

Michigan Shore Railway Company

A RailAmerica Company



Freight Tariff MS 8000-A
(Cancels Freight Tariff MS 8010 & MS 8000)

NAMING
LOCAL RATES
ON SWITCHING CHARGES & MISCELLANEOUS SERVICES

THIS TARIFF APPLIES ON INTERSTATE TRAFFIC AND INTRASTATE TRAFFIC IN THE STATE OF
MICHIGAN

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: 02/01/07

EFFECTIVE: 03/01/07

ISSUED BY:
MICHIGAN SHORE RAILWAY COMPANY
101 ENTERPRISE DRIVE
VASSAR, MI 4876

GENERAL RULES AND REGULATIONS																									
ITEM	APPLICATION																								
5	<p style="text-align: center;">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 style="text-align: center;">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>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, are inapplicable on and after that date.</p> <p style="text-align: center;">GEOGRAPHICAL LIST OF STATIONS AND NUMBERS</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;"><u>STATION</u></th> <th style="text-align: center;"><u>STATION NUMBERS</u></th> </tr> </thead> <tbody> <tr> <td>Holland</td> <td style="text-align: right;">87714</td> </tr> <tr> <td>West Olive</td> <td style="text-align: right;">87753</td> </tr> <tr> <td>Grand Haven</td> <td style="text-align: right;">87756</td> </tr> <tr> <td>Ferrysburg</td> <td style="text-align: right;">87757</td> </tr> <tr> <td>Fruitport Siding</td> <td style="text-align: right;">87758</td> </tr> <tr> <td>Muskegon Heights</td> <td style="text-align: right;">87764</td> </tr> <tr> <td>Muskegon</td> <td style="text-align: right;">580</td> </tr> <tr> <td>North Muskegon</td> <td style="text-align: right;">87767</td> </tr> <tr> <td>Berry</td> <td style="text-align: right;">87768</td> </tr> <tr> <td>Holton</td> <td style="text-align: right;">87750</td> </tr> <tr> <td>Fremont</td> <td style="text-align: right;">87747</td> </tr> </tbody> </table> <p>For geographical locations of stations referred to in this tariff by station number.</p> <p>For the identification of stations when stations are shown or referred to by numbers in this tariff.</p>	<u>STATION</u>	<u>STATION NUMBERS</u>	Holland	87714	West Olive	87753	Grand Haven	87756	Ferrysburg	87757	Fruitport Siding	87758	Muskegon Heights	87764	Muskegon	580	North Muskegon	87767	Berry	87768	Holton	87750	Fremont	87747
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15	<p style="text-align: center;">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 style="text-align: center;">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	<p style="text-align: center;">PERISHABLE FREIGHT</p> <p>For rates, rules and regulations governing the handling of perishable freight see Perishable Protective Tariff ICC PPT 619-series.</p>																								
45	<p style="text-align: center;">CAPACITIES AND DIMENSION OF CARS</p> <p>For marked capacities, lengths, dimensions and cubical capacities of cars, see Official Railway Equipment Register, issued by the National Railway Publication Company, Agent, ICC RER 6411-series.</p>																								

60	<p style="text-align: center;">NATIONAL SERVICE ORDER TARIFF</p> <p>This tariff is subject to provisions of various Interstate Commerce Commission Service Orders and General Permits as shown in National Service Order Tariff ICC NSO 6100-series</p>									
70	<p style="text-align: center;">APPLICATION OF SWITCHING – CORPORATE LIMITS</p> <p>All rules, regulations and charges named in this tariff apply only within the corporate limits at each station and will include all industrial and team tracks on which shipments to and from such stations may be received.</p>									
80	<p style="text-align: center;">SWITCHING SERVICE UNDER STRAIGHT BILL OF LADING</p> <p>Cars will only be accepted for handling in intra-terminal or inter-terminal switching service when issued under straight Bill of Lading.</p>									
100	<p style="text-align: center;">RATES, CHARGES, ETC., REFERRED TO HEREIN</p> <p>Wherever in this tariff, the terms</p> <table data-bbox="305 831 1256 926" style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Charge</td> <td style="width: 33%;">Exceptions</td> <td style="width: 33%;">Rule</td> </tr> <tr> <td>Circular</td> <td>Freight, All Kinds</td> <td>Station List</td> </tr> <tr> <td>Classification</td> <td>Rate</td> <td>Tariff</td> </tr> </table> <p>are used, they are understood to cover those lawfully on file with the Interstate Commerce Commission on interstate traffic and the Michigan Department of Transportation on intrastate traffic.</p>	Charge	Exceptions	Rule	Circular	Freight, All Kinds	Station List	Classification	Rate	Tariff
Charge	Exceptions	Rule								
Circular	Freight, All Kinds	Station List								
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110	<p style="text-align: center;">MILEAGE CHARGES ON PRIVATELY OWNED CARS</p> <p>The MS will not pay mileage charges on privately owned cars when moving from, to or via stations on the MS.</p>									
115	<p style="text-align: center;">LIABILITY AND CLAIMS</p> <p>Carrier’s liability for any alleged loss, damage or delay to any commodity shall be in accordance with standards imposed in 49 USC 11707 and 49 CFR Part 1005.</p> <p>Securement of lading shall be in accordance with the rules and/or recommendations of the Association of American Railroads, or as modified to meet the needs of customer. When hazardous articles are involved, safe loading and handling of such articles shall be performed in accordance with all Federal and State requirements.</p>									
120	<p style="text-align: center;">PAYMENT TERMS</p> <p>All payments for service covered herein are due and payable within fifteen (15) calendar days following presentation of the Freight Bill. The rules applicable to payments and credit terms shall be those found in 49 CFR Part 1320. Payments received after the expiration of the credit period shall be subject to a service charge of one and one half percent (1 ½%) per month (or fraction thereof) of the outstanding balance.</p> <p>A discount of two percent (2%) may be taken for all charges paid within ten (10) days of presentation of freight bills.</p>									

130	<p align="center">RECEIPT AND DELIVERY OF CARS OF FREIGHT ON, TO OR FROM PRIVATE AND INDUSTRIAL TRACKS</p> <ol style="list-style-type: none"> This tariff will be subject to rules and charges governing receipt and delivery of freight on, to or from private and industrial tracks as published in tariff ICC RPS 6804-series. This tariff does not grant the use of private siding or facilities to parties other than the owners thereof unless the privilege of use is granted to others by the owners, without cost to the carrier.
SPECIAL RULES AND REGULATIONS	
ITEM	APPLICATION
200	<p align="center">HOURS OF SERVICE AND PERFORMANCE</p> <p>Except as may otherwise be provided for, the normal hours of service and the work days for performance of services, shall be as follows:</p> <ol style="list-style-type: none"> At all points on the MS, on scheduled days of services, except Saturdays, Sundays and Holidays (see Item 220) Services required to be performed on days or at hours other than as 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 of "Special Movements," and rates in accordance with the provision of Item 230 will apply.
220	<p align="center">HOLIDAYS</p> <p>Holidays are defined for the purpose of this tariff, as New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Eve Day, and Christmas Day.</p>
230	<p align="center">SPECIAL MOVEMENTS</p> <p>Except as otherwise provided in this tariff, when special movements at terminal points are requested by patron, the following charges will be assessed, in lieu of all other lawfully published rates and charges herein, subject to the below conditions: Freight charges are in addition to these charges.</p> <p>1. CHARGES</p> <p>A. AT ALL STATIONS WITHIN NORMAL SERVICE HOURS If service is as set forth in Item 200, Paragraph 1, a charge of \$90.00 per hour will be assessed, subject to a minimum charge of \$600.00, if performed with 8 hours (See Note).</p> <p>B. AT ALL STATIONS NOT WITHIN NORMAL SERVICE HOURS If service is performed as set forth in Item 200, Paragraph 2, a charge of \$135.00 per hour will be assessed, subject to a minimum charge of \$1,000.00, if performed within 8 hours (See Note).</p>

<p>230 (cont'd)</p>	<p>NOTE - Rates per hour are assessed based on service being performed within 8 continuous hours, as computer above. Should performance of service exceed 8 continuous hours, the rate will be \$135.00 per hour, in lieu of the referenced rates, for all hours in excess of the 8 continuous hours.</p> <p>NOTE - The above charges are not applicable to special movements of excess dimension, excessive weight, high center of gravity loads, or other conditions not permitting normal operation, for these charges. Call 989-823-0090 Ext 232.</p> <p>3. CONDITIONS</p> <p>A. Reasonable advance notice must be given to the carrier by party requesting service under the provisions of this item.</p> <p>B. Time will be computed from the time engine and crew are dispatched from their on-duty location until special movement has been performed and engine and crew have returned to point of dispatch.</p>						
<p>240</p>	<p style="text-align: center;">SWITCHING – TURNING OF CARS TO PERMIT UNLOADING</p> <p>1. In instances where it is desired that freight in carloads be placed on delivery tracks for loading at stop-off points or unloading at stop-off points or destinations from one particular side or end of car, cars must be properly placarded on both sides and notation made on Bill of Lading and waybill substantially as follows:</p> <p style="text-align: center;">NOTICE TO CARRIER</p> <p>Deliver car for loading or unloading from the door or end specified by placard</p> <p>2. When freight in carloads is not properly placarded on both sides of car to load or unload from one particular side or end of car, shipper or consignee directs carrier to turn and return to their track for loading or unloading, the following charge shall apply:</p> <p style="text-align: center;">CHARGES (See Note A)</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;"><u>If a car is turned at a “Y”</u></th> <th style="text-align: right;"><u>CHARGE PER CAR</u></th> </tr> </thead> <tbody> <tr> <td>A. Within the corporate limits of the station at which “Y” is located</td> <td style="text-align: right;">\$110.00</td> </tr> <tr> <td>B. Outside the corporate limits of such station</td> <td style="text-align: right;">\$260.00</td> </tr> </tbody> </table> <p>NOTE A – If Bill of Lading carries notation that car has been placarded, and placard has disappeared before placement, the charge named herein will not apply.</p>	<u>If a car is turned at a “Y”</u>	<u>CHARGE PER CAR</u>	A. Within the corporate limits of the station at which “Y” is located	\$110.00	B. Outside the corporate limits of such station	\$260.00
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B. Outside the corporate limits of such station	\$260.00						
<p>260</p>	<p style="text-align: center;">HANDLING OF EMPTY CARS</p> <p>Except as otherwise provided, the switching charges published herein, applicable within the corporate limits of any stations on loaded cars, will also apply on empty cars</p>						

270	<p style="text-align: center;">GENERAL SERVICE CHARGE</p> <p>When cars loaded are switched from industry or team tracks to designated track for inspection, fumigation or cleaning, the applicable switch charge will be applied. There will be no additional free time permitted under provision of car demurrage tariff for cleaning, disinfecting, inspecting or fumigating loaded cars in intra-plant or intra-terminal switching service.</p>
280	<p style="text-align: center;">DIVERSION OF RECONSIGNMENT, MEANING OF</p> <p>Diversion or Reconsignment means:</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 consignor, consignee, or owner affecting delivery and requiring as addition to or a change in billing (except orders received prior to arrival of car on or departure from MS), and 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>If there are no switching limits, then points located within the corporate limits of each billed destination will be considered one station.</p> <p>Where the through rate is authorized, it is the applicable rate, joint rate, or combination of intermediate rates in effect on date of shipment from point of origin over the route of movement via the diversion or reconsignment points to final destination.</p>
290	<p style="text-align: center;">DIVERSION OR RECONSIGNMENT CHARGES</p> <p>When order is placed with an authorized representative of the MS by consignee or consignor, or owner, that modifies any of the provision or terms listed in Item 280, the following charges will apply:</p> <ol style="list-style-type: none"> 1. If order is received prior to arrival of car at destination, the charge will be \$50.00 per car. 2. If the order is received within 24 hours from the first 7:00 A.M. after arrival at destination, the charge will be \$160.00 per car. 3. If order is received after expiration of 24 hours from the first 7:00 A.M. after arrival at destination, the charge will be \$250.00 per car. 4. If order is received prior to arrival of car on or departure of car from MS, diversion and reconsignment charges shall not apply.

300	<p align="center">“SHIPMENT ORDER”, “ORDER NOTIFY”, OR “STRAIGHT BILL OF LADING”, REQUIRING SURRENDER OF BILL OF LADING WRITTEN ORDER</p> <p>1. When the original Bill of Lading or written order covering a shipment as 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 Uniform Freight Classification.</p> <p>2. If a Bill of Lading is tendered after 12 Noon of the day following loading, a charge of \$50.00 per shipment shall apply.</p> <p>NOTE – When Order Bills of Lading or written orders are received prior to arrival of car on MS, there will be no charge. Order Bills of Lading or written orders received after arrival on MS will be assessed a charge of \$50.00 per car.</p>
310	<p align="center">DEMURRAGE, DETENTION AND STORAGE RULES</p> <p>Cars stopped, diverted, or reconsigned under the rules in Item 290 will also be subject to demurrage, and storage charges lawfully in effect at the point where stopping, diversion or reconsignment is accomplished</p>
320	<p align="center">DEFINTION OF TERMS</p> <p>Industrial Tracks - A track serving a particular industry, whether located upon the property of MS or upon property owned or leased by the industry.</p> <p>Team Track – A track or tracks assigned by MS for use by the general public.</p> <p>Intra-Plant Switching – A switching movement from one track to another or between two locations on the same track within the confines of the same (single) plant or industry. Applies only on movements which can be completed wholly within the confines of the same siding, plant or industry.</p> <p>Inter-Terminal Switching – A switching movement between industrial tracks or team tracks of traffic having both origin and destination at stations on MS.</p> <p>Intra-Terminal Switching- A switching movement (other than intra-plant or inter-plant where specially provided for) of traffic origination at and desired to points within the corporate limits of one station located on the MS.</p> <p>Line-Haul – An additional switching charge will not be applicable on freight which has had or will have a road-haul for traffic moving under through rates to or from stations on MS.</p> <p>Proportional Switching – A switching movement of traffic between point of interchange with road-haul carrier and stations on MS, for traffic not moving under through rates to or from stations on MS.</p> <p>Road-Haul Traffic – Road-haul traffic is freight received from or moved to stations other than those located on MS.</p>

350	<p style="text-align: center;">OVERLOAD CHARGES</p> <p>1. Cars interchanged from MS to another carrier which are returned to MS because such cars are overloaded will be subject to demurrage rules and charges as shown in Item 250, and will be subject to an additional charge of \$300.00 per car.</p> <p>2. Cars found to be overloaded while on the tracks of the MS and returned to the shipper will be subject to demurrage rules and charged as shown in Item 250, and will be subject to an additional charge of \$200.00 per car.</p>
360	<p style="text-align: center;">CARS RECEIVED IN ERROR BY MS</p> <p>Loaded or empty car(s) received by MS from connections that are not for MS patrons will be treated as mishandled cars. The carrier interchanging (a) mishandled car(s) to MS will be assessed a charge of \$250.00 per car.</p>
370	<p style="text-align: center;">USE OF CARRIER'S MAIN TRACK</p> <p>Shippers requiring the usage of Carrier's main track must first notify Carrier of impending move and request a qualified railroad flagman be furnished. Shipper should call Carrier at 1-800-968-1975 at least four (4) hours prior to move/s necessity. Occupancy may not be initiated until qualified railroad flagman arrives on site, secures Operations Desk permission and directs the movements of car or cars. Shipper will be charged a minimum of four (4) hours on an hourly basis (or fraction thereof). The hourly rate is \$23.75 for service during normal service hours. (See Item 200). The hourly rate at all other time is \$35.00, with a minimum charge of \$150.00.</p> <p>Prior to commencing usage of carrier's main track, shipper shall procure liability insurance for all risks with a minimum coverage of two million dollars per occurrence. Carrier shall be named as an additional insured, and a certificate of insurance shall be furnished to carrier's Vice President & General Manager.</p>
520	<p style="text-align: center;">UNIT TRAIN SWITCHING CHARGES</p> <p>On multiple car shipments when additional switching is required at one location, a charge of \$500.00 for each additional switch shall be assessed. There shall be no charge for first placement of empty cars or final pulling offloaded cars for furtherance.</p>

610	<p style="text-align: center;">DEFINITION OF SWITCHING TERMS</p> <p>TERMINAL SWITCHING – A move between industrial tracks and a point of interchange with a connecting carrier, either direct or through an intermediate carrier, when such connecting carrier has had or will have a road haul movement on that shipment.</p> <p>SINGLE CAR RATE \$250.00 PER CAR</p> <p>INTERTERMNAL SWITCHING \$250.00 PER CAR A move from a point on one railroad to a point on another railroad within the switching limits of the same station or switching district.</p> <p>INTRA-PLANT SWITCHING \$110.00 PER CAR A move within the confines of the same plant or industry.</p> <p>INTRA-TERMINAL SWITCHING \$250.00 PER CAR A move from one point to another point (other than intra-plant) within the switch limits of one station or industrial switching district.</p>
620	<p style="text-align: center;">APPLICATION OF SWITCHING CHARGES</p> <p>Except as otherwise noted:</p> <p>(A) Switching charges named herein will cover the handling of cars loaded one way and empty the other, between the points provided for. If car is loaded in both directions, regular charge will be made for each loaded movement.</p> <p>(B) Empty cars handled in one direction and not in connection with a loaded movement, or empty cars(s) placed or constructively placed per shipper's request but not used, will be assessed the intra-terminal switching rate unless cars are defective or unfit for loading.</p> <p>(C) Each movement of an empty or loaded car switched within the confines of the same plant or industry will be considered a new move.</p>
640	<p style="text-align: center;">CARS RECEIVED FOR SWITCHING AND THEN RECONSIGNED</p> <p>When cars are switched from connections and placed for delivery to consignee, and later reconsigned for road haul via this company, subject to published joint through rate from original point of shipment to ultimate destination, the same charge will be made for return of car to terminal yard as for original movement from connecting line, unless a specific charge is otherwise provided herein.</p>
680	<p style="text-align: center;">SHIPPING CONTAINERS OR DEVICES</p> <p>When shipments are made in shipper's racks, crates, trays, bins, etc., the return movement of the empty racks, crates, trays, bins, etc., shall be deemed as an empty movement. If a car containing racks, crates, trays, bins, etc. is placed at a customer and the racks, trays, etc are removed and there is no loaded movement in connection with this car, the movement of the racks, crates, trays, bins etc. shall be deemed as a loaded movement.</p>

700	<p style="text-align: center;">WEIGHING CHARGES</p> <p>Weighing of loaded railcars passing through Muskegon, MI in linehaul movement to connecting carriers will be done free of charge when cars originate on MS and the weight is required to determine the total freight charges.</p> <p>All other weighing or reweighing of cars, empty or loaded, shall be assessed a charge of \$200.00 per car. If a customer orders car returned to complete loading, reduce the load, etc., movement will be subject to applicable published tariffs.</p>
720	<p style="text-align: center;">CARS HELD AWAITING FORWARDING INSTRUCTIONS</p> <p>When on shipper's order, cars are moved by the MS from industry or team tracks without billing and held on MS's tracks awaiting forwarding instructions, a charge of \$75.00 per car will be assessed the shipper and the car(s) will remain on continuous demurrage or detention until forwarding instructions are received by MS agent.</p> <p>*Exception* If cars are removed per shipper's request and are held awaiting forwarding instructions and then ordered returned to industry, an intra-terminal switch, inter-terminal switch or road haul charge will apply in each direction and the car(s) will remain on continuous demurrage.</p>



