |
|--|----------------------------------|-----------|-------------------|---------|
| STATION:                                 | TYPE OF SWITCH<br>INTER-TERMINAL | SECTION 4 | PER CAR<br>CHARGE | ITEM    |
| ALL STATIONS (EXCEPT AS OTHERWISE SHOWN) |                                  | \$395     | 510               |         |
| BATON ROUG                               | E, LA (Note)                     |           | \$625             | 520     |

(Note) Charge is in dollars per car and applies to cars billed to and from the following industries:

(Industries not listed are subject to charge in item 510-Series.)

Agway Systems, Inc., RR5

Bayou Coatings, LLC, 12710 Leisure Rd.

Deltech, Inc., 11911 Scenic Highway

Carmeuse Lime, 12797 Scenic Highway

Exide Technologies, 2400 Brooklawn Drive

Exxon-Mobil, 12875 Scenic Highway

Exxon-Mobil/Plastics Plant, 11675 Scotland Ave.

Exxon-Mobil/Resins Plant, 12480 Scenic Highway

**Greater Port of Baton Rouge Barge Terminal, RR5** 

Oxbow Calcining LLC, 2200 Brooklawn Drive

Clean Harbors Environmental Service, 13351 Scenic Highway

Stupp Corporation, 12555 Ronaldson Road

# SECTION 5 INTRA-TERMINAL SWITCHING

| STATION:   | TYPE OF SWITCH |                  | PER CAR | ITEM   |
|------------|----------------|------------------|---------|--------|
| 31/1110111 | INTRA-TERMINAL | <b>SECTION 5</b> | CHARGE  | 1121/1 |

(Note 1) A charge of \$15.00 per car will be assessed in addition to the regular Intra-terminal switch charge on cars billed BETWEEN Agway Systems, Inc., Greater Port of Baton Rouge Barge Terminal AND other industries within Baton Rouge, LA switching terminal.

# SECTION 6 INTRA-PLANT SWITCHING

| KCS 8100 – E     |                |           |              | PAGE 44 |
|------------------|----------------|-----------|--------------|---------|
| CITAL INVOLV     |                |           | DED GAD      | 70777.6 |
| STATION:         | TYPE OF SWITCH |           | PER CAR      | ITEM    |
|                  | INTRA-PLANT    | SECTION 6 | CHARGE       |         |
| ALL KCS STATIONS |                |           | <b>\$160</b> | 700     |

The charge in this item applies at all stations.

### **SECTION 7**

### INTERMEDIATE AND MISCELLANEOUS SWITCHING CHARGES

| KCS 8100 – E                         |   |                      | PAGE 4 |
|--------------------------------------|---|----------------------|--------|
| STATION:                             | TYPE OF SWITCH MISCELLANEOUS CHARGES SECTION 2  | PER CAR<br>7 CHARGE  | ITEM   |
| INTERMEDIA<br>ALL LOCATIO            | ATE SWITCH CHARGE<br>DNS  | \$395                | 800    |
| MISCELLAN                            | EOUS CHARGES  |                      |        |
| BETWEEN Indust Monroe.               | r, MO-KS ing of Locomotives, dead on own wheels, tries, Tracks, Switches AND Mid-America Car Shop, 1523 comotive and will be assessed on the inbound and                | <b>\$207</b> S North | 810    |
| switched BETWEI<br>1523 North Monro  | ing of empty privately-owned or railroad-owned cars EN Industries, Tracks, Switches AND Mid-America Car Sloe. O nineteen (19) cars switched at one time, and applies on | •                    | 830    |
| switched BETWEI<br>North Monroe.     | ing of empty privately-owned or railroad-owned cars EN Industries, Tracks, Switches AND Mid America Car, 1  20) or more cars switched at one time, and applies on both  |                      | 840    |
| <b>LAREDO, TX</b> Applies on cars sw | vitched between KCS and KCSM requiring subsequent swi   | \$350<br>tch.        | 850    |

### CAR SWITCHING AND SPILL MITIGATION DUE TO NON ACCIDENT RELEASE (NAR) OF LADING

860

Non Accident Release (NAR) is defined as an unintentional lading release of either a hazardous or non-hazardous material while in possession of KCS or on KCS property which, results from an act or an omission of a shipper, including but not limited to, failure to properly secure valves and/or fittings, failed closures and/or pressure relief devices, or overloaded containers. For purposes of this Item 860, a hazardous material "Haz Mat" means a hazardous material or its residue as defined by the U.S. Department of Transportation or as found in the current Directory of Hazardous Materials Shipping Descriptions as issued by RAILINC.

For each NAR KCS will assess a minimum "Car Switching and Spill Mitigation Charge" to the shipper, as identified on the waybill, for each NAR incident described below:

| KCS 8100 – E | PAGE 46 |
|--------------|---------|
|              |         |

| STATION: | TYPE OF SWITCH        |           | ITEM |
|----------|-----------------------|-----------|------|
|          | MISCELLANEOUS CHARGES | SECTION 7 |      |

### CAR SWITCHING AND SPILL MITIGATION DUE TO NON ACCIDENT

**RELEASE (NAR) OF LADING** (continued)

860

- \$5,000.00 per car, per NAR, for each car containing Haz Mat.
- \$1,500.00 per car, per NAR, for each car containing a non-hazardous lading or its residue. Non-hazardous lading is defined as any commodity not defined as a hazardous material or its residue as defined by the U.S. Department of Transportation or is not as found in the current Directory of Hazardous Materials Shipping Descriptions as issued by RAILINC.
- \$2,000.00 per car, for each car containing Haz Mat with improperly secured or open closures (fittings, plugs, valves, manways) presenting the potential for a NAR but not yet releasing lading.

The shipper, as identified on the waybill, shall also be responsible for all expenses incurred by the carrier where such expenses result from an act or an omission of a shipper that causes an NAR and such expenses exceed the applicable "Car Switching and Spill Mitigation Charge." These expenses shall be in addition to the aforementioned "Car Switching and Spill Mitigation Charge" and include but are not limited to expenses associated with emergency response, environmental mitigation, site cleanup, waste disposal, personal injury, exposure, evacuation, regulatory penalties, litigation, lading transfer, and long term environmental investigation and remediation. When the shipper identified on the waybill is a third party, acting as an agent, the agent's principal will be considered the shipper of record and will be subject to the "Car Switching and Spill Mitigation Charge".

If possible and practical, KCS, upon notification of a NAR, will advise the shipper of incident details and will allow the shipper the opportunity to assist in the spill mitigation, provided their responders are qualified with all applicable railroad safety rules. Cause determination of the NAR will be performed by KCS, and documentation will be made available to the shipper upon their request.

These charges apply to all Non Accidental Releases of lading, regardless of commodity type, commodity hazard or the lack thereof, and apply to all rail car equipment or lading packages contained within, i.e, tank car, hopper car, box car, gondola car, platform car, refrigerated unit, intermodal tank, intermodal container, tote, drum, bag, box, pail, etc..

The switching of a leaking car involved in a NAR will be at the discretion of KCS' Transportation Officer controlling the involved location at the time of the NAR. The shipper remains further obligated under provisions contained in KCS Rules Publication KCS 9012-Series or KCS 9011-Series, such supplements thereto and successive issues thereof. The "Car Switching and Spill Mitigation Charge" for a NAR will be in addition to any other involved chargeable services performed in connection with such car(s).

### **SECTION 8**

### DOCKAGE RULES

AND

**CHARGES** 

| KCS 8100 – E | PAGE 47 |
|--------------|---------|
|              |         |

### PORT TERMINAL CHARGES - SECTION 8

### DOCKAGE RULES – KCS DOCKS AT PORT ARTHUR, TX

### APPLICATION OF RATES ON FREIGHT IN TANK CARS

900

**ITEM** 

Rates published in Agency or Individual Lines Tariffs on shipments in tank cars do not include the service or cost of pumping between cars or ships or storage tanks.

### CHARGES, WHERE PAYABLE

910

All wharfage, loading, unloading or special charges are contracted to be paid and are due and payable at headquarters of Kansas City Southern, P O Box 219335, Kansas City, MO., 64121-9335 (Attn. Auditor of Revenues).

### DAMAGING WHARVES, APRONS OR PIERS

920

Vessels and their agents will be held responsible for all damage to piers, aprons or wharves caused by vessels docking or discharging heavy articles or stacking excessive tonnage upon same without written authority of Kansas City Southern.

### **DEFINITION OF BARGES, VESSELS AND WHARVES**

930

<u>Barges:</u> Includes vessels, whether self-propelled or not, public and private, ordinarily operated on rivers, lakes, canals and other inland waterways, employed in any maritime service, task, venture, voyage or mission, commercial or non-commercial of a private or public nature. Other types designed for use in movement on the high seas will be defined as vessels.

<u>Vessels</u>: Includes any ship, tug, towboat, packet, barge, lighter or other water craft, whether self-propelled or not, designed for use in movement on the high seas.

Wharves: Includes any wharf, dock, pier or other similar property owned or operated by Kansas City Southern, including such property under lease or license to other companies.

### FIRE, EXPLOSION OR STORM INSURANCE

940

The dockage charges provided herein do not include any expense for Fire, Explosion or Storm Insurance covering owner's interest in the property, nor will such insurance be provided by Kansas City Southern.

| KCS 8100 – E | PAGE 48 |
|--------------|---------|
|              |         |

### PORT TERMINAL CHARGES - SECTION 8

### DOCKAGE RULES - KCS DOCKS AT PORT ARTHUR, TX

LOADING OF CARS 950

Shipments of freight imported through Kansas City Southern Docks at Port Arthur, TX may be loaded into cars by importer(s) if importer(s) so desires. Kansas City Southern will reimburse importer(s) the loading charges for the service, but not in excess of the amount Kansas City Southern would have to pay for the same service published by the Board of Commissioners, Port of Port Arthur, TX Tariff.

### OVERLOADED OR IMPROPERLY LOADED CARS

960

**ITEM** 

Cars offered for movement under the provisions of this Section must be loaded in accordance with rules and specifications of the Master Car Builders Association. If not, cars will not be accepted.

### RESPONSIBILITY FOR WHARFAGE

970

On inbound and outbound shipments handled over the wharf or pier, or on shipments handled direct between barges or vessels, and vessels that are berthed at a wharf or pier of Kansas City Southern Docks, the 'ship' will be held responsible for wharfage charges. These charges must be prepaid, or satisfactory provisions made for the payment, before the transfer of any property may be made from the wharves or piers, or from barges or vessels on to a vessel.

### RISK OF OWNERS AND STORAGE ARRANGEMENTS

980

Inbound freight placed on the wharves shall not be deemed to be in the custody or possession of Kansas City Southern unless and until receipted for on switch or line haul bills of lading. Without such receipt, or if freight is not removed by owner within thirty six (36) hours, railroad reserves the right to have the freight removed from the wharves and stored in a public or private warehouse at the expense and risk of the owner. After freight has been stored, railroad's responsibility shall cease but the freight shall remain subject to railroad's lien for its charges and expenses.

### STAKING OF OPEN CARS

990

When open cars are used, either at request of shipper or when the character of freight necessitates, the staking of such cars or securing the loads will be the responsibility of and at the expense of shipper.

| KCS 8100 – E | PAGE 49 |
|--------------|---------|
|--------------|---------|

### PORT TERMINAL CHARGES – SECTION 8 DOCKAGE RULES – KCS DOCKS AT PORT ARTHUR, TX ITEM

DOCKAGE CHARGES 995

The provisions of this item will not apply to Barges or Vessels using wharves at Pabtex or wharves under lease to Great Lakes Carbon Corporation.

Barges and/or vessels tied up at wharves (all defined in item 930), or made fast to a vessel so berthed that they do not discharge or load inbound or outbound cargo over the wharves of Kansas City Southern, also on all barges or vessels using the wharves for discharging or loading cargo, will be subject to dockage charges shown below:

The charge is to be assessed during the time the vessel is tied up to the wharf regardless of whether working or not, and will also apply to vessels fitting up at the wharves for loading or vessels lying at the wharves awaiting a berth.

The owners or agents of barges and/or vessels will be held responsible for the payment of charges provided herein, and must be either prepaid or arrangements satisfactory to Kansas City Southern made for payment. Except as otherwise provided, charges will be on the length overall (L.O.A.) in feet shown in Lloyd's Register of Shipping, and will be on the following basis:

| OF BARGES AND/OR VESSEL |  | (Subject to Note 1)            |
|-------------------------|--|--------------------------------|
| OVERALL LENGTH IN FEET  |  | RATE PER FOOT PER CALENDAR DAY |

| OVER       | NOT OVER |               |  |
|------------|----------|---------------|--|
|            |          | \$2.73        |  |
| 0          | 199      | \$3.58        |  |
| 200        | 399      | \$5.08        |  |
| 400        | 499      | \$6.83        |  |
| 500        | 599      | <b>\$7.82</b> |  |
| 600        | 699      | \$10.08       |  |
| 700        | 799      | \$12.12       |  |
| 800        | 899      | \$14.51       |  |
| 900 & OVER |          | •             |  |

Note 1: Rates apply per calendar day or any fractional part thereof of any calendar day will constitute one (1) day for the purpose of computing charges.

### WHARFAGE CHARGES AND USEAGE AT PABFAC TERMINAL

996

A charge assessed against the cargo or vessel on all cargo passing or conveyed over, onto or under wharves, or between vessels (to or from barge, lighter or water) when berthed at wharf or when moored in slip adjacent to wharf. Wharfage is solely the charge for use of wharf and does not include charges for any other service:

Dry Bulk \$1.65 m/t

A charge assessed against a vessel for loading or discharging cargo and utilizing wharf sheds and/or wharf for the assembly or distribution of cargo:

\$2,000 per ship

### SECTION 9

### WEIGHING RULES

AND

**CHARGES** 

| KCS 8100 – E | PAGE 50 |
|--------------|---------|
|              |         |
| WEIGHING     | CECTION |

### **WEIGHING – SECTION 9**

### CHARGES AND RULES GOVERNING WEIGHING AND REWEIGHING

**ITEM** 

APPLICATION 1000

- A. Applicable at all station on KCS.
- B. Weighing will be performed where requested, provided it is practicable to do so and scales are available.
- C. Request for weighing must be provided with billing instructions. Once a car has been entrained without weighing instructions, it shall no longer be considered practicable to weigh that car.
- D. Weighing charges will be assessed against the party requesting the weight.

### **CERTIFICATION OF SCALES**

1010

Scales operated under this tariff must conform to the requirements of the Association of American Railroads Scale Handbook.

### ASCERTAINMENT OF WEIGHTS

1020

When scale weights are used for the assessment of freight charges, weighing will be performed by KCS or its agent.

### CAR PLACEMENT FOR WEIGHING

1030

When cars are placed for weighing:

- A. Cars may be weighed at rest when
  - 1. Uncoupled and free at both ends or,
  - 2. Coupled at one end and free at the other end.
- B. Cars may be weighed in motion, coupled or uncoupled, only upon a weighing system designed for weighing in this manner.

TARE WEIGHTS 1040

When the actual tare weight of a car has been determined, it shall be used to determine the net weight in lieu of the marked tare, subject to the following:

- A. Immediately before loading, all previous lading, packing or debris is to be removed. On scrap metals (STCC 40-211) loaded in open gondola cars, this provision does not have to be met.
- B. Immediately after unloading, all previous lading, packing or debris is to be removed. On scrap metals (STCC 40-211) loaded in gondola cars, only the lading must be removed.

| KCS 8100 - E | TAGE 31 |
|--------------|---------|

### **WEIGHING – SECTION 9**

### CHARGES AND RULES GOVERNING WEIGHING AND REWEIGHING

**ITEM** 

REWEIGHING 1050

KCS will reweigh cars, when it is practicable and scales are available.

### NOTIFICATION OF AND REQUEST FOR WEIGHTS USED FOR BILLING

1060

Weights (gross, tare and net) used for billing purposes will be furnished, without charge, to parties named on the billing instructions.

### SHIPMENTS MOVING ON PER CAR CHARGES

1070

When weights are requested on shipments that are rated on a "per car" basis, such weights will be furnished at the appropriate charge. In the event the authority for the line-haul charge is contained in a private document (contract, exempt quotation or any other non-public document), it will be the responsibility of the party requesting the weight to determine from the freight payer if the shipment is moving under a private per car charge. In the event subject freight moves on a per car charge, party requesting weights will pay applicable weighing charge.

### INFORMATION TO BE SHOWN ON SCALE WEIGHT CERTIFICATE

1080

A record will be kept on the scale weight certificate showing the following:

A. Date and time of weighing.

TZ CC 0100

- B. Condition of the weather.
- C. Weighed at rest or in motion.
- D. Coupled at one end, coupled at both ends or uncoupled.

### INFORMATION TO BE SHOWN ON SHIPPING DOCUMENT

1090

The shipping documents will contain the following:

- A. For track scale weights.
  - 1. Station at which car is weighed.
  - 2. Gross, actual tare (specify when used) or marked tare and net weight.
  - 3. Railroad scale, tariff or agreement weight.
- B. For average weights, the correct gross weight.

| KCS 8100 – E |                      | PAGE 52 |
|--------------|----------------------|---------|
|              |                      |         |
|              | WEIGHING - SECTION 9 |         |

### WEIGHT (S SECTION )

CHARGES AND RULES GOVERNING WEIGHING AND REWEIGHING ITEM

Tolerance is the difference in weights due to variation in scales or weighing.

### ALLOWABLE TOLERANCE

**TOLERANCE** 

1110

1100

### A. Allowable tolerance will be:

### 1. On loaded cars:

two percent (2%) on cars having a gross capacity of 263,000 pounds or less; one percent (1%) on cars having a gross capacity of 286,000 pounds; zero percent (0%) on cars containing hazardous material.

- 2. On empty cars, other than tank cars, 1,000 pounds.
- B. Tolerance will not apply on:
  - 1. Empty tank cars.
  - Loaded cars moving under weight agreement, excluding cars on which track scale weights are used to compute line-haul transportation charges.

### WEIGHING AT NO CHARGE

1120

Assessment of charges for weighing will not be made under the following conditions:

- A. When weights are used for the assessment of freight charges.
- B. When a consignor or consignee requests reweighing of a car containing a commodity which is not subject to shrinkage from its inherent nature and such reweighing discloses an error in the billed weight of more than the allowable tolerance.
- C. On commodities subject to shrinkage, billed weights will not be changed, unless obvious error is discovered in which case each situation will be dealt with on its own merits.
- D. When a consignee or consignor requests the weighing of an empty car and such weighing discloses an error in the marked tare weight in excess of the allowable tolerance.
- E. When a consignor or consignee requests the weighing at destination of both the loaded and empty car and the net weight thus obtained exceeds the previous net weight by an amount in excess of the allowable tolerance.
- F. When weighed in motion on privately-owned scales subject to the following:
  - 1. Cars must remain coupled during weighing.
  - Movement of cars to or from the scales must be made over trackage normally used for the placement of loaded cars or removal of empty cars in connection with line-haul service or intra-plant, intra-terminal or inter-terminal switching service.
  - 3. Instructions will not be accepted to weigh cars by specific car number.
  - 4. KCS will not maintain records of cars weighed.

| KCS 8100 – E | PAGE 53 |
|--------------|---------|
|              |         |

### **WEIGHING - SECTION 9**

### CHARGES AND RULES GOVERNING WEIGHING AND REWEIGHING

**ITEM** 

### WEIGHING PERFORMED BY KCS AS A SWITCH LINE

1130

The charge for weighing performed by KCS as a reciprocal switching railroad not participating in the line-haul rate will be assumed by the line-haul carrier, subject to the following:

The line-haul carrier must request KCS to weigh car(s)

- 1. For the assessment of freight charges, or
- 2. When consignor or consignee has made a request of the line-haul carrier to weigh car(s) for the purpose of determining tolerance and the weighing results in a change in the assessed freight charge.

### WEIGHT AGREEMENTS

1140

Consignor's or Consignee's weights will be accepted as follows:

- A. Provided they are authorized, in writing, by carrier or other railroads participating in the line-haul movement.
- B. Provided they are designated in the prescribed manner on the shipping document or weight certificate.
- C. Carrier may adjust freight charges in the event actual weight disclosed an error in the billed weight on cars moving under weight agreements.
- D. Carrier may issue undercharges resulting from certification of incorrect weights or improper descriptions.
- E. On shipments covered by origin or destination weight agreements:
  - 1. Consignor or Consignee must furnish weight(s) to KCS (see Note) on:
    - (a) Cars subject to demurrage, by 7:00 AM on the second day following the day the car is released from demurrage.
    - (b) Cars not subject to demurrage, by 7:00 AM on the second day following the day the car is released empty or by the fifth day following actual placement, whichever date is earlier.
  - 2. In the event the weight is not furnished in accordance with Paragraphs 1(a) or 1(b), the charge will be \$50.00 for each twenty-four hour period or fraction thereof.

Note: Weights may be furnished by calling KCS Customer Service Center (1-800-468-6527), by Fax Message (816-983-1555) or electronically via EDI 440 Message.

| KCS 8100 – E | PAGE 54 |
|--------------|---------|
|              |         |
|              |         |

### WEIGHING – SECTION 9

### CHARGES AND RULES GOVERNING WEIGHING AND REWEIGHING

ITEM

WEIGHING CHARGES 1150

Charges and provisions within this item apply for the account of KCS each time a car is weighed or reweighed, either empty or loaded, at the request of either the consignor or consignee, on private or railway scales, served by KCS.

When a car is weighed or reweighed, either empty or loaded, at the request of either the consignor or consignee, and the weights are **NOT** used for the assessment of freight charges, the following charges will be assessed against the party requesting the weigh each time the car is weighed:

1. \$160 per car when weighed on private scale. (Note 1)

2. \$265 per car when weighed on KCS scale. (Note 1)

### Note 1:

(A) Applies when scale is located on tracks traversed for placement or removal of car, and/or no additional switching is required to spot the car for weighing.

When scale is not located on tracks traversed for placement or removal of car and/or additional switching is required to spot the car for weighing, one (1) intra-plant and/or intra-terminal switch charge, applicable at the terminal where service is performed, will be assessed in addition to the weighing charge, and covers movement of car to the scale and from the scale.

(B) If scale is not located within the switching limits at origin or destination and transportation to, from, or via the scale requires a back or out-of-line haul, the following charges will be assessed for the mileage traversed to and from the scale, in addition to the weighing charge.

1 - 50 miles = \$500 51 - 500 miles = \$1,000 501 - 1,000 miles = \$1,500 1,001 - 1,500 miles = \$2,000

| KCS 8100 – E | PAGE 55 |
|--------------|---------|
|              |         |

### **WEIGHING - SECTION 9**

### CHARGES AND RULES GOVERNING WEIGHING AND REWEIGHING

ITEM

### SCALE TESTING AND RATE SCHEDULE

1160

The following charges shall apply when service is rendered during testing of equipment, except where a special agreement for service may exist.

### 1. Regular Annual Scheduled Test

- a. A regular annual scheduled test is a required test to be performed once a year to certify a customer scale for commercial transaction. The test must be performed at an interval not to exceed one year from the last regular annual scheduled test date, but may be performed within forty-five (45) days prior to the expiration of the one year interval.
- b. The fee for track scale testing for static and motion scales made within the regular annual itinerary will be as follows, subject to following additional charges:
  - i. Number of scales tested at one location:
    - 1. 1 Scale \$1700
    - 2. 2 Scales \$1900
    - 3. 3 Scales \$2100
    - 4. 4 Scales \$2300
    - 5. 5 Scales \$2500
  - ii. In the case of in-motion testing involving the use of a special switch, cost per 8 hours or less will be \$2560. Any time over 8 hours will be at a rate of \$295 per hour or fraction thereof.
  - iii. Test car holding fee of \$200 per day, or fraction thereof, will be assessed after the first day.
  - iv. An additional charge of \$125 per hour will apply for scale test car and service after initial testing.

### 2. Unscheduled and/or Emergency Test

- a. An unscheduled and/or emergency test is any test, other than the regular annual scheduled test, that is requested by the shipper regardless of the shipper's individual contract or agreement requirements to second parties.
- b. The fee for track scale testing for static and motion scales made outside the regular annual itinerary will be as follows, subject to following additional charges:
  - i. Number of scales tested at one location:
    - 1. 1 Scale \$3200
    - 2. 2 Scales \$3400
    - 3. 3 Scales \$3600
    - 4. 4 Scales \$3800
    - 5. 5 Scales \$4000
  - ii. Test car holding fee of \$200 per day, or fraction thereof, will be assessed after the first day.
  - iii. Inspector's fee of \$350 per day or fraction thereof.

# SECTION 10 SPECIAL TRAIN RULES AND CHARGES

| KCS 8100 – E |                            | PAGE 56 |
|--------------|----------------------------|---------|
|              |                            |         |
|              | SPECIAL TRAIN - SECTION 10 |         |

### CHARGES AND RULES GOVERNING SPECAL TRAIN ITEM

### **DEFINITION OF SPECIAL FREIGHT TRAIN SERVICE**

1200

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 consignor, 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 given to KCS by a consignor, consignee, or the agent of either. When a Special Freight Train is necessary in order to comply with service or other transportation requirements specified, the charges shown in Item 1220-Series will be applicable, subject to Note 1 of this item.

**Note 1.** Consignor, consignee, or agent of consignor or consignee, must request Special Train Service (in writing, or by telephone confirmed by letter or FAX) as to each Special Train Movement to be made under this tariff giving KCS all necessary information as to such Special Train Movement, including consist, date and time of movement, routing and any other information and instructions pertinent to such movement, allowing sufficient time for KCS to consummate whatever arrangements may be necessary to facilitate the movement of such train, including the assembly of equipment, personnel and other incidental requirements.

### FURNISHING OF SPECIAL FREIGHT TRAIN SERVICE

1210

Upon request as provided in Item 1200-Series and at the convenience of KCS, Special Freight Train Service will be furnished between any two points on KCS, subject to the charges and conditions specified in subsequent items.

### CHARGES FOR SPECIAL FREIGHT TRAIN SERVICE

1220

Charges for Special Freight Train Service, as defined in Item 1200-Series, shall be \$95.00 per train mile over the actual distance operated by the special train, subject to a minimum charge of \$14,250.00. These charges will be in addition to the freight charges on the commodities transported as provided in tariffs lawfully on file.

Provisions and charges governing switching at origin, destination or interchange point are published in Item 175-Series, Section 2, of this Tariff.

| KCS 8100 – E |  | PAGE 57 |
|--------------|--|---------|
|              |  |         |
|              | SPECIAL TRAIN – SECTION 10             |         |
| СН           | ARGES AND RULES GOVERNING SPECAL TRAIN | ITEM    |

### OPERATING AND SERVICE STOPS

1230

Normal operating and service stops may be made by KCS. In connection with the movement of Special Trains authorized in this tariff, the obligation of KCS will consist of inspection and maintenance of all running gear, draw bars, couplers and other parts covered by the current Association of American Railroad Code of Rules Governing the Condition of, and Repairs to Freight and Passenger Cars for the Interchange of Traffic, (the "AAR Code") not on file with the Surface Transportation Board.

### SERVICE FOR PASSENGER TYPE CARS

1240

KCS will not furnish air conditioning, electricity, water or other unusual services to any passenger type car(s) handled in Special Train Service under this tariff.

| THE END |  |
|---------|--|
|         |  |