

SUPPLEMENT  
TO  
FT FWWR 8001-K

# FORT WORTH & WESTERN RAILROAD

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## SUPPLEMENT 5 TO FREIGHT TARIFF FWWR 8001-K

(Supplement 5 cancels Supplement 4)  
(Supplement 5 contains all changes)

CONTAINING  
LOCAL RATES AND CHARGES  
ALSO  
DEMURRAGE, SWITCHING  
AND  
MISCELLANEOUS  
RULES AND CHARGES  
APPLYING  
FROM, TO, BETWEEN AND  
AT POINTS ON  
FORT WORTH AND WESTERN RAILROAD

APPLICABLE ON INTERSTATE AND INTRASTATE TRAFFIC

## LOCAL FREIGHT TARIFF

ISSUED: November 26, 2008

EFFECTIVE: January 1, 2009  
(Except as otherwise provided)

ISSUED BY

Steven P. George  
President  
6300 Ridglea Place, Suite 1200  
Ft. Worth, TX 76116

(The provisions published herein, if effective, will not result in an effect on the quality of the human environment.)

**SUPPLEMENT 5 TO FREIGHT TARIFF FWWR 8001-K**

SECTION 1	SECTION 2																								
RULES	SWITCHING																								
<p>ITEM 270-A [NC]</p> <p align="center"><b>INTERCHANGE ERROR MOVEMENTS</b></p> <p>The provisions of this item are applicable only in connection with connecting carriers that publish interchange error movement provisions in connection with FWWR.</p> <p>When car(s) empty or loaded, are received from a connecting carrier in error or without necessary data for forwarding, the car(s) will be returned to the delivering carrier or forwarded to the proper carrier within the same switching district, at a charge of \$370.00 per car. Charge for this service will be assessed against the carrier interchanging the car(s) to FWWR.</p> <p>Fort Worth &amp; Western Railroad will not be liable for any setback, switching, or line haul charges assessed by our connecting carrier resulting from shipper billing errors or shipper failure to provide billing instructions to line haul carrier.</p> <p>[NC] - Brought forward from Supplement 2 with no change.</p>	<p>ITEM 300-B [I]</p> <p align="center"><b>SWITCHING AT FORT WORTH, TEXAS</b> (See Notes 1 and 2)</p> <p>Charges shown below are applicable in connection with the road haul movement when such charges are absorbed, in whole or part, by line performing the road haul.</p> <p align="center">(Charges in dollars and cents per car, except as otherwise noted)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">BETWEEN</th> <th style="width:20%;">AND CONNECTIONS:</th> <th style="width:40%;">COMMODITIES</th> <th style="width:25%;">CHARGES</th> </tr> </thead> <tbody> <tr> <td rowspan="4" style="vertical-align: top;">Industries, team or other public delivery tracks, and other locations served by the FWWR</td> <td rowspan="4" style="vertical-align: top;">BNSF Railway Co.</td> <td>All, except as shown below</td> <td align="right">\$581.00</td> </tr> <tr> <td>Scrap Metal</td> <td align="right">\$536.00</td> </tr> <tr> <td>Scrap Paper</td> <td align="right">\$536.00</td> </tr> <tr> <td>Hazardous Materials (STCC 49)</td> <td align="right">\$665.00</td> </tr> <tr> <td rowspan="4" style="vertical-align: top;"></td> <td rowspan="4" style="vertical-align: top;">Union Pacific Railroad Co.</td> <td>All, except as shown below</td> <td align="right">\$581.00</td> </tr> <tr> <td>Scrap Metal</td> <td align="right">\$536.00</td> </tr> <tr> <td>Scrap Paper</td> <td align="right">\$536.00</td> </tr> <tr> <td>Hazardous Materials (STCC 49)</td> <td align="right">\$665.00</td> </tr> </tbody> </table> <p>Note 1: Charges in this item apply only to industries located on FWWR owned trackage. Note 2: Subject to Item 276-series, this tariff.</p> <p>ITEM 315-A</p> <p>(Provisions formerly shown herein and not brought forward are hereby canceled.)</p>	BETWEEN	AND CONNECTIONS:	COMMODITIES	CHARGES	Industries, team or other public delivery tracks, and other locations served by the FWWR	BNSF Railway Co.	All, except as shown below	\$581.00	Scrap Metal	\$536.00	Scrap Paper	\$536.00	Hazardous Materials (STCC 49)	\$665.00		Union Pacific Railroad Co.	All, except as shown below	\$581.00	Scrap Metal	\$536.00	Scrap Paper	\$536.00	Hazardous Materials (STCC 49)	\$665.00
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<p>For explanation of abbreviations and reference marks, see last page of tariff.</p>																									

**SUPPLEMENT 5 TO FREIGHT TARIFF FWWR 8001-K**

SECTION 3	SECTION 4
DEMURRAGE	COMMODITY RATES
<p>ITEM 535-B [NC]</p> <p align="center">DEMURRAGE CHARGES</p> <p>On cars subject to demurrage charges, after the expiration of free time allowed (see Item 530), the following charges per car per day, or fraction of a day will be assessed until the car is released:</p> <p>\$35.00 for the first five (5) days, \$60.00 for the next fourteen (14) days, and \$100.00 for each day thereafter. (Subject to Exceptions 1, 2, 3 and 4)</p> <p>Exception 1: \$65.00 for the first five (5) days and \$90.00 for each day thereafter on all mechanically refrigerated cars.</p> <p>Exception 2: \$550.00 for each day on all cars with six (6) or more axles.</p> <p>Exception 3: \$100.00 for the first five (5) days and \$125.00 each day thereafter on all hazardous materials, substances or waste as described in HAZARDOUS MATERIALS REGULATIONS of the U. S. Department of Transportation in 49 CFR 171.8 or successor thereof. (See Exception 4)</p> <p>Exception 4: Railcars containing commodities designated as toxic/poison inhalation hazard, (TIH) inhalation hazard (anhydrous ammonia) and Division 1.1 and 1.2 Explosives, <b>which are constructively placed</b> on FWWR tracks will be subject to charges in Item 540.</p>	<p>ITEM 600-A [R]</p> <p align="center">FREIGHT, ALL KINDS</p> <p>Freight, all kinds, except Hazardous Commodities carrying STCC 49 Service Code. The FWWR will assess a charge of \$500.00 per car for the switching of a loaded car from one location on the FWWR to another location on the FWWR totaling less than fifty (50) miles. For moves that exceed fifty (50) miles the charge will be \$750.00 per car. This Charge does not apply on Dimensional Loads. Dimensional loads must have prior clearance and charges. Contact the FWWR for those charges and clearances.</p> <p>Note 1: Subject to Item 276-series, this tariff</p>