

THE VIRGINIA CONSOLIDATED SWITCHING TARIFF,
INCLUDING THE NORTH CAROLINA & VIRGINIA AND
CHESAPEAKE & ALBEMARLE
RAILROADS

SWITCHING TARIFF VCON 2008B
CANCELS ALL PREVIOUS NCVA AND CA SWITCHING
TARIFFS

LOCAL SWITCHING TARIFF

CONTAINING RATES APPLICABLE AT AND BETWEEN STATIONS ON
THE NORTH CAROLINA & VIRGINIA AND CHESAPEAKE &
ALBERMARLE

THIS REISSUE CANCELS THE PARTICIPATION OF THE VIRGINIA SOUTHERN
RAILROAD

ISSUED: MARCH 27, 2009

EFFECTIVE: MAY 23, 2009

EXPIRATION: JUNE 30, 2009

This tariff issued Jan 1, 2009 has no changes from the previous tariff in effect other than the expiration date. The railways retain the right to make changes to this tariff with 30 days notice prior to the expiration date indicated above.

ISSUED BY:
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General Rules, Definitions, and Explanations Applicable Railroads

Tariff VCON 2008 applies to switching charges at all stations and locations on the North Carolina & Virginia (NCVA) and Chesapeake & Albemarle (CA). When reference is made to the VCON railroads, it shall include all stations on the NCVA and CA.

Use of Customer Service to Request Switching

Customer must use VCON Customer Service personnel to request any switching of railcars. Requests should be done using individual car initials and numbers. Customer Service fax: 252-332-3325; email: Brenda.Brooks@railamerica.com, or, Jamie.Williams@railamerica.com; phone: 252-332-2778.

Application of Switching Charges

A switching charge named herein will cover the handling of the car in both directions, i.e., loaded in, empty out; or, empty in, loaded out; or, loaded in, loaded out; or empty in, empty out. One switch charge covers the car movement in **both** directions.

Switching Terms and Definitions

Intra-Terminal Switch -Where VCON rail crew switches car from storage on railroad owned track, or leased track, to private rail siding of on-line customer. Example: VCON crew switches car from customer-leased track to their plant siding.

Local Switch -Where car is consigned to an off-line customer and comes from interchange into a storage track or a leased track on VCON; car is later switched to private siding of on-line customer and VCON charges for a switch on this latter move. Example: ABC Company in TX ships to a CA track, leased by ABC Company; then car is later switched in to on-line CA customer by CA train crew.

Intra-Plant Switch -Where VCON train crew switches a car within the confines of the same plant or industry; car is moved from one track to another within plant confines; or from one location to another, on the same customer track. Example: CA train crew, at customer's request, comes into customer's plant and moves a car from one track to another.

Special Switch -Anything other than an Intra-Terminal, Local, or Intra Plant switch; includes special switch request by customer that does not fall into one of the defined switch categories above.

Storage of Rail Cars -When cars are delivered to VCON from interchange, and the on-line customer refuses to accept car for actual placement on customer tracks, cars will go into storage, and a daily storage charge will be assessed against customer requesting storage. This charge will be assessed from date of interchange to the date of placement. Storage on VCON properties is subject to availability of track space. No fraction of any day will be used; the first portion of any day is billed as a whole day.

Cars Ordered but Not Used -When an empty car is placed at customer's request for loading, but is not used for transportation and is released empty. There will be a charge for switching in the car if customer does not use. Any applicable demurrage charges will be assessed in addition to this charge.

Cars Released without Bill of Lading -When loaded or empty cars are released and pulled from industry track without proper Bill of Lading instruction being sent to VCON Customer Service, there will be a charge for these cars held awaiting shipping instructions. It is the customer's responsibility to submit proper Bill of Lading instructions to Customer Service.

Extra Switching and Train Crew Delays -This is when a customer requests an extra switch that is in addition to the customary switching service, and one that the railroad is not required to perform in its normal switching duties. Such extra switches will be subject to charges. Also, when a customer directly causes a delay to train crew operations, during normal switching services, such delays are subject to charges to the customer causing the delays. Both extra switching and crew delays will be billed by the **hour**. No fraction of an hour will be used; the first portion of any hour is billed as a whole hour, regardless of actual time.

Special Train Service

When a customer requests a dedicated train for movement of loaded or empty cars, special train service charges apply. Charges on based on train miles actually moved, and assessed with a minimum of 20 miles. Any special train operated on a weekend day or railroad holiday will be assessed an additional charge of \$1500.

Switching Charges

Intra-Terminal or Local Switch	\$245 per car
Intra-Plant Switch	\$180 per car
Special Switch	\$245 per car
Storage of Rail Cars (beyond leased track)	\$40 per day/car
Cars Ordered But Not Used	\$250 per car
Cars Released without Bill of Lading	\$250 per car
Extra Switching and Train Crew Delays	\$350 per hour
Switching in the Reverse Direction (CPDR only)	\$350 per car
Special Train Service	\$70 per mile

Effective Date for Charges

The Effective Date for the above charges is March 1, 2007