

FT FWR 8001-O
(Cancels FT FWR 8001-N)

FORT WORTH & WESTERN RAILROAD



FREIGHT TARIFF FWR 8001-O (Cancels Freight Tariff FWR 8001-N)

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: December 14, 2016

EFFECTIVE: January 3, 2017

ISSUED BY

Kevin Erasmus
President/CEO
6300 Ridglea Place, Suite 1200
Ft. Worth, TX 76116

FREIGHT TARIFF FWR 8001-O

<p align="center">CANCELLATION NOTICE</p> <p>Freight Tariff FWR 8001-O cancels Freight Tariff FWR 8001-N in its entirety.</p> <p>Provisions formerly shown in Freight Tariff FWR 8001-N and not brought forward in Freight Tariff FWR 8001-O are hereby canceled.</p>		<p align="center">TABLE OF CONTENTS</p>	
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RULES		RULES												
<p>ITEM 5</p> <p align="center">METHOD OF CANCELING ITEMS</p> <p>As this tariff is supplemented, numbered items with lettered suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequences starting with A.</p> <p>Example: Item 100-A cancels Item 100 and Item 200-B cancels Item 200-A in a prior supplement which in turn canceled Item 200.</p>		<p>ITEM 110</p> <p align="center">COLLECTION OF CHARGES</p> <p>All transportation charges are due and payable upon presentation to the consignor, consignee, or any other bill-to party designated in the bill of lading.</p> <p>All demurrage charges are due and payable upon presentation to the consignor, consignee, or any other party liable for demurrage charges on railcars detained beyond the period of free time set forth in Section 3, this tariff.</p> <p>Any dispute of charges must be received within 15 days of billing date. Bills not paid within 30 days of billing date will be assessed a one and one-half percent (1.5%) interest charge per month. If any unpaid charges are sent to an attorney for collection, reasonable attorneys fees and costs of collection will be assessed and added to the charges due.</p> <p>If any charges remain unpaid for more than 60 days from presentation of the bill, the charges may be sent to an attorney for collection, and in appropriate situations at carrier's option, service may be embargoed until charges are paid.</p>												
<p>ITEM 100</p> <p align="center">LIST OF CONNECTING LINES</p> <table border="1"> <thead> <tr> <th align="left">RAILROADS:</th> <th align="left">POINTS OF CONNECTION:</th> </tr> </thead> <tbody> <tr> <td rowspan="2">BNSF Railway Company</td> <td>Brownwood, TX</td> </tr> <tr> <td>Fort Worth, TX</td> </tr> <tr> <td>Kansas City Southern Railroad</td> <td>Fort Worth, TX</td> </tr> <tr> <td>Union Pacific Railroad</td> <td>Fort Worth, TX</td> </tr> <tr> <td>Texas Pacifico Transportation Ltd.</td> <td>San Angelo Jct., TX</td> </tr> </tbody> </table>		RAILROADS:	POINTS OF CONNECTION:	BNSF Railway Company	Brownwood, TX	Fort Worth, TX	Kansas City Southern Railroad	Fort Worth, TX	Union Pacific Railroad	Fort Worth, TX	Texas Pacifico Transportation Ltd.	San Angelo Jct., TX	<p>ITEM 115</p> <p align="center">REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.</p> <p>Where reference is made in this tariff to tariffs, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such tariffs, and reissues of such items, notes, rules, etc.</p>	
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Union Pacific Railroad	Fort Worth, TX													
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<p>ITEM 102</p> <p align="center">CHARGES DEFINED</p> <p>Transportation charges are charges assessed for transportation services, except charges for demurrage. Demurrage charges are those authorized under 49 USC 10746 related to the use of a car for loading or unloading and making the car available for transportation service, and are assessed when release and return of the car to service is outside the free time allotted for such purposes following receipt of the car.</p>		<p>ITEM 120</p> <p align="center">LIMITED LIABILITY</p> <p>Liability for loss or damage or delay to shipments transported by FWWR is limited to \$10,000.00 per loaded car. If full liability for each car is desired, an additional charge of \$760.00 per loaded car will be assessed. When full liability is required, it must be so indicated on Bill of Lading and on shipping documents provided to FWWR by other carriers.</p>												
<p>ITEM 105</p> <p align="center">LIABILITY FOR CHARGES</p> <p>Transportation charges may be billed to the consignor, consignee, or any other bill-to party designated in the bill of lading, and the consignor, consignee, or bill-to party shall be liable for such charges.</p> <p>Demurrage charges shall be billed to the consignor, consignee, or any other party liable for detaining railcars beyond period of free time set forth in Section 3, this tariff.</p>														
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p>														

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SECTION 1	SECTION 1
RULES	RULES
<p>ITEM 125</p> <p align="center">CONSECUTIVE NUMBERS</p> <p>Where the first and last numbers connected by the word "to" or the hyphen represents consecutive numbers in this tariff, they will be understood to include both of the numbers shown.</p> <p>If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last number.</p>	<p>ITEM 145</p> <p align="center">RESHIPMENT</p> <p>A new document by which the entire original shipment, without being unloaded, is forwarded in the same car to another destination.</p>
<p>ITEM 130</p> <p align="center">CAR DELIVERY</p> <p>Delivery of car(s) to a consignor, consignee or party responsible for loading or unloading shall be at the FWWR's ordinary operating convenience. Ordinary operating convenience is defined as the time that is most advantageous to FWWR in relation to its coordinated, efficient and effective switching activities in any particular rate or switching zone.</p>	<p>ITEM 150</p> <p align="center">PUBLIC DELIVERY TRACKS</p> <p>Any accessible tracks open to the general public for loading or unloading.</p>
<p>ITEM 135</p> <p align="center">CHANGE IN SHIPPING ORDERS</p> <p>A charge of \$310.00 per car will be assessed when a shipping order is received by FWWR and changed by a consignor, consignee, party responsible for loading or unloading, or owner before the car has been moved in execution of the original shipping order. The charge will be in addition to the rate or charge applicable to the subsequent order under which the car is moved.</p>	<p>ITEM 155</p> <p align="center">OTHER THAN PUBLIC DELIVERY TRACK</p> <p>Any railroad track or portion thereof assigned for individual or joint use, including private owned or leased tracks</p>
<p>ITEM 140</p> <p align="center">LOADED CARS HELD FOR ORDERS</p> <p>(A) Except as provided in (B), when on shipper's order, loaded cars are removed from industry or team tracks and held by Fort Worth & Western Railroad awaiting instructions, the intra-terminal switching charge will be assessed for the movement. Such charge will be in addition to all other lawfully applicable charges and will not be absorbed.</p> <p>(B) When loaded cars removed from industry or team tracks and held waiting instructions are under continuous demurrage charges or rules in accordance with this tariff, a charge of \$260.00 per car will be made.</p>	<p>ITEM 160</p> <p align="center">PRIVATE TRACK</p> <p>Any track which is not owned or leased by FWWR. When a track owned by FWWR is leased to a user through a written agreement, such lease or agreement will be considered equivalent to ownership. When a private track or portion thereof is used jointly by two or more parties, ownership will be assigned according to written notification by the owner of such track to actual placement or car for account of any joint user of the track.</p>
	<p>ITEM 165</p> <p align="center">PRIVATE CAR</p> <p>A car which is not a railroad owned or controlled car.</p>
	<p>ITEM 170</p> <p align="center">RAILROAD CONTROLLED CAR</p> <p>A car bearing other than railroad reporting marks provided to a railroad directly by car companies or others for use by a railroad in serving any of its customers.</p>
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF FWWR 8001-O

SECTION 1	SECTION 1
RULES	RULES
<p>ITEM 175</p> <p align="center">HOLIDAYS</p> <p>Whenever reference is made to "holidays" it shall mean only the days listed below:</p> <p> New Year's Day – January 1 (See Note) President's Day – Third Monday of February Memorial Day – Last Monday of May Independence Day – July 4 (See Note) Labor Day – First Monday of September Thanksgiving Day – Fourth Thursday in November and Day thereafter Christmas Eve – December 24 Christmas Day – December 25 (See Note)</p> <p>Note: When this date occurs on a Sunday the following Monday will be observed as the holiday.</p>	<p>ITEM 200</p> <p align="center">ACTUAL PLACEMENT</p> <p>When a car is placed in an accessible position for loading or unloading, or at a point designated by the consignor or consignee or party loading or unloading the car.</p>
<p>ITEM 180</p> <p align="center">CONSIGNOR</p> <p>The party designated on the bill of lading as the entity which has caused the car to be consigned into transportation. For the purpose of applying Section 3, this tariff, Consignor includes any person receiving railcars from this railroad for loading as more specifically provided for in 49 CFR 1333.</p>	<p>ITEM 205</p> <p align="center">TIME OBSERVED</p> <p>In the application of these rules, the time to be properly applied is the time, daylight saving or standard time, lawfully in effect in the location where the car is held.</p>
<p>ITEM 185</p> <p align="center">CONSIGNEE</p> <p>The party designated on the bill of lading as the entity legally entitled to receive delivery of the car from the carrier. The entity may be designated as a consignor, a consignee, or as a party responsible for loading or unloading the car. For the purpose of applying Section 3, this tariff, Consignee includes any person receiving railcars from this railroad for unloading as more specifically provided for in 49 CFR 1333.</p>	<p>ITEM 210</p> <p align="center">NOTIFICATION</p> <p>When necessary, notification will be furnished in writing, electronically, by mechanical devices or verbally to the party entitled to receive notification. Written confirmation of personal or telephone notification will be furnished only when the party entitled to receive same has furnished a written request for written confirmation with this railroad.</p>
<p>ITEM 190</p> <p align="center">CONSTRUCTIVE PLACEMENT</p> <p>When a car, including order notify and in-bond shipments, cannot be actually placed because of any condition attributable to the loader or unloader, such car will be held on FWWR tracks and notice will be given to the loader or unloader that the car is held awaiting disposition instructions. Such cars which have been placed by FWWR on private or other than public delivery tracks, including lead tracks serving the loader or unloader, will be considered constructively placed without notice.</p>	<p>ITEM 212</p> <p align="center">PARTY RESPONSIBLE FOR LOADING OR UNLOADING</p> <p>A party responsible for loading or unloading is an entity designated in the bill of lading as a consignor, a consignee or any other entity that is legally entitled to, and does, receive the car, and controls and performs the loading or unloading, the advice, release or return of the car to the carrier as available for transportation service. A party responsible for loading or unloading may be designated in the bill of lading as a consignor, a consignee, or as an agent, an in-care-of, an account-for, a warehouseman, a transloader, a carrier or any other stop in-transit entity that legally accepts and undertakes to perform the obligations thereunder to load or unload, release and return the car to transportation service.</p>
	<p>ITEM 215</p> <p align="center">LOADING</p> <p>The complete or partial loading of a car by the party responsible to load in conformity with railroad loading and clearance rules, and the furnishing of forwarding instructions.</p>
	<p>ITEM 220</p> <p align="center">UNLOADING</p> <p>The complete unloading of a car and advice received from the party responsible for unloading that the car is empty and available to this railroad.</p>
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 1	SECTION 1								
RULES	RULES								
<p>ITEM 225</p> <p align="center">RELOADING</p> <p>A car held for loading after being released as an empty, having been originally placed as a load.</p>	<p>ITEM 260</p> <p align="center">DIVERSION OR RECONSIGNMENT</p> <p>The terms "diversion" or "reconsignment" are synonymous and the use of either shall mean any of the following:</p> <ol style="list-style-type: none"> (1) a change in the name and/or address of the consignor or consignee or both, (2) a change in the place of delivery within original billed destination point, (3) a change in the original billed destination point to any point beyond the diversion point, or (4) any other instructions necessary to effect delivery which requires an addition to and/or a change in billing on the additional movement of the shipment. 								
<p>ITEM 230</p> <p align="center">DISPOSITION</p> <p>Information, including forwarding instructions or release, which allows the railroad to either tender or release the car from the consignor's, consignee's or other responsible party's account.</p>									
<p>ITEM 235</p> <p align="center">FORWARDING INSTRUCTIONS</p> <p>Shipping instructions given the FWWR at the point of loading, containing all the necessary information to transport the shipment to the final destination. Necessary information must include contents, destination and route furnished in writing either electronically or mechanically. If necessary information is not received ITEM 140 (B) charges will be applied.</p>									
<p>ITEM 240</p> <p align="center">RELEASE</p> <p>Release means the notification received from loader or unloader that loading or unloading of a car has been completed and the car is available for movement and forwarding instructions have been received, if applicable. When equipment is requested to be placed on a track and specific spot where an existing car is residing, the residing car will be considered released loaded or unloaded and available for movement.</p>									
<p>ITEM 245</p> <p align="center">REFUSED CAR</p> <p>A loaded car refused at destination by a consignee or party responsible for unloading without unloading.</p>									
<p>ITEM 250</p> <p align="center">REJECTED CAR</p> <p>An empty car determined by the consignor or party responsible for loading to be unfit for loading.</p>	<p>ITEM 265</p> <p align="center">MILEAGE ALLOWANCE ON PRIVATE OWNED CARS</p> <p>FWWR not being a participant of tariff RIC 6007, will not pay mileage charges on private owned cars while cars are on this line.</p>								
<p>ITEM 255</p> <p align="center">HAZARDOUS MATERIALS</p> <p>Hazardous materials, substances or waste as described in HAZARDOUS MATERIALS REGULATIONS of the U. S. Department of Transportation in 49 C.F.R. 171.8 or successor thereof.</p>	<p>ITEM 270</p> <p align="center">INTERCHANGE ERROR MOVEMENTS</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 the following charges per car to be assessed against carrier shown below interchanging the car(s) to FWWR:</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th align="left"><u>Carrier:</u></th> <th align="right"><u>Charge:</u></th> </tr> </thead> <tbody> <tr> <td>BNSF.....</td> <td align="right">\$370.00</td> </tr> <tr> <td>UP.....</td> <td align="right">\$445.00</td> </tr> <tr> <td>TXPf.....</td> <td align="right">\$350.00</td> </tr> </tbody> </table> <p>Fort Worth & 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>	<u>Carrier:</u>	<u>Charge:</u>	BNSF.....	\$370.00	UP.....	\$445.00	TXPf.....	\$350.00
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BNSF.....	\$370.00								
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FREIGHT TARIFF FWWR 8001-O

SECTION 1				SECTION 2																					
RULES				SWITCHING																					
<p>ITEM 276</p> <p align="center">CHARGES FOR HEAVY CARS</p> <p>On cars with loading capacity of 286,000 pounds, all rates published within FT FWWR 8001-Series, as well as rates within haulage, handling or Marketing agreements, will be subject to an eight point six percent (8.6 %) premium over the base rates published within FT FWWR 8001-Series, and published rates within haulage, handling or Marketing agreements.</p>				<p>ITEM 305</p> <p align="center">CARS INTERCHANGED IN ERROR BY BNSF AT BROWNWOOD, TX</p> <p>The FWWR will assess BNSF a charge of \$370.00 per car for any car interchanged in error by the BNSF at Brownwood, TX consigned to industries at the following stations (See Note 1):</p> <p style="text-align: right;">TEXAS: Carrollton DFW Everman Fort Worth Grapevine Hodge North Fort Worth Peach</p> <p>Note 1: Charge is in addition to any agreed upon handling charges between BNSF and FWWR.</p>																					
SECTION 2				SWITCHING																					
<p>ITEM 300 []</p> <p align="center">SWITCHING AT FORT WORTH, TEXAS (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>(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:15%;">AND CONNECTIONS</th> <th style="width:25%;">COMMODITIES</th> <th style="width:15%;">CHARGES</th> </tr> </thead> <tbody> <tr> <td rowspan="6" style="vertical-align: top;">Industries, team or other public delivery tracks, and other locations served by the FWWR</td> <td rowspan="6" style="vertical-align: top;">BNSF Railway Co.</td> <td>All, except as shown below</td> <td align="right">\$724.00</td> </tr> <tr> <td>Scrap Metal</td> <td align="right">\$666.00</td> </tr> <tr> <td>Scrap Paper</td> <td align="right">\$666.00</td> </tr> <tr> <td>Hazardous Materials (STCC 49), except TIH/PIH Commodities</td> <td align="right">\$806.00</td> </tr> <tr> <td>Plastics (STCC 28 211)</td> <td align="right">\$691.00</td> </tr> <tr> <td>TIH/PIH Commodities (See Note 3)</td> <td align="right">\$1337.00</td> </tr> </tbody> </table> <p>Note 1: Charges in this item apply only to industries located on FWWR owned trackage.</p> <p>Note 2: Subject to Item 276-series, this tariff.</p> <p>Note 3: Under the Hazardous Materials Regulations (49 CFR 171-180) TIH/PIH Materials are gases or liquids that are known or presumed to be so toxic to humans as to pose a hazard to health in the event of release during transportation. See 49 CFR 171.8, 171.115, and 173.132)</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	\$724.00	Scrap Metal	\$666.00	Scrap Paper	\$666.00	Hazardous Materials (STCC 49), except TIH/PIH Commodities	\$806.00	Plastics (STCC 28 211)	\$691.00	TIH/PIH Commodities (See Note 3)	\$1337.00	<p>ITEM 310</p> <p align="center">BRIDGING OF LOADED CARS BETWEEN INTERCHANGE AT FORT WORTH, TX AND SAN ANGELO JUNCTION, TX: (See Exceptions 1 and 2 below)</p> <p>Charges shown below are applicable in connection with the road haul movement when such charges are absorbed, in whole or in part, by line performing the road haul.</p> <p>Bridging of loaded cars between connections as listed in Item 100 and interchange with Texas Pacifico Transportation Ltd at San Angelo Jct, Texas, a charge of \$1169.00 per car will be assessed. (Subject to Exceptions 1 and 2 below)</p> <p>Exception 1: Bridging of cars containing Hazardous Materials (STCC 49) will be assessed a charge of \$1400.00 per car. (See Exception 2)</p> <p>Exception 2: Bridging of cars containing commodities designated as toxic/poison inhalation hazard (TIH/PIH) and Division 1.1 and 1.2 Explosives will be assessed a charge of \$2576.00 per car.</p> <p><i>(Under the Hazardous Materials Regulations (49 CFR 171-180), TIH/PIH Materials are gases or liquids that are known or presumed to be so toxic to humans as to pose a hazard to health in the event of release during transportation. See 49 CFR 171.8, 173.115, and 173.132)</i></p>			
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FREIGHT TARIFF FWWR 8001-O

SECTION 2	SECTION 2						
SWITCHING	SWITCHING						
<p>ITEM 315</p> <p align="center">SWITCHING OF LOADED CARS</p> <p>Except as otherwise provided in this tariff, the FWWR will assess a charge of \$710.00 per car for the switching of a loaded car from one location on the FWWR to another location on the FWWR. This charge does not apply on dimensional loads, loads that exceed 286,000 lbs, or loads containing hazardous material as described in Item 255 of this tariff. (For charges on hazardous commodities please see Item 610) This charge is not applicable on cars switched within the confines of the same plant or industry. For charges to apply on such movements see Item 320.</p>	<p>ITEM 330</p> <p align="center">INTRA-TERMINAL SWITCHING LOADED CARS</p> <p>Switching of carload shipments between plant of AZKO Nobel Chemical and privately owned or leased storage tracks of AZKO Nobel Chemical, a charge of \$172.00 will be assessed.</p>						
<p>ITEM 320 [I]</p> <p align="center">INTRA-PLANT SWITCHING</p> <p>1. All loaded cars switched for any purpose, except as provided in Note 1, from one part of one industry track to another part of the same track in the same plant or industry, or from one track to another track of the same plant or industry. A charge of \$175.00 per car will be made.</p> <p>2. Except as provided in Items 325 and 340, all empty cars switched for any purpose, except as provided in Note 2, from one part of one industry track to another part of the same track in the same plant or industry, or from one track to another track of the same plant or industry. A charge of \$165.00 per car will be made.</p> <p>Note 1. If the switching of the loaded car requires handling car beyond the confines of the industry at which initially placed, the charge shall be \$400.00 per car handled.</p> <p>Note 2. If the switching of an empty car requires handling car beyond the confines of the industry at which initially placed, the charge shall be \$215.00 per car handled.</p>	<p>ITEM 333</p> <p align="center">INTER-TERMINAL SWITCHING</p> <p>On cars switched from a track of the FWWR to a track of another railroad, a charge of \$760.00 per car will be assessed.</p>						
<p>ITEM 325</p> <p align="center">SWITCHING EMPTY CARS NOT RELATED TO A PRIOR OR SUBSEQUENT LOADED MOVEMENT</p> <p>Empty cars not related to a prior or subsequent loaded movement switched between industries, team or other public delivery tracks, and other locations served by Fort Worth & Western Railroad, Inc. and connections with other carriers listed in Item 100, a charge of \$510.00 per car will be assessed.</p> <p>Empty cars not related to a prior or subsequent loaded movement moved between connections as listed in Item 100 and interchange with Texas Pacifico Transportation Ltd at San Angelo Jct, Texas, a charge of \$510.00 per car will be assessed.</p>	<p>ITEM 335</p> <p align="center">SWITCHING/TURNING OF CARS TO PERMIT UNLOADING</p> <p>On freight in carloads, not properly placarded or marked to unload from on particular side or end of car, which shipper or consignee, after initial placement had been made, directs carrier to turn and return to the same track for unloading from opposite side or end of car, the following shall apply: (Subject to Note 1)</p> <table border="1"> <thead> <tr> <th align="center">FROM</th> <th align="center">TO</th> <th align="center">CHARGE</th> </tr> </thead> <tbody> <tr> <td>Industry, team, warehouse, wharf or other track.</td> <td>Turning tracks within the same switching limits and return to same track.</td> <td>\$310.00 per car</td> </tr> </tbody> </table> <p>Note 1: If bill of lading carries notation that car has been placarded, the charge named herein will not apply. (Note 2 and 3)</p> <p>Note 2: On cars received from connecting line properly placarded but not blocked for unloading from placarded side or end, FWWR will turn car for connecting line at a charge of [I] \$400.00.</p> <p>Note 3: On cars received from connecting line properly placarded but not blocked for unloading from placarded side or end and returned to connecting line the charge published in Item 300 will be assessed in each direction.</p>	FROM	TO	CHARGE	Industry, team, warehouse, wharf or other track.	Turning tracks within the same switching limits and return to same track.	\$310.00 per car
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Industry, team, warehouse, wharf or other track.	Turning tracks within the same switching limits and return to same track.	\$310.00 per car					
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p>							

FREIGHT TARIFF FWWR 8001-O

SECTION 2	SECTION 2
SWITCHING	SWITCHING
<p>ITEM 336</p> <p align="center">EMPTY OR LOADED RAILCARS RELEASED – NOT AVAILABLE TO PULL</p> <p>When a customer releases an empty or loaded car and it is determined upon arrival that the equipment cannot be pulled by railroad as a result of conditions attributable to consignor, loader, consignee, Care-of-Party or unloader, a charge of \$500.00 per car will be assessed in addition to all other applicable charges.</p>	<p>ITEM 355</p> <p align="center">REFUSED OR REJECTED CARS</p> <p>When a car, loaded or empty, is refused or rejected by customer, a charge of \$760.00 per car will be assessed for return of such car or cars to connection.</p>
<p>ITEM 337</p> <p align="center">EMPTY OR LOADED RAILCARS ORDERED IN – UNABLE TO PLACE</p> <p>When a customer orders in an empty or loaded car, but cannot receive the car as a result of conditions attributable to consignor, loader, consignee, Care-of-Party or unloader, a charge of \$500.00 per car will be assessed in addition to all other applicable charges</p>	SECTION 3
<p>ITEM 340</p> <p align="center">SWITCHING EMPTY CARS</p> <p>Except as otherwise provided, charges shown in Items 300, 315, and 320 for switching a loaded car will include the movement of the empty car in the opposite direction. If cars are switched empty in both directions, the charge in Item 325 will be made for the round trip.</p> <p>Empty cars in preparation for loading by an industry on this line will be switched without charge between receiving, hold, repair, cleaning, icing, and loading tracks. When such cars are not loaded but are switched empty from the industry's track to connecting lines, the charge for this service will be \$435.00 per car.</p>	DEMURRAGE
<p>ITEM 345 [I]</p> <p align="center">SPECIAL SWITCHING SERVICES</p> <p>Rates named herein include only the performance of normal switching service by and at the convenience of the carrier. If requested by an industry, special service will be performed providing the carrier has available motive power and at the following additional charge:</p> <p>\$3,500.00 minimum charge for up to eight (8) hours of service, and \$500.00 per hour or fraction thereof for time exceeding eight (8) hours.</p>	<p>ITEM 500</p> <p align="center">GENERAL APPLICATION</p> <p>The demurrage rules and charges published in this section apply on international, interstate and intrastate traffic at all points on the FWWR. For the purpose of applying the rules and charges, the terms in Section 1 defined and shall govern.</p>
	<p>ITEM 510</p> <p align="center">CHARGEABLE DAYS</p> <p>Chargeable days are defined as days that follow the expiration of free time as described in Item 530.</p>
	<p>ITEM 525</p> <p align="center">CARS SUBJECT TO DEMURRAGE RULES AND CHARGES</p> <p>Railroad, railroad controlled, and private cars held for or by consignors or consignees for any purpose, or held by parties responsible for loading and unloading, are subject to demurrage rules and charges in this section. (See Exception).</p> <p>Exception: Demurrage rules and charges will not apply on empty or loaded private cars while held on private tracks.</p>
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF FWWR 8001-O

SECTION 3	SECTION 3
DEMURRAGE	DEMURRAGE
<p>ITEM 530</p> <p align="center">FREE TIME</p> <p>Saturdays and Sundays are not chargeable demurrage days, except when a chargeable demurrage day precedes Saturday. In this instance both Saturday and Sunday will also be chargeable days.</p> <p>Holidays as described in Item 175 are not chargeable demurrage days, except when a chargeable day precedes the holiday.</p> <p>Twenty-four (24) hours free time will be allowed for cars held for loading. (See Exceptions 1 and 2)</p> <p>Forty-eight (48) hours free time will be allowed for cars held for unloading. (See Exceptions 1, 2 and 3)</p> <p>No free time will be allowed for cars held for any other purpose for which the consignor, consignee, or party of record is responsible for furnishing disposition to this railroad.</p> <p>Free time will commence with the first 7:00 AM after placement or notification, whichever occurs first.</p> <p>Exception 1: Empty railroad or railroad controlled cars placed for loading on consignor's orders but released empty, not used in transportation service, will be subject to demurrage charges without free time allowed from actual placement to release.</p> <p>Exception 2: Loaded or partial loaded private cars removed from private tracks on orders are subject to demurrage charges as provided in this tariff, without free time allowance and without notice, from the first 7:00 AM after such cars are received until forwarding directions are furnished or until the cars are placed on or returned to private tracks on orders. In the event these cars are received between 5:00 PM and 7:00 AM, they will not be subject to demurrage if forwarding directions are received prior to the following 12:00 Noon.</p> <p>Exception 3: Railcars containing commodities designated as toxic/poison inhalation hazard, (TIH) inhalation hazard (anhydrous ammonia) and Division 1.1 and 1.2 Explosives, which are constructively placed on FWWR tracks, will be subject to charges in Item 540 without free time allowed from constructive placement until released</p>	<p>ITEM 535</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, which are constructively placed on FWWR tracks will be subject to charges in Item 540.</p>
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF FWWR 8001-O

SECTION 3	SECTION 4																																				
DEMURRAGE	COMMODITY RATES																																				
<p>ITEM 540</p> <p align="center">DEMURRAGE CHARGES FOR COMMODITIES DESIGNATED AS TOXIC INHALATION HAZARD (TIH) - CONSTRUCTIVELY PLACED</p> <p>Railcars containing commodities designated as toxic/poison inhalation hazard, (TIH) inhalation hazard (anhydrous ammonia) and Division 1.1 and 1.2 Explosives, which are constructively placed on FWWR tracks will be subject to charges immediately, without any applicable free time. The following charges will apply until car is released:</p> <p>Immediately upon notification of constructive placement the charge will be \$1500.00 per car for the first 24 hours or portion thereof.</p> <p>Charges will increase to \$2,500.00 per car for each day, or fraction a day thereafter, until space is made available. Upon actual placement, charges will be \$75.00 per car per day, or portion thereof, for the first five (5) days and \$100.00 per car per day, or portion thereof, for each day thereafter.</p> <p>(Under the Hazardous Materials Regulations (49 CFR 171-180), TIH materials are gases or liquids that are known or presumed on the basis of tests to be so toxic to humans as to pose a hazard to health in the event of a release during transportation. See 49 CFR 171.8, 173.115, and 173.132.)</p>	<p>ITEM 620</p> <p align="center">STATION LIST</p> <table border="0"> <tr> <td>Alliance, TX</td> <td>De Leon, TX</td> <td>Mt. Airy, TX</td> </tr> <tr> <td>Birds, TX</td> <td>Delaware, TX</td> <td>No. Fort Worth, TX</td> </tr> <tr> <td>Blanket, TX</td> <td>DFW, TX</td> <td>Peach, TX</td> </tr> <tr> <td>Bluffdale, TX</td> <td>Dublin, TX</td> <td>Primrose, TX</td> </tr> <tr> <td>Brownwood, TX</td> <td>Fort Worth, TX</td> <td>Proctor, TX</td> </tr> <tr> <td>Carrollton, TX</td> <td>Godley, TX</td> <td>Ricker, TX</td> </tr> <tr> <td>Cleburne, TX</td> <td>Gorman, TX</td> <td>San Angelo Jct., TX</td> </tr> <tr> <td>Comanche, TX</td> <td>Granbury, TX</td> <td>Smithfield, TX</td> </tr> <tr> <td>Comyn, TX</td> <td>Grapevine, TX</td> <td>Stephenville, TX</td> </tr> <tr> <td>Coppell, TX</td> <td>Hodge, TX</td> <td>Tolar, TX</td> </tr> <tr> <td>Cresson, TX</td> <td>Immermere, TX</td> <td>Waples, TX</td> </tr> <tr> <td>De Cordova Siding, TX</td> <td></td> <td></td> </tr> </table>	Alliance, TX	De Leon, TX	Mt. Airy, TX	Birds, TX	Delaware, TX	No. Fort Worth, TX	Blanket, TX	DFW, TX	Peach, TX	Bluffdale, TX	Dublin, TX	Primrose, TX	Brownwood, TX	Fort Worth, TX	Proctor, TX	Carrollton, TX	Godley, TX	Ricker, TX	Cleburne, TX	Gorman, TX	San Angelo Jct., TX	Comanche, TX	Granbury, TX	Smithfield, TX	Comyn, TX	Grapevine, TX	Stephenville, TX	Coppell, TX	Hodge, TX	Tolar, TX	Cresson, TX	Immermere, TX	Waples, TX	De Cordova Siding, TX		
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	<p>ITEM 630</p> <p align="center">SWITCHING DISTRICT OF FORT WORTH, TX</p> <p>All stations in Item 620 of FT FWWR 8001-series are considered to be within the switching district of Fort Worth, TX.</p>																																				
SECTION 4	SECTION 5																																				
COMMODITY RATES	DIVERSION OR RECONSIGNMENT																																				
<p>ITEM 610</p> <p align="center">HAZARDOUS FREIGHT</p> <p>Hazardous freight or materials, carrying STCC 49 Series Code.</p> <p>Between all stations on the FWWR listed in Item 620.....\$1,525.00 per car</p>	<p>ITEM 700 [!]</p> <p align="center">DIVERSION OR RECONSIGNMENT</p> <p>Diversion or reconsignment, as described in Item 260 will be made by FWWR on orders received prior to final placement from consignor or consignee at a charge of \$300.00 per car.</p> <p>Orders received after final placement by FWWR will be considered as a new shipment.</p>																																				
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FREIGHT TARIFF FWWR 8001-O

	EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS
	<p>BNSF - BNSF Railway Company. FWWR - Fort Worth & Western Railroad Inc. - Incorporated KCS - Kansas City Southern Railroad STCC - Standard Transportation Commodity Code TXPF - Texas Pacifico Transportation Ltd. UP - Union Pacific Railroad Company</p> <p>[A] - Addition [C] - Change [I] - Increase [R] - Reduction [NC] - Brought forward without change</p> <p>(<u>Underscored</u> portion denotes change/addition.)</p>