

CENTRAL OREGON & PACIFIC RAILROAD CO.

A RailAmerica Company



Freight Tariff CORP 8000

**IS CANCELLED IN ITS ENTIRETY BY
FREIGHT TARIFF RA 1000 - SERIES**

**NAMING
SWITCHING AND ACCESSORIAL CHARGES
AT LOCATIONS ON THE CENTRAL OREGON & PACIFIC RAILROAD CO.**

THIS TARIFF APPLIES ON INTERSTATE TRAFFIC AND INTRASTATE TRAFFIC IN THE STATES OF
OREGON AND CALIFORNIA

NOTICE
THE PROVISIONS HEREIN WILL, IF EFFECTIVE, NOT HAVE A NEGATIVE IMPACT ON THE QUALITY
OF THE HUMAN ENVIRONMENT OR ENERGY CONSUMPTION

FOR GOVERNING CLASSIFICATIONS, SEE ITEM 5

ISSUED: MAY 10, 2009

EFFECTIVE: JUNE 1, 2009

ISSUED BY:
CENTRAL OREGON & PACIFIC RAILROAD CO.
333 SE MOSHER
ROSEBURG, OR 97470

METHOD OF ADDING, CHANGING OR DELETING ITEMS IN THIS TARIFF

Changes to this tariff will be made by issuing supplements. These supplements will show the action taken on each item, namely:

- A Increase
C Change resulting in neither an increase nor a decrease
R Decrease

There will be only one supplement to this tariff in effect at any time. Any item contained in a prior supplement will be brought forward to subsequent supplements.

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GENERAL RULES AND REGULATIONS	
ITEM	APPLICATION
5	<p>DESCRIPTION OF GOVERNING CLASSIFICATION</p> <p>This tariff is governed, except as otherwise provided herein, by Uniform Freight Classification UFC 6000 series, issued by the national Railroad Freight Committee, Agent, supplements thereto or reissues thereof.</p>
10	<p>STATION LIST AND CONDITIONS</p> <p>This tariff is governed by the Official Railroad Station List, OPSL 6000 series, to the extent shown below:</p> <p style="text-align: center;">PREPAY REQUIREMENTS AND STATION CONDITIONS</p> <p>For addition and abandonment 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.</p> <p>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, is inapplicable on and after that date.</p> <p style="text-align: center;">GEOGRAPHICAL LIST OF STATIONS</p> <p>For geographical locations of stations referred to in this tariff by station number.</p> <p style="text-align: center;">STATION NUMBERS</p> <p>For the identification of stations when stations are shown or referred to by numbers in this tariff.</p>
15	<p>EXPLOSIVES, DANGEROUS ARTICLES</p> <p>For rules and regulations governing the transportation of explosives and other dangerous articles of freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Bureau of Explosives Tariff BOE 6000-series.</p>
20	<p>REFERENCE TO TARIFFS, ITEMS, NOTES AND RULES</p> <p>Where reference is made in this tariff to tariffs, items, notes or rules, such references are continuous and include supplements to and successive issues of such tariffs and reissues of items, notes or rules</p>
30	Intentionally left blank.
40	<p>CONSECUTIVE NUMBERS</p> <p>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 the numbers shown.</p>
45	<p>CAPACITIES AND DIMENSIONS OF CARS</p> <p>For marked capacities, lengths, dimensions and cubical capacities of cars, see The Official Railway Equipment Register, RER 6413 series.</p> <p>Maximum Gross weight on rail on CENTRAL OREGON & PACIFIC RAILROAD CO., without clearance, is 286,000 pounds.</p>

GENERAL RULES AND REGULATIONS	
ITEM	APPLICATION
60	<p>NATIONAL SERVICE ORDER TARIFF</p> <p>This tariff is subject to the provisions of the various Surface Transportation Board Service Orders and General Permits as shown in National Service Order Tariff STB NSO 6100 series.</p>
70	<p>MILEAGE CHARGES ON PRIVATELY OWNED CARS</p> <p>CORP will not pay mileage charges on privately owned cars when moving to, from or via stations on the CORP</p>
75	<p>DEMURRAGE</p> <p>Cars handled under the provisions of this tariff will also be subject to the demurrage provisions of CORP 6001 Series.</p>
80	<p>CHANGES IN, OR ADDITION OF, FIRMS OR INDUSTRIES</p> <p>Switching charges shown in this tariff apply to the physical locations or plant sites and are not affected by name changes or ownership changes of the occupants or property.</p>
90	<p>PAYMENT AND CREDIT TERMS</p> <p>All charges under this tariff must be prepaid, unless satisfactory arrangements with CORP have been made prior to performance of service. Charges for services rendered under terms of this tariff will accrue against the customer located on the CORP, unless arrangements to the contrary have been made with CORP prior to performance of service</p> <p>All payments for services covered herein are due and payable within fifteen (15) days following the Freight Bill date. The rules applicable to payments and credit terms are in accordance with those found in 49 CFR 1320. Payments received after the expiration of the credit period shall be subject to a service charge of one and one-half percent (1 1/2%) per month (or fraction thereof) of the outstanding balance or highest rate allowed by law.</p>
130	<p>RECEIPT AND DELIVERY OF CARS OR FREIGHT ON, TO, OR FROM PRIVATE AND INDUSTRIAL TRACKS</p> <ol style="list-style-type: none"> 1. This tariff will be subject to the rules and charges governing receipt and delivery of freight on, to, or from private and industrial tracks as published in Tariff RPS-6804 series. 2. The tariff does not grant the use of private sidings or facilities to parties other than the owners thereof, unless the privilege of use is granted to others by the owners, without cost to CORP.

GENERAL RULES AND REGULATIONS	
ITEM	APPLICATION
200	<p>HOURS OF SERVICE AND PERFORMANCE</p> <p>1. Hours of service and performance are subject to change based upon CENTRAL OREGON & PACIFIC RAILROAD CO. scheduled operation and switching. The following accessorial charges will be applied to services rendered outside of the prescribed scheduled operating and switching times or on designated holidays when service is not provided.</p> <p>2. Services required to be performed on days or at hours other than those set forth in No. 1 above will not be deemed to fall within the term “normal operation periods”, or “workdays”. Such days or hours will be deemed to fall within the term “Special Movements” and rates in accordance with Section 2, item 400 will apply.</p>
205	<p>HOLIDAYS</p> <p>CORP holidays are defined, for purposes of this tariff, as: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day following Thanksgiving Day, Christmas Eve Day and Christmas Day.</p>
SECTION 1 - SWITCHING	
ITEM	APPLICATION
300	<p>DEFINITION OF TERMS</p> <p>Industrial Tracks - A track serving a particular industry, whether located upon property owned by CORP or upon property owned or leased by the industry.</p> <p>Intermediate Switching – A switching movement between interchange tracks of one carrier to interchange tracks of another carrier within the switching limits of the same station.</p> <p>Intra-Plant Switch - A switching movement from one location to another location within the confines of an industry.</p> <p>Intra-Terminal Switch - A switching movement (other than intra-plant) from one location to another location within the switching limits of one station or industrial switching district of the same railroad.</p> <p>Inter-Terminal Switch - A switching movement from one railroad to another railroad when such movement is within the switching limits of the same station or switching district. Switching charges of connections will be in addition to those published herein for account of CORP.</p> <p>Reciprocal Switching – An arrangement between CORP and a connecting railroad serving the same station or switching district where the carrier physically serving the industry performs switching service for loading or unloading on behalf of the other carrier on shipments having an immediately preceding or following line-haul movement via the other carrier. CORP will perform reciprocal switching only to or from CORP customers specifically listed in this tariff.</p> <p>Team Track - A track or tracks assigned by CORP for use by the general public.</p> <p>Unabsorbed Switch Charge- Applies in addition to the line-haul transportation charge or charges of a connecting carrier published in tariffs or other instruments of that carrier when moving to or</p>

	from the specified CORP station via a junction with that connecting carrier.			
SECTION 1 - SWITCHING				
ITEM	APPLICATION			
310	HANDLING OF LOADED AND/OR EMPTY CARS Except for Reciprocal Switching and as otherwise provided herein, switching charges published herein will apply on loaded and/or empty cars.			
320	INTRA-PLANT SWITCH The charge for an Intra-Plant Switch will be \$300.00 per car.			
330	INTRA-TERMINAL SWITCH The charge for an Intra-Terminal Switch will be \$300.00 per car.			
340	INTER-TERMINAL SWITCH The charge for an Inter-Terminal Switch will be \$300.00 per car.			
370	RECIPROCAL SWITCHING – NOT APLICABLE ON THE CORP			
	AT	FOR	CHARGE	NOTES
380	INTERMEDIATE SWITCHING – NOT APPLICABLE			
	AT	FOR	CHARGE	NOTES
Note (1) – Switching charges billed to the rail carrier ordering the shipment to interchange.				

SECTION 2 – ACCESSORIAL CHARGES

ITEM	APPLICATION
400	<p>SPECIAL MOVEMENTS</p> <p>Except as otherwise provided in this tariff, when special movements of cars or other equipment (including locomotives) are requested by patron, or required because of excessive dimension, excessive weight, high center of gravity, or other conditions not permitting normal operation, the following charges will be assessed in addition to other lawfully published rates:</p> <p>CHARGES:</p> <p>1. At All Stations within Normal Service Hours If service is as set forth in Item 200, Paragraph 1, a charge of \$200.00 per hour or fraction thereof will be assessed, subject to a minimum charge of \$1,600.00 , if performed within 8 continuous hours or fraction thereof. Should performance of service exceed 8 continuous the rate will be \$300.00 per hour for all hours in excess of 8 continuous hours.</p> <p>1A. When special freight train service on CORP has been arranged by the operating department upon request of shippers or Consignees, or as deemed necessary by the railroad, the rate will be \$2,000 WITH CORP POWER and \$1,000 WITH OTHER POWER. The charge for the special service will be in addition to the regular freight charges which are provided for in fright tariffs or private contracts or quotes governing the movement of fright handled in regular freight trains.</p> <p>1B. If special freight train service is subsequently cancelled by shipper or consignee within 24 hours of original requested time there will be a \$1000.00 cancellation fee.</p> <p>2. At All Stations not within Normal Service Hours If service is performed as set forth in Item 200, Paragraph 2, a charge of \$3,000.00 will be assessed. Should performance of service exceed 8 continuous the rate will be \$1,500.00 per hour for all hours in excess of 8 continuous hours.</p> <p>CONDITIONS:</p> <p>1. Reasonable notice must be given to CORP by the party requesting service under the provisions of this Item.</p> <p>2. All requests for Special Movements must be received in writing (mail, fax or email) by CORP before service is performed.</p> <p>Time will be computed from the time engine and crew is dispatched from their on-duty location until the special movement has been performed and the engine and crew have returned to the point of dispatch.</p>

SECTION 2 – ACCESSORIAL CHARGES	
ITEM	APPLICATION
405	<p>ASSEMBLING UNIT TRAINS</p> <p>CORP may assemble unit trains for online customers. The following conditions must be met PRIOR to movement of empty equipment to CORP.</p> <p>A request must be submitted to the CORP including the following information: Number of cars to assemble as a unit, interchange location(s) for empty equipment, interchange locations(s) for outbound loaded unit train, date first cars are expected to arrive at CORP, date which unit train will be loaded, location of loading, ownership of equipment – private or railroad owned or leased</p> <p>Party requesting assembly of a unit train must obtain written authorization from the General Manager of railroad marked or controlled equipment will not be considered under this item until written car hire relief has been obtained from the controlling railroad.</p>
410	<p>TURNING OF CARS TO PERMIT UNLOADING</p> <p>When, upon request, cars are turned to facilitate loading or unloading, or for any other purpose, the following charges will be assessed:</p> <ol style="list-style-type: none"> 1. If the car is turned at a wye or a turntable within the confines of an industry..... \$150.00 per car. 2. If the car is turned at a wye or a turntable beyond the confines of the industry, and the round trip is: <ul style="list-style-type: none"> 0 to 100 miles.....\$150.00 over 100 miles.....\$225.00
415	<p>CLOSING DOORS AND SECURING LOADING DEVICES</p> <p>When it is necessary for CORP to close doors, hatches, gates or secure tie down devices on empty cars, a charge of \$100.00 will be assessed against the customer releasing said car. Loaded cars will not be moved unless all doors, hatches, gates and tie-down devices are secured. There will be no charge involved for the closing of defective doors, hatches, gates, or to secure defective tie down devices on empty cars.</p>

SECTION 2 – ACCESSORIAL CHARGES

ITEM	APPLICATION
420	<p>OVERLOAD CHARGES</p> <p>1) For cars in excess of 286,000 lbs. moving over any portion of CORP, movement must be pre-approved by Roadmaster located in Roseburg, Oregon.</p> <p>2) Cars found to be overloaded while on the tracks of CORP, or cars interchanged from CORP to another carrier which are returned to CORP because such cars are overloaded, will either be:</p> <ul style="list-style-type: none"> a) returned to the shipper for adjustment, or b) placed at a location suitable for adjusting the load. <p>Determination of the above will be at the discretion of the CORP.</p> <p>Cars covered by this item will be subject to CORP demurrage rules and charges, no free time or credits will be allowed. Demurrage will begin upon notification to customer of overloaded condition, or placement of the car at the location for adjustment of the car, whichever occurs last.</p> <p>Cars covered by this item will be subject to a charge of \$700 per car, plus any applicable freight, switching and demurrage charges.</p> <p>3) Cars found to be overloaded at a loading point served by CORP will not be moved until the load has been adjusted. Demurrage will continue until the car is released and accepted by CORP. No additional free time will be allowed.</p> <p>4) Cars found to be overloaded and delivered to an unloading point served by CORP will be returned to the shipper or moved to another location for adjustment of the load. Such cars will be subject to a charge of \$700 per car. No additional demurrage free time will be granted.</p>

SECTION 2 – ACCESSORIAL CHARGES	
ITEM	APPLICATION
430	<p>DIVERSION OR RECONSIGNMENT</p> <p>Diversion or reconsignment means any one or more of the following when a car is located on or under control of the CORP:</p> <ol style="list-style-type: none"> 1. Change in the name of consignee. 2. Change in the name of consignor. 3. Change in the destination. 4. Change in route. 5. Any other instruction given by consignee, consignor, or owner affecting delivery and requiring an addition to or a change in billing, an additional movement of the car, or both. <p>Except as otherwise provided herein, the term “destination” as used in these rules means the billed destination.</p> <p>Diversion or Reconsignment orders will not be accepted by CORP for cars that are not under its control.</p> <p>CHARGES:</p> <p>When an order is placed with CORP by consignee, consignor, or owner that modifies any of the terms of shipment listed above in this item, the following charges will apply:</p> <ol style="list-style-type: none"> 1. The charge for Diversion or Reconsignment will be \$150.00 per car. 2. Facilitation of Diversions or Reconsignments is not guaranteed. If the request is not accomplished, no charge will be assessed for the request. <p>Cars stopped, diverted or reconsigned under terms of this item are subject to demurrage provisions of this tariff.</p>
440	<p>NOT APPLICABLE ON CORP - “SHIPMENT TO ORDER”, “ORDER NOTIFY” OR “STRAIGHT BILL OF LADING” REQUIRING SURRENDER OF BILL OF LADING OR WRITTEN ORDER</p> <ol style="list-style-type: none"> 1. When the original Bill of Lading or written order covering a shipment described above is not available, the property may be delivered in advance of the surrender of the Bill of Lading or written order, as the case may require, under the provisions of Rule 7 of the UFC. 2. If a Bill of Lading is tendered after 7:00 am of the day following loading, a charge of \$100.00 per car will apply. 3. When Order Bills of Lading or written orders are received prior to arrival of car on CORP, there will be no charge. Order Bills of Lading or written orders received after arrival of cars on CORP will be assessed a charge of \$200.00 per car. 4. Cars held awaiting instructions under terms of this item will be subject to demurrage provisions of this tariff. Demurrage charges will accrue against the party issuing instructions.

SECTION 2 – ACCESSORIAL CHARGES	
ITEM	APPLICATION
450	<p>CARS RECEIVED IN ERROR BY CORP</p> <p>Loaded or empty cars received by CORP from connections that are not consigned to CORP or its customers or subsequently not accepted by consignee will be treated as mishandled cars received in error.</p> <p>The carrier interchanging a mishandled car to CORP will be assessed a charge of \$300.00 per car.</p>
455	<p>NOT APPLICABLE ON CORP - FAILURE TO DELIVER LOAD TO CORP</p>
460	<p>EMPTY CARS ORDERED AND NOT USED</p> <p>If CORP receives an order for empty cars, and such order is canceled by the ordering party after such empty car is dispatched in a CORP train to a shipper, a charge of \$200.00 per car will be assessed to the ordering party.</p>
470	<p>LEASE OF RAILROAD TRACKS FOR STORAGE</p> <p>Tracks of CORP may be leased to shippers, receivers or private car owners, subject to availability, pursuant to terms and conditions of special agreements. In absence of such agreements, the charge is \$60.00 per year per lineal track foot, subject to a minimum charge of \$2000.00. Contact the appropriate Manager of Marketing & Sales regarding the creation of a track lease.</p> <p>Request for lease of tracks for storage must be received in writing by CORP, stating the amount of track or number of car spots requested and the estimated duration of the storage.</p> <p>Cars placed in storage must be privately owned or free of car hire. Cars held on storage tracks will not be subject to demurrage.</p> <p>Switching of cars to and from storage will apply, as provided in this tariff.</p>

SECTION 2 – ACCESSORIAL CHARGES	
ITEM	APPLICATION
475	<p>HANDLING EMPTY FREIGHT CARS FOR STORAGE</p> <p>This item applies on all types of rail cars destined for storage on CORP, including, but not limited to, cars provided by railroads, leased cars and cars bearing other than railroad reporting marks, but not including passenger train cars.</p> <p>The charge for movement of empty cars is \$300.00 over Eugene, OR and \$300.00 over Black Butte, CA, subject to a minimum of 1 mile. CORP will not be responsible for the payment of any per diem or mileage charges, CORP will not absorb any switch charges.</p> <p>CORP's maximum liability for loss and damage is \$100.00per railcar. (No liability will be assumed for painting, defacing, or vandalism.)</p> <p style="text-align: center;">AND</p> <p>Flat rate on a last in first out basis is the same as inbound move, and for any other special switching requirement please contact the Manager of Marketing and Sales</p>
480	<p>MOVEMENT OF LOCOMOTIVES</p> <p>Privately owned, leased or foreign line locomotives will be moved over the CORP subject to a minimum charge of \$1250.00 for movement on own wheels, but not on own power. CORP will not absorb any switching charges applicable to shipments of locomotives.</p> <p>All Privately owned, leased or foreign line locomotives are subject to a joint inspection at interchange by both CORP mechanical personnel and connecting carrier mechanical personnel. Any locomotives that fail inspection with be rejected at interchange</p> <p>CORP's maximum liability for loss and damage is \$100.00per locomotive.</p>
EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS	
AAR	Association of American Railroads
OPSL	Official List of Open and Prepay Stations, Station List Publishing Company, Agent
RER	The Official Railway Equipment Register, R.E.R. Publishing Company, Agent
RPS	Railroad Publication Services, Agent
STB	Surface Transportation Board
STCC	Standard Transportation Commodity Code
UFC	Uniform Freight Classification, Uniform Freight Classification Committee, Agent
A	Increase
C	Changes resulting in neither an increase nor a decrease
R	Decrease