

EVANSVILLE WESTERN RAILWAY, INC.



UNIT TRAIN TARIFF EVWR 5000

**NAMING
RULES AND CHARGES
ON
UNIT TRAIN SHIPMENTS OF COMMODITIES
OTHER THAN BITUMINOUS COAL; OR
COKE, THE DIRECT PRODUCT OF COAL; OR
COKE, PETROLEUM**

FROM	TO
Stations on the Evansville Western Railroad, Inc.	Interchange point on the Evansville Western Railroad, Inc.
Interchange point on the Evansville Western Railroad, Inc.	Stations on the Evansville Western Railroad, Inc.

ISSUED: September 11, 2008

EFFECTIVE: October 1, 2008

ISSUED BY

**Larry Davis
VP Marketing & Sales
1500 Kentucky Ave.
Paducah, KY 42003**

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20	- Reference to Tariffs or Items, etc.	PREPAY REQUIREMENTS AND STATION CONDITIONS	
40	- Consecutive Numbers	(a) For additions and abandonments of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight and changes in station facilities.	
45	- Capacities and Dimensions of CARS	When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station as published in this tariff are inapplicable on and after that date.	
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190	- Locomotive Repositioning	ITEM 45	
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300	- Handling Empty Private Cars to and from Maintenance/Repair Facilities		
APPLICATION OF TARIFF			
ITEM 1	APPLICATION		
This tariff contains rates, rules, regulation, etc. which govern the handling of unit train shipments of all commodities other than coal, bituminous or coke, the direct product of coal or coke, petroleum from, to and between stations served by the Evansville Western Railway, Inc.			
If provisions in other lawful tariffs to which the EVWR is a party contain provisions which conflict with the provisions of this tariff, this tariff shall supersede and govern when the commodity is coal, bituminous.			
For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.			

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<p>ITEM 75</p> <p align="center">METHOD OF CANCELING ITEMS</p> <p>As this tariff is supplemented, numbered items with letter suffixes cancel corresponding numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A.</p> <p>Example: Item 25-A cancels item 25 and item 50-B cancels item 50-A in a prior supplement which in turn canceled item 50.</p>	<p>ITEM 135</p> <p align="center">UNIT TRAIN SWITCHING</p> <p>Facilities that require EVWR to aggregate or disaggregate cars to or from a unit train will be subject to switching charges in addition to the line haul transportation charges. The price for this intra-plant switching service will be \$150 per each car in the train set when the switching service can be performed by EVWR without leaving the assigned siding or industry tracks. Time spent performing these services will be counted against the free time allowed for loading/unloading (see item 170). When cars are moved from or to a site other than the industry's siding/track, such movement will be subject to EVWR line haul transportation charges.</p>
<p>ITEM 105</p> <p align="center">INTRASTATE APPLICATION</p> <p>Provisions in this tariff will apply on intrastate traffic to the same extent as applicable on interstate traffic.</p>	<p>ITEM 140</p> <p align="center">INTRATERMINAL AND INTRAPLANT SWITCHING</p> <p>(a) This section contains intraterminal and intraplant switching charges applicable at stations on this railroad, and applies in instances when car/s are set out from or added to unit trains at facilities where trains can be placed/pulled in a single switching movement as described in item 125.</p> <p>(b) Intraplant switching is hereby defined as a switching movement from one location to another location at an industry or assigned siding or designated transfer point ("facility"), to another location at the same facility where the service can be performed without leaving the facility. The charge for this service is \$275 per car.</p> <p>(c) Intraterminal switching is hereby defined as a switching movement outside the boundaries of a facility, to another industry or track owned by this railroad, but not to or from interchange with a connecting railroad. The charge for this service is \$350 per car.</p>
<p>ITEM 125</p> <p align="center">DEFINITION OF A UNIT TRAIN</p> <p>A unit train is a single set of a minimum of 60 cars with locomotives provided for the movement of product to one destination for unloading or one origin for loading where the locomotives and cars are placed and pulled with a single switching movement to/from the customer's facility, or to/from a designated transfer point of an industrial switching company acting as an agent for the customer. EVWR will deliver the unit train to the industry siding/track, the crew will depart, leaving the locomotives with the railcars, and then EVWR will recrew to withdraw the train set.</p> <p>Additional service beyond the scope of this definition will be subject to additional charges as described in Items 135, 140 and 190.</p>	<p>ITEM 145</p> <p align="center">CARS FURNISHED BY CONSIGNOR OR CONSIGNEE</p> <p>Cars furnished by consignor or consignee for the transportation of products herein via the Evansville Western Railway, Inc. are not subject to the provisions of Tariff ASLG 6007-series and any applicable mileages contained therein will not be paid by EVWR on cars utilized in movements on this railroad.</p>
<p>ITEM 130</p> <p align="center">LIMITATIONS ON UNIT TRAIN SERVICE</p> <p>Unit train service requires special infrastructure and operating capabilities that may not be needed for single car or multi-car service. EVWR is not capable of providing unit train service to or from every station. Customers must obtain EVWR Operations approval and confirmation that unit train service can be provided at a particular station and/or industry location prior to request for such service. Customers must confirm with any railroad connecting to EVWR that unit train service can be provided at locations to which customer wants to transport a unit train to or from.</p>	<p>ITEM 155</p> <p align="center">EMPTY MOVEMENT</p> <p>Except as otherwise provided, charges in this tariff, applicable in cars furnished by the consignor or consignee, include the return movement of empty cars from destination to points or origin shown in this tariff.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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<p>ITEM 170</p> <p align="center">DEMURRAGE RULES AND CHARGES</p> <p>Unit trains used in transporting the products covered by this tariff will be subject to the following demurrage rules:</p> <ol style="list-style-type: none"> Demurrage time includes the total time the cars and locomotives are at the industry siding/track being loaded/unloaded, beginning with the time of actual placement and ending when EVWR has been notified through electronic communication that the train set is completely unloaded, or in the case of loaded trains, the time complete forwarding instructions have been tendered to EVWR, and in addition, any time assets are held under constructive placement. Free time is the amount of time allowed for loading/unloading for which no demurrage charges will accrue. Free time will be allowed according to the following schedule: <ul style="list-style-type: none"> Up to 70 cars = 15 hours 71 – 80 cars = 16 hours 81 – 90 cars = 17 hours 91 or more cars = 18 hours Demurrage will be computed from the time of actual or constructive placement until the train is released. If a train is constructively placed, the amount of time between the times the train was ordered for placement to the actual placement will be deducted from the demurrage time. Demurrage time includes: <ol style="list-style-type: none"> The amounts of time locomotives are used. The amounts of time private cars are held on railroad tracks under constructive placement. The amounts of time railroad furnished cars are held on railroad tracks under constructive placement and the amount of time at the industry siding/track. After expiration of free time, the following charges apply: <ol style="list-style-type: none"> Locomotive detention: \$275 per hour, or fraction thereof. Private cars held on railroad tracks: \$2 per car per hour, or fraction thereof. Railroad owned or leased cars: \$3 per car per hour, or fraction thereof. 	<p>ITEM 180</p> <p align="center">CANCELLATION OF EMPTY UNIT TRAINS</p> <p>If customer has ordered an empty unit train for loading, and subsequently cancels the order after the unit train has been received in interchange from a railroad connecting to EVWR, requiring return of the empty train to the connecting railroad, customer will be subject to a train cancellation fee of \$2750.</p>
	<p>ITEM 190</p> <p align="center">LOCOMOTIVE REPOSITIONING</p> <p>In instances where after constructive or actual placement, it is determined that the unit train cannot be loaded/unloaded within a reasonable time frame, at EVWR discretion, the locomotives will be separated from the unit train and put in other service or returned to a connecting railroad. When loading/unloading is completed, EVWR will reassign locomotives to the unit train to complete the trip cycle. In such instances, a locomotive repositioning fee of \$2250 will be assessed. In such instances, railcar demurrage is continuous, but the locomotive detention clock will be stopped when the original locomotive set is withdrawn, and will be restarted when the replacement set is reattached to the railcars.</p>
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<p>ITEM 200</p> <p align="center">WEIGHING</p> <p>The EVWR will not perform the service of weighing of cars handled for the assessment of freight charges.</p> <p>Weighing for billing will be determined by consignor at origin, by the use of consignors weighing facilities or by consignee at destination, by use of consignees weighing facilities.</p> <p>Freight charges will be assessed on weights so determined, but not less than the minimum weight per shipment. Consignor/consignee weighing facilities must conform to the requirements of the AAR Scale Handbook.</p>	<p>ITEM 300</p> <p align="center">CHARGES FOR HANDLING EMPTY CARS OF PRIVATE OWNERSHIP IN UNIT TRAIN SERVICE TO OR FROM FACILITIES FOR MAINTENANCE MODIFICATION OR REPAIR</p> <p>Except as otherwise provided for in this item empty cars of private ownership having been loaded in unit train service, at rates not subject to the provisions of Tariff ASLG 6007-Series (or which otherwise specify that the EVWR shall not pay mileage allowance), will be moved to and from EVWR interchange points with other railroads at a charge of \$275.00 per car. Revenue resulting from rates in this item shall accrue wholly to the EVWR.</p> <p>EXCEPTION: This item will not apply on cars involved and damaged in derailments and sent to repair facilities for repair.</p>
<p>ITEM 230</p> <p align="center">SWITCHING CHARGES ON LOADED CARS HELD FOR INSTRUCTIONS</p> <p>When on consignor's order, loaded or empty cars are removed from industry or team track and held by this railroad awaiting instructions, a switching charge of \$300.00 per car will be assessed for the movement; such charge will be in addition to all other charges applicable and will not be absorbed.</p> <p>When on consignor's order loaded cars are removed by this railroad from industry or team track and prior to departure from origin station are subsequently ordered back to the original industry or team track, a switching charge of \$300.00 per car, will be assessed for the movement of the car in each direction and the car will remain on continuous demurrage account of the party in whose name the car was ordered for loading.</p>	
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	EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS
	<p>EVWR - Evansville Western Railway, Inc. OPSL - Official Railroad Station List, Railinc, Agent RER - Official Railway Equipment Register UFC - Uniform Freight Classification (National Railroad Freight Committee, Agent)</p> <p>[A] - Addition [I] - Increase [C] - Change in wording representing neither an increase nor reduction [D] - Cancellation [NC] - Brought forward without change [R] - Reduction/Decrease</p> <p>(<u>Underscored</u> portion denotes change.)</p>