

PROVISIONS HEREIN WILL NOT RESULT IN AN EFFECT ON QUALITY OF HUMAN ENVIRONMENT OR ENERGY CONSUMPTION.

IN 8000

12TH REVISION

REPORTING MARKS—IN

NUMERIC CODE—324

Indiana Northeastern Railroad Company

FREIGHT & SWITCHING TARIFF IN 8000

DECLARATION AND DESCRIPTION OF
SWITCHING, DEMURRAGE, TERMINAL AND SURCHARGES ON
TRACKS AND INDUSTRIES SERVED BY THE
INDIANA NORTHEASTERN RAILROAD COMPANY

For reference to Governing Publications, See Item 5

ISSUED: SEPTEMBER 20, 2005

EFFECTIVE: OCTOBER 1, 2005

This Tariff Revision is in effect, thus canceling all previous Revisions.

ISSUED BY:

G. E. Shultz, President
P.O. Box 262
Hillsdale, Michigan 49242

(517) 439-4677

SECTION 1—GOVERNING PROVISIONS—GENERAL RULES AND REGULATIONS

ALPHABETICAL LISTING OF IN STATIONS AND DIVISIONS FROM AND TO WHICH THIS TARIFF APPLIES

INDIANA NORTHEASTERN RAILROAD			IN STATION DIVISION NUMBER	INDIANA NORTHEASTERN RAILROAD			IN STATION DIVISION NUMBER
STATION NAME	FSAC NUMBER	SPLC NUMBER		STATION NAME	FSAC NUMBER	SPLC NUMBER	
ALLEN, MI	60900	318933	M-6	HILLSDALE, MI	60908	318970	M-5
ANGOLA, IN	60901	361150	I-4	JONESVILLE, MI	60909	318937	M-6
ASHLEY-HUDSON, IN	60902	361424	I-2	LITCHFIELD, MI	60910	318943	M-6
BANKERS, MI	60903	318982	M-5	MONTGOMERY, MI	60911	318992	M-5
BATAVIA, MI	60918	319673	M-7	MONTPELIER, OH *	60912	343545	N/A
BRONSON, MI	60919	319684	M-7	PLEASANT LAKE, IN	60913	361176	I-4
BURR OAK, MI	60920	319767	M-7	QUINCY, MI	60914	319654	M-6
COLDWATER, MI	60904	319660	M-6	RAY, IN	60915	361112	I-4
EDON, OH	60905	343552	O-1	READING, MI	60916	318995	M-5
FREMONT, IN	60906	361116	I-4	SOUTH MILFORD, IN	65302	361277	I-3
HAMILTON, IN	60907	361182	I-2	STEUBENVILLE, IN	60917	361186	I-2
HELMER, IN	65301	361192	I-3	STURGIS, MI		319760	M-7

<u>ITEM</u>	<u>APPLICATION</u>																
1	<p style="text-align:center;">DIVISION REFERENCES</p> <p>This Tariff references to 7 different IN division numbers, O-1, I-2, I-3, I-4, M-5, M-6, and M-7. To identify the division location of individual IN stations, consult the Alphabetical Station List at the top of page 2, (this page).</p> <p>In the application of charges contained in Tariff Items 225, 275, 277, 400 and 510 contained herein, the following IN served stations can be considered in different IN divisions, based on whichever division results in a lower charge:</p> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align:center; border-bottom: 1px solid black;">STATION</th> <th style="text-align:center; border-bottom: 1px solid black;">CAN BE CONSIDERED IN EITHER DIVISION</th> </tr> </thead> <tbody> <tr><td style="text-align:center;">Steubenville, Indiana</td><td style="text-align:center;">I-2, I-3 or I-4</td></tr> <tr><td style="text-align:center;">Ashley-Hudson, Indiana</td><td style="text-align:center;">I-2, I-3</td></tr> <tr><td style="text-align:center;">Ray, Indiana</td><td style="text-align:center;">I-4 or M-5</td></tr> <tr><td style="text-align:center;">Hillsdale, Michigan</td><td style="text-align:center;">M-5 or M-6</td></tr> <tr><td style="text-align:center;">Jonesville, Michigan</td><td style="text-align:center;">M-5 or M-6</td></tr> <tr><td style="text-align:center;">Coldwater, Michigan</td><td style="text-align:center;">M-6 or M-7</td></tr> <tr><td style="text-align:center;">Edon, Ohio</td><td style="text-align:center;">O-1 or I-2</td></tr> </tbody> </table>	STATION	CAN BE CONSIDERED IN EITHER DIVISION	Steubenville, Indiana	I-2, I-3 or I-4	Ashley-Hudson, Indiana	I-2, I-3	Ray, Indiana	I-4 or M-5	Hillsdale, Michigan	M-5 or M-6	Jonesville, Michigan	M-5 or M-6	Coldwater, Michigan	M-6 or M-7	Edon, Ohio	O-1 or I-2
STATION	CAN BE CONSIDERED IN EITHER DIVISION																
Steubenville, Indiana	I-2, I-3 or I-4																
Ashley-Hudson, Indiana	I-2, I-3																
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Coldwater, Michigan	M-6 or M-7																
Edon, Ohio	O-1 or I-2																
5	<p style="text-align:center;">DESCRIPTION OF GOVERNING CLASSIFICATION</p> <p>This Tariff is governed, except as otherwise provided, by the Uniform Freight Classification, UFC 6000 Series, ICC UFC 6000 Series, issued by the Uniform Classification Committee, Agent, Supplements thereto and reissues thereof.</p>																
10	<p style="text-align:center;">STATION LIST AND CONDITIONS</p> <p>This Tariff is governed by ICC OPSL 6000 Series to the extent shown below:</p> <p style="text-align:center;">PREPAY REQUIREMENTS AND STATION CONDITIONS</p> <p>The following is listed for additions and abandonments of stations, and, except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance of freight, and changes in station facilities. 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. When any above named station is legally embargoed (for any reason) by the IN, rates and charges named in this Tariff to and from that station will become inapplicable on such date as the effective date of any such embargo and will remain so until such embargo is lifted.</p>																

ISSUED: SEPTEMBER 20, 2005

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ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242

IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 2
<u>ITEM</u>	<u>APPLICATION</u>		
15	<p align="center">EXPLOSIVES, DANGEROUS ARTICLES—HAZARDOUS MATERIALS</p> <p>Cars loaded with explosives, poisons, compressed flammable gas or radioactive materials, as shown in Tariff ICC BOE 6000-series, will not be accepted for movement. Hazardous materials other than those covered above are subject to movement only by permits issued by the General Manager. Customers anticipating movement of any hazardous materials should contact IN for permit authority at least 48 hours prior to shipment. IN reserves the right to decline to issue a permit for other hazardous materials in addition to those covered above.</p>		
20	<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. Where reference is made in this Tariff to another Tariff by STB number, such reference applies also to such Tariff; to the extent it may be applicable on intrastate traffic.</p>		
25	<p align="center">TERMINAL OR TRANSIT PRIVILEGES OR SERVICES</p> <p>Shipments made under the rates contained in this Tariff are entitled also to terminal and transit services and privileges, and are subject to the charges, allowances, rules and regulations legally applicable thereto, as provided in separately published, lawfully filed Tariffs.</p>		
45	<p align="center">CAPACITIES AND DIMENSIONS OF CARS</p> <p>For marked capacities, lengths, dimensions and cubical capacities of cars, see Tariff ICC RER 6412 Series. For gallon capacities of tank cars, see Tariff ICC WTL 6300 Series. Cars may not be loaded in excess of load limits.</p>		
110	<p align="center">RECEIPT OF ORDER NOTIFY FREIGHT FROM CONNECTING CARRIERS</p> <p>Carload freight from a connecting carrier, when consigned to order notify, or when consigned to one party, notify or advise another party, will not be accepted by the IN until the road haul carrier (Class 1) has taken up the order notify bill of lading, written order or any other document required as a precedent to delivery.</p>		
115	<p align="center">TEAM TRACK TRAFFIC</p> <p>Public team tracks and platforms of the IN may be used for loading or unloading railcars, subject to the provisions of this Tariff and provisions contained in a standard Side Track Agreement.</p>		
120	<p align="center">APPLICATION OF RATES TO OR FROM INDUSTRIES LOCATED ON IN</p> <p>Except as otherwise provided for by contract between the IN and the industry, rates named in this Tariff apply for all industries located on the IN. All charges for services rendered under this Tariff will be invoiced to the industry or individual requesting said services.</p>		
125	<p align="center">CARRIERS' LIMITED LIABILITY</p> <p>Carriers will not be responsible for any loss or lading damage due to delays incident to switching service and unavoidable causes, natural shrinkage, drying, blow-off, and/or difference between origin and destination weights.</p>		
130	<p align="center">ORDERING EQUIPMENT—BILLING INSTRUCTIONS</p> <p>IN served shippers should order all railcars desired for loading from the IN Agent. This order should specify class of car needed, lading, capacity needed, destination, and routing desired. When cars are loaded, shipper should furnish IN with the following: contents, weight and shipping instructions. Shippers are not allowed to reload cars that are made empty by themselves, without first obtaining permission from the IN Agent or General Manager.</p>		
135	<p align="center">APPLICATION OF RATES</p> <p>All charges named herein, unless otherwise stated, are for moving empty cars one way and loaded the other. If cars are loaded both ways, they will be charged for as two different shipments and will be afforded all switching and demurrage rights as two different movements. Freight moving in less than carload shipments shall be subject to the provisions of, and treated the same as carload freight. Cars with bulging sides, leaning cars or cars of excessive length or width that cannot be placed where desired because of sharp curves or danger of striking buildings, sheds, etc., will be placed at the nearest team track for loading or unloading.</p>		
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IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 3																
ITEM	<u>APPLICATION</u>																		
137	<p align="center">APPROVED MAXIMUM GROSS RAILCAR WEIGHTS BY IN DIVISION</p> <p>Maximum gross weight loading (in pounds) per Ordinary Equipment Railcar is approved for movement on the IN rail system to and from interchange with the NS at Montpelier, Ohio.</p> <table border="0" data-bbox="418 352 1416 617"> <thead> <tr> <th align="center"><u>IN Division</u></th> <th align="center"><u>Maximum Approved Gross Weight—Each Ordinary Equipment Railcar</u></th> </tr> </thead> <tbody> <tr> <td align="center">O-1</td> <td align="center">286,000 pounds</td> </tr> <tr> <td align="center">I-2</td> <td align="center">286,000 pounds</td> </tr> <tr> <td align="center">I-3</td> <td align="center">286,000 pounds</td> </tr> <tr> <td align="center">I-4</td> <td align="center">263,000 pounds</td> </tr> <tr> <td align="center">M-5</td> <td align="center">263,000 pounds</td> </tr> <tr> <td align="center">M-6</td> <td align="center">263,000 pounds</td> </tr> <tr> <td align="center">M-7</td> <td align="center">263,000 pounds</td> </tr> </tbody> </table> <p><u>Weight Note:</u> If approved for loading railcars to 286,000 pounds gross weight by the IN, IN served customers must also make sure all intermediate and destination carriers have approved the movement of railcars to 286,000 pounds gross weight before loading railcars to 286,000 pounds gross weight.</p> <p><u>Weighing & Wying Note:</u> Railcars loaded in excess of 263,000 pounds gross weight are not permitted for movement north of Steubenville, therefore weighing service (Tariff Item 275) and Wying Service (Tariff Item 277) are not available for railcars loaded to 286,000 pounds gross weight from IN divisions O-1, I-2 or I-3.</p>			<u>IN Division</u>	<u>Maximum Approved Gross Weight—Each Ordinary Equipment Railcar</u>	O-1	286,000 pounds	I-2	286,000 pounds	I-3	286,000 pounds	I-4	263,000 pounds	M-5	263,000 pounds	M-6	263,000 pounds	M-7	263,000 pounds
<u>IN Division</u>	<u>Maximum Approved Gross Weight—Each Ordinary Equipment Railcar</u>																		
O-1	286,000 pounds																		
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M-6	263,000 pounds																		
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139	<p align="center">BASIC RAIL FREIGHT SERVICE</p> <p>Basic Rail Freight Service (Basic Service) includes a single inbound movement from interchange with a Connecting Carrier (except in the case of a Local Freight move—see Item 400) to placement on a customer's sidetrack, and a single outbound movement of the same railcar after release from the customer's sidetrack to interchange with a Connecting Carrier. The in and out movements are for a standard type railcar, loaded to not exceed the maximum allowable weight for that particular division, moved in regular train service, loaded in one direction and empty in the opposite direction. The basic movement includes, if in railroad system equipment, a set amount of free time at the customer's sidetrack for loading or unloading before demurrage charges apply. The basic movement has no restriction on the part of the railroad for free time for loading or unloading if the railcar is a private "X" marked railcar.</p> <p>The Indiana Northeastern Railroad connects with and interchanges railcars with the Norfolk Southern at Montpelier, Ohio and is an NS "Handling Line Carrier". For rail traffic moving to or from the NS, in many cases the IN is fully compensated from NS for providing Basic Freight Service. When NS does not fully compensate the IN for providing Basic Freight Service, a Surcharge from the IN directly to the IN served customer will apply.</p> <p>When rail services beyond the described Basic Freight Services are provided by the Indiana Northeastern Railroad, additional charges as described in this Tariff will apply.</p>																		
140	<p align="center">PREPAYMENT OF CHARGES</p> <p>All charges under this Tariff must be prepaid unless satisfactory payment arrangements with the IN have been made prior to the performance of service.</p>																		
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IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 4
ITEM	<u>APPLICATION</u>		
145	<p style="text-align: center;">SPECIAL EQUIPMENT—DETERMINATION—EXCLUSION</p> <p>All switching and terminal services/charges outlined in this Tariff apply to the handling of loads on or in ordinary equipment. The IN General Manager will make the exclusive determination if any equipment consigned to the IN will be considered as ordinary equipment or special equipment by the IN.</p> <p>The handling of any special equipment car(s) or locomotive(s)—equipment in excess of 89 feet in length, equipment with 6 or more axles, equipment for passenger type service, equipment with a width in excess of 10' 8", or equipment with a height in excess of 15' 6"—is excluded from this Tariff. The IN General Manager shall make the exclusive determination as to; accepting any special equipment in interchange, allowing movements on the IN and applicable rates for demurrage & handling any special equipment cars accepted by the IN.</p>		
150	<p style="text-align: center;">DEFINITION OF TERMS</p> <p style="text-align: center;">(When the following terms are used in this Tariff, they shall have the following meanings.)</p> <ol style="list-style-type: none"> 1. SURCHARGES – are charges published in this Tariff for the Basic Service (see Item 139) movement of railcars between any IN served customer and any connecting carrier. Surcharges published in this Tariff will be in addition to the line-haul transportation charge or charges on regulated traffic published in Tariffs or other instruments as well as deregulated traffic, having application from or to stations on the IN. Surcharge payments shown herein are payable by the rail user (i.e., shipper or consignor on outbound shipments, and receiver or consignee on inbound shipments) on shipments originating or terminating at IN stations. These surcharge payments are to be collected by and accrue solely to the IN. 2. INTRA-TERMINAL SWITCHING – "Local Freight" is a Basic Service (see Item 139) for movement of traffic originating at and destined to points located on tracks served by the IN. This would cover shipments between different stations that are both served by the IN. This service includes the initial spotting of a car at the origin station, movement of and spotting of same car at the destination. 3. INTRA-PLANT SWITCHING – is an additional (extra) switching movement with charges assessed per car, from one track to another or between two locations on the same track, entirely within the confines of the (single) plant, industry or station when the movement does not leave the tracks of the (single) plant, industry or station. 4. INTRA-STATION SWITCHING – is an additional (extra) switching movement to apply to any industry that has consigned to them, more loaded or empty railcars than their siding or facility can hold. In such case where cars must be left at the nearest station until space is available at the industry siding, charges for such movements will be assessed per car. 5. STANDBY SWITCH ENGINE SERVICE – is an additional (extra) service that can be provided by the IN to assist in the movement of railcars for loading or unloading of multi car shipments by an industry. 6. INTERCHANGE – is when a railroad delivers railcars to a connecting carrier (railroad) and the connecting railroad accepts delivery of these cars. The carrier that accepts these cars for movement is then responsible for any liabilities then associated with having said cars in their possession. 7. CONNECTING CARRIER – is any other railroad that physically connects to and thus has the ability to interchange railcars with the IN. 8. ORDINARY EQUIPMENT – is considered to be commonly used railcars, including standard types of: covered hopper cars, open-top hopper cars, boxcars, tank cars, gondola cars and flat cars, with a maximum gross loaded weight of the railcar plus lading not to exceed 286,000 pounds. NOTE: Movement of Ordinary Equipment Railcars weighing in excess of 263,000 pounds gross weight on rail will only be allowed on specific IN divisions (See Item 137 for details). 		
ISSUED: SEPTEMBER 20, 2005		EFFECTIVE: OCTOBER 1, 2005	
ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242			

IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 5						
SECTION 2—SWITCHING AND TERMINAL CHARGES									
SPECIAL SWITCHING AND TERMINAL CHARGES									
This section states specific charges that will be assessed by the IN directly to the individual, industry, customer or railroad requesting the special switching and or terminal services defined in this Tariff.									
<u>ITEM</u>	<u>APPLICATION</u>								
210	<p style="text-align: center;">EMPTY CARS RETURNED</p> <p>When an empty car is ordered by a customer and is later placed or constructively placed for loading and is not loaded, but is instead released back to the IN as an empty for movement offline via interchange, a charge of \$125.00 per car will be assessed against the party ordering, but not using the car. This charge will be assessed on a per car basis. Applicable detention and demurrage charges will be assessed in addition to this charge.</p> <p>EXCEPTIONS:</p> <ol style="list-style-type: none"> 1. This charge will not apply if release of empty car is the result of IN's failure or inability to place the car within 5 business days of when the car was ordered or requested. 2. The charge will not apply when a car is rejected by the party ordering the car if the car is, in the judgment of the Railroad, defective, unfit, of improper type or the loading would be a violation of any outstanding car service order or loading rule. 								
212	<p style="text-align: center;">EMPTY CARS CANCELLED</p> <p>When an empty car is ordered by a customer and is later cancelled, after the car is received by the Railroad at interchange, but before the car is delivered to the customer, a charge of \$75.00 per car will be assessed against the party ordering and then canceling the car. This charge will be assessed on a per car basis.</p>								
215	<p style="text-align: center;">INTRA-PLANT & INTRA-STATION SWITCHING</p> <p>A charge of \$75.00 per car will be assessed for intra-plant or intra-station switching, if this service is provided by the Railroad on the next scheduled train that will be working that station.</p> <p>This charge will apply to all cars switched into an industry track that were constructively placed by the Railroad because the industry track did not have the track capacity to accept the railcars.</p> <p>If a special train is called to provide this service, at the request of the industry, charges will be assessed as outlined in Item 220, below.</p>								
220	<p style="text-align: center;">STANDBY SWITCH ENGINE SERVICE</p> <p>Standby switch engine service will be provided by the IN upon reasonable advance request, subject to the availability of engine(s) and qualified railroad personnel. To the extent that the services of an engine(s) and crew are required beyond the railroad's normally provided service to spot cars, the IN will furnish engine(s) and crew under the following conditions and charges:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding-right: 20px;">Single locomotive w/ 2 qualified crew members:</td> <td>\$85.00 per hour – (base rate)</td> </tr> <tr> <td>Requirement of 1 additional locomotive, add:</td> <td>\$30.00 per hour – (each additional)</td> </tr> <tr> <td>Requirement of 1 additional crew member, add:</td> <td>\$30.00 per hour – (each additional)</td> </tr> </table> <p>Minimum service under this Item if a train crew is dispatched specifically for this purpose is 2 hours.</p> <p>Service is subject to maximum permissible on duty time of 12 hour for crew members. Charges will be assessed against the party requesting the special switching service and will be in addition to all other applicable charges.</p> <p>When a customer requests or directly causes a delay to train operations during normal switching duties, such delay is subject to the charges covered by this Item, but will only be assessed charges based on hours actually used or delayed (no hourly minimum).</p>			Single locomotive w/ 2 qualified crew members:	\$85.00 per hour – (base rate)	Requirement of 1 additional locomotive, add:	\$30.00 per hour – (each additional)	Requirement of 1 additional crew member, add:	\$30.00 per hour – (each additional)
Single locomotive w/ 2 qualified crew members:	\$85.00 per hour – (base rate)								
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IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 6
<u>ITEM</u>	<u>APPLICATION</u>		
225	<p style="text-align: center;">SET BACK CARS</p> <p>When a railcar is loaded and released by an industry and is subsequently moved from the industry by the Railroad and the industry later requests the railcar be returned or delivered back to the industry for weight, grade, billing or any other reason that the Railroad is not responsible, a charge will be made for such service as listed herein, based on the location of the railcar on the IN system when the Set Back request is made to the Railroad, if this service is provided by the IN on the next scheduled train that will be working to or in the station requesting this service. This charge will be assessed on a dollars per car basis.</p> <ol style="list-style-type: none"> 1. \$60.00 per railcar if the railcar is to be Set Back within the same division that it is located 2. \$120.00 per car if the railcar is to be Set Back to a different division from where it is located <p>NOTE:</p> <ul style="list-style-type: none"> ▪ If a special train is called to provide this service, at the request of the industry, charges will be assessed as outlined in Item 220. ▪ If a railcar is released by an industry and subsequently a Set Back request is made by the industry, demurrage calculations will be based on when the same car is last released from the industry. ▪ All the charges covered by this Item are in addition to any other charges that may otherwise apply by way of this Tariff. 		
265	<p style="text-align: center;">CARS HELD FOR INSTRUCTIONS</p> <p>When a loaded car is released and forwarded to IN and removed from an industry or team track and then later set-out or held by IN on a side track en route awaiting billing instructions, a charge of \$50.00 per car will be assessed to the shipper, plus any other applicable charges.</p> <p>NOTE: Demurrage calculations on any railcar Held for Instructions will be based on when the same car is properly billed and released for outbound movement to interchange.</p>		
270	<p style="text-align: center;">EMPTY CAR STORAGE</p> <p>When empty cars are delivered to the IN for storage on IN side tracks, a charge of 5 cents (\$.05) per track foot (measured drawbar to drawbar) per day will be assessed against the party requesting storage, provided the cars are given to the IN per diem free. This charge will be assessed from the date of interchange until date placed for loading or interchange. Charges covered under this Item will be paid monthly, in advance to the IN. Permits to store cars on IN tracks will be issued by the General Manager. IN reserves the right to decline any request for any reason to store cars on the IN. The IN reserves the right to order any cars held for storage under this Item, to vacate the IN tracks/facilities at any time.</p>		
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ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242			

ITEMAPPLICATION

275

SCALE FEES—WEIGHING CARS

The Indiana Northeastern Railroad has a certified scale available for weighing railcars located at Hillsdale, MI.

The following charges in **dollars per car** will apply to customers from their respective IN divisions for the weighing of cars when railroad scale weights are requested by the customer or industry.

(A) For weighing an originating or terminating car, received from or destined to the NS road haul connection at Montpelier, Ohio, the following dollars per railcar charges will be assessed:

DIVISION OF CUSTOMER: O-1 \$200 I-2 \$175 I-3 \$200 I-4 \$125 M-5 \$100 M-6 \$30 M-7 \$30

EXCEPTION NOTE: Scale fees will not apply to shipments that move to or from the NS road haul connection that have weight agreements in place as part of the "HANDLING LINE ARRANGEMENT" between the IN and the NS.

(B) For weighing Local Freight railcars, in addition to applicable intra-terminal switching charges, the IN will provide, upon request, the weighing of railcars at the following dollars per railcar rates, dependent on the origin and destination division as shown in the following matrix:

		<u>DESTINATION DIVISION</u>						
		O-1	I-2	I-3	I-4	M-5	M-6	M-7
<u>ORIGIN DIVISION</u>	O-1	135	120	115	90	60	30	30
	I-2	120	115	115	90	50	30	30
	I-3	115	115	115	90	50	30	30
	I-4	90	90	90	75	40	30	30
	M-5	60	50	50	40	40	30	30
	M-6	30	30	30	30	30	45	70
	M-7	30	30	30	30	30	70	95

WEIGHT NOTE: The above scale fees are in addition to all other applicable charges and cover the actual weighing of railcars on track scales in Hillsdale, Michigan. If after weights are known and the car is set back for unloading or additional loading and then the same car must be weighed again, scale fees will again be charged for this additional weighing service.

OVERWEIGHT CARS: The IN reserves the right to weigh railcars that are suspected to be overloaded for movement on specific IN divisions (see Item 137), and if the suspected car(s) is overloaded, IN will charge applicable scale fees and demurrage charges to the industry that overloads said car and will hold said overloaded car until weight is reduced to a level acceptable for further movement by the IN.

HOLD RAILROAD HARMLESS: The IN Railroad will weigh railcars and providing railroad track weights when requested, and will to the best of its ability provide accurate weights. However, by weighing railcars, the IN Railroad does not assume or accept responsibility or liability for quantity of lading at unload or accept or assume liability for providing inaccurate weights.

286K NOTE: Movement restrictions apply on railcars loaded to 286,000 pounds gross weight—see Item 137.

ISSUED: SEPTEMBER 20, 2005

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ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242

ITEMAPPLICATION

277

RAILCAR TURNING—"WYING" CARS

The Indiana Northeastern Railroad has a wye track available for turning railcars in Hillsdale, Michigan.

The following charges in **dollars per car** will apply to customers from their respective IN divisions for wying railcars.

(A) For wying an originating or terminating car, received from or destined to the NS road haul connection at Montpelier, Ohio, the dollars per railcar charges to be assessed are detailed below.

The following charges will apply for the wying of railcars of any type (most likely boxcars) when this service is requested by the customer or industry or otherwise required and/or necessary.

NOTE: When boxcars come in from the NS interchange at Montpelier, Ohio, for delivery to customers at or west of Hillsdale, the Railroad will (at no extra charge) visually inspect the boxcar to see if placards are in place directing loading or unloading from a particular side door.

- If the boxcar is aligned in a direction to allow for loading or unloading from the correct side when it arrives at destination, the Railroad will deliver the boxcar without wying the car.
- If the boxcar is aligned in a direction that will not allow for loading or unloading from the correct side at its destination, the Railroad will (without consulting the customer) wye the car to make sure the car is facing properly when it arrives at the customer's track. This service will generate a charge as identified below.

CHARGE RATE		DESCRIPTION OF WYING SERVICE TO BE PROVIDED
A	\$30	Wying railcars for customers in division M-6 or M-7 while the railcar is moving through Hillsdale
B	\$150	Wying railcars for customers located in division M-6 after the railcar is already placed
C	\$200	Wying railcars for customers located in M-7 after the railcar is already placed
D	\$100	Wying railcars for customers in division M-5
E	\$180	Wying railcars for customers located in division I-4 or I-2
F	\$220	Wying railcars for customers located in division O-1 or I-3

EXCEPTIONS:

- In the event a railcar destined to division M-6 or M-7 is incorrectly placarded and is delivered to destination facing the wrong direction, the customer will be charged rate "b" as shown above.
- In the event the Railroad delivers a railcar to a customer in division M-6 or M-7 that is placarded properly but is not wye'd to face properly upon delivery, the Railroad will return the railcar to Hillsdale and wye the railcar at rate "a" as shown above.

(B) For wying Local Freight railcars, in addition to applicable intra-terminal switching charges, the IN will provide, upon request, wying of railcars at the following dollars per railcar rates, dependent on the origin and destination division as shown in the following matrix:

		<u>DESTINATION DIVISION</u>						
		O-1	I-2	I-3	I-4	M-5	M-6	M-7
<u>ORIGIN DIVISION</u>	O-1	135	120	115	90	60	30	30
	I-2	120	115	115	90	50	30	30
	I-3	115	115	115	90	50	30	30
	I-4	90	90	90	75	40	30	30
	M-5	60	50	50	40	40	30	30
	M-6	30	30	30	30	30	45	70
	M-7	30	30	30	30	30	70	95

WYING NOTES:

- If a special train is called to provide this service at the request of the industry, Item 220 charges will apply.
- If a railcar is placed at an industry and subsequently a turning request is made by the industry, demurrage calculations will be based on when the same car was first placed at the industry.
- All the charges covered by this Item are in addition to any other charges that may otherwise apply.
- Movement restrictions apply on railcars loaded to 286,000 pounds gross weight—see Item 137.

ISSUED: SEPTEMBER 20, 2005

EFFECTIVE: OCTOBER 1, 2005

ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242

IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 9
<u>ITEM</u>	<u>APPLICATION</u>		
SECTION 3—RAILCAR DETENTION RULES AND CHARGES			
DEMURRAGE			
This section states specific charges that will be assessed by the IN directly to the individual, industry or customer for holding railcars past the allotted Free Time as described herein.			
300	<p style="text-align: center;">DEMURRAGE CHARGES</p> <p>Railroad controlled railcars are subject to demurrage charges after expiration of allowable free time (see Item 305). The following charges per car, per day or fraction of a day, will be made, following the allowable free time, until the car is RELEASED (see EXCEPTION). Note: CARS HELD FOR INSTRUCTIONS and SET BACK CARS are not considered released relating to charges for demurrage.</p> <p style="padding-left: 40px;">\$15.00 for the first chargeable day, THEN; \$25.00 for each subsequent day.</p> <p>The above applicable charges will accrue on all Sundays and Holidays (see Item 310) subsequent to the first chargeable day, including a Sunday or Holiday immediately following the day on which the first chargeable day begins to run until car is released.</p> <p>EXCEPTION: Demurrage Rules and Charges published herein will NOT apply to "X MARK" cars held on private industry controlled tracks or designated IN tracks or sidings, unless arrangements or provisions to mandate the charging of demurrage are in place and effective from the party that controls said X MARK equipment.</p> <p>RELEASED: In the case of a loaded car, it shall be considered released when the industry has the car loaded, notifies the railroad that the car is loaded and presents the IN with complete forwarding instructions. In the case of an empty car, cars will be considered released when the industry has the car unloaded and notifies the railroad that the car is ready for the IN to pick up.</p>		
305	<p style="text-align: center;">FREE TIME AND DETERMINATION OF FIRST CHARGEABLE DAY</p> <p>Unless stated otherwise in this Tariff, cars placed for loading or unloading will be given forty eight (48) hours free time to complete loading or unloading. Free time starts at the first 7:00 AM after the car is placed, or notification of constructive placement is given. Free time is considered the first 48 hour period that occurs after the first 7:00 AM when the car is considered placed. This period of 48 hours will not contain a Sunday or Holiday. The day immediately following the free time period is the first chargeable day. Please note that Saturday is not a free day.</p> <p>ADDITIONAL NOTE: Free time is further restricted to 24 hours on CHARGE RATE 50 or CHARGE RATE 100 unit grain trains that are to be loaded outbound to the NS as described in Item 545 PART #2 and Item 547 PART #2.</p> <p>When the same car is both unloaded and reloaded, each transaction will be treated as independent of the other and the free time for reloading shall not begin until after unloading is complete.</p> <p>When empty cars are ordered and placed for loading at an industry and the industry does not load and forward cars but instead releases said cars as empties, there will be NO free days allowed, and ALL days from constructive placement or placement until release will be charged demurrage charges.</p>		
310	<p style="text-align: center;">HOLIDAYS</p> <p>Whenever reference is made to "Holidays", it shall mean only the days listed below:</p> <p style="padding-left: 40px;">New Year's Day—January 1 (See MONDAY NOTE) Memorial Day—Last Monday of May Independence Day—July 4 (See MONDAY NOTE) Labor Day—First Monday of September Thanksgiving Day—Fourth Thursday of November Christmas Day—December 25 (See MONDAY NOTE)</p> <p>MONDAY NOTE: When this date occurs on Sunday, the following Monday will be observed as the Holiday.</p>		
ISSUED: SEPTEMBER 20, 2005		EFFECTIVE: OCTOBER 1, 2005	
ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242			

IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 10
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315	<p style="text-align: center;">PLACEMENT—CONSTRUCTIVE PLACEMENT—NOTIFICATION</p> <p>Cars will be considered placed when either: (A) ACTUALLY PLACED—Car is placed in an accessible position for loading or unloading or (B) CONSTRUCTIVELY PLACED—Car cannot be actually placed through no fault of IN (including insufficient space on the industry's designated track for the number of cars ordered by or consigned to the industry) and notification is given to intended receiver of constructive placement at a holding point on the IN. For free time calculations, constructive placement will be considered as placement.</p> <p>Sufficient notification by IN to industry of placement or constructive placement of cars will be when the IN performs one of the following: A. Makes personal contact or phone communication to notify industry. B. FAX or hand delivery of notification to industry. C. By actual delivery of cars to industry's track, if on private industry controlled track.</p> <p>NOTE: IN records of such notification will govern disputes.</p>		
ISSUED: SEPTEMBER 20, 2005		EFFECTIVE: OCTOBER 1, 2005	
ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242			

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SECTION 4—LOCAL FREIGHT CHARGES

INTRA-TERMINAL SWITCHING—LOCAL FREIGHT CHARGES

This section states specific charges that will be assessed by the IN directly to the individual, industry or customer for moving Local Freight as a Basic Rail Freight Service movement as described in this Tariff.

400	INTRA-TERMINAL SWITCHING—LOCAL FREIGHT
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When loaded cars are moved from one industry track to another (different) industry or track located on the IN, either in the same or in a different division, the following charges in **dollars per carload** will apply between different IN division stations, (these rates will not apply to any traffic moving from interchange with a connecting carrier):

		<u>DESTINATION DIVISION</u>						
		O-1	I-2	I-3	I-4	M-5	M-6	M-7
<u>ORIGIN DIVISION</u>	O-1	300	300	375	300	300	325	550
	I-2	300	300	375	300	300	325	525
	I-3	375	375	350	375	375	400	600
	I-4	300	300	375	300	300	325	500
	M-5	300	300	375	300	300	325	450
	M-6	325	325	400	325	325	300	400
	M-7	550	525	600	500	450	400	350

The above charges apply to single car movements of non-hazardous materials loaded to a maximum of 263,000 pounds gross weight per railcar in ordinary equipment that is railroad controlled (if available).

Local Rate Adjustments:

VOLUME REDUCTIONS: If single shipment of 3 or more cars: reduction of \$50.00/car

EQUIPMENT REDUCTION: If shipments are made using shipper owned, leased or otherwise controlled equipment, ("X" marked private cars) making this equipment per diem free to the IN, a reduction of \$50.00/car will apply in addition to any volume reduction.

HAZARDOUS MATERIALS INCREASE: If Hazardous materials are allowed under Item 15, **increase** the above rates by \$150.00/car.

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ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242

ITEM	APPLICATION
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SECTION 5—SURCHARGES	
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SURCHARGES	
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This section states specific Surcharges that will be assessed by the IN directly to the individual, industry or customer that receives Basic Rail Freight Service that is subject to surcharges as described in this Tariff section.

510	FUEL SURCHARGES
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When the monthly average price of West Texas Intermediate Crude Oil—Cushing (WTI) for the prior month (as published at www.eia.doe.gov) exceeds \$50.00 per barrel, the Indiana Northeastern Railroad retains the right to apply a fuel surcharge in addition to all applicable line haul freight and other applicable charges on traffic moving to or from interchange with the Norfolk Southern at Montpelier, Ohio.

HISTORY: The previous 4 month's average prices per barrel of WTI at the issuance of this Tariff page is as follows:
 May 2005: \$49.83 June 2005: \$56.35 July 2005: \$59.00 August 2005: \$64.99

Fuel surcharges will be invoiced to IN served customers on a monthly basis for the previous month and responsibility for payment will remain with the IN served customer.

Monthly fuel surcharge invoices shall be based on division location of the rail served customer and number of railcars received or forwarded by the customer for the prior month on a **dollars per loaded railcar** basis, based on the following schedule:

PRIOR MONTH AVERAGE WTI PRICE PER BARREL	IN DIVISIONS (O-1 AND I-2)	IN DIVISIONS (I-3 AND I-4)	IN DIVISIONS (M-5 AND M-6)	IN DIVISION (M-7)
\$50.00 or less	-	-	-	-
\$50.01 to \$60.00	10	13	15	18
\$60.01 to \$70.00	15	19	23	26
\$70.01 to \$80.00	20	25	30	35
\$80.01 to \$90.00	25	31	38	44
\$90.01 to \$100.00	30	38	45	53
\$100.01 or higher	35	44	53	61

- FUEL SURCHARGE EXCEPTIONS:**
1. Fuel surcharges shall not apply to shelled corn, wheat or soybean shipments already covered by Surcharge Tariff Items 545 and 547.
 2. Fuel surcharges shall not apply to railcars moving under existing contracts that the IN is a signatory party.

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ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242

ITEM**APPLICATION**

545

SHELLED CORN OR WHEAT SHIPMENTS FORWARDED TO THE NORFOLK SOUTHERN**PART ONE—Surcharges for Single Origin Outbound Shipments to the NS**

The below stated Rates will apply in **dollars per carload** for outbound shelled corn or wheat shipments, originating from a single IN loading station, per loaded covered hopper car forwarded to the NS at Montpelier, Ohio, billed to destinations, as identified:

WEIGHT NOTE #1: The following rates are for movement of shelled corn or wheat in covered hopper cars with a gross loaded weight (car plus lading) not in excess of the stenciled load limit or the maximum railcar weight, whichever is less.

WEIGHT NOTE #2: Rates for loading grain cars to 286,000 pounds only applicable if origin division approved for loading to 286,000 pounds gross weight per railcar (See Item 137 for details).

CORN (STCC 0113215) or WHEAT (STCC 0113710)-----**(A) Destined to NS considered stations in the states of: IN, MI, IL or OH**

LOADING ORIGIN DIVISION	MAXIMUM RAILCAR POUNDS	CHARGE RATE 1 1-2 CARS ON 1 BOL		CHARGE RATE 3 3-44 CARS ON 1 BOL		CHARGE RATE 50 45-94 CARS ON 1 BOL		CHARGE RATE 100 95+ CARS ON 1 BOL	
		PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM
O-1	263,000	75	98	50	73	98	121	128	151
O-1	286,000	90	107	63	80	112	133	145	166
I-2	263,000	95	121	70	96	128	154	143	169
I-2	286,000	132	153	105	126	165	190	181	206
I-3	263,000	245	275	195	225	228	258	243	273
I-3	286,000	317	343	262	288	295	324	311	340
I-4	263,000	120	150	95	125	168	198	168	198
I-4	286,000	270	295	242	268	319	348	319	348
M-5	263,000	80	114	60	94	130	164	160	194
M-5	286,000	235	260	213	238	285	315	318	348
M-6	263,000	120	158	95	133	160	198	210	248
M-6	286,000	289	318	261	291	328	362	383	417
M-7	263,000	220	265	170	215	310	355	360	405
M-7	286,000	414	452	359	397	508	551	563	606

(B) Destined to NS considered stations in the states of: AL, FL, MS, TN, KY, SC, NC, GA or VA

LOADING ORIGIN DIVISION	MAXIMUM RAILCAR POUNDS	CHARGE RATE 1 1-2 CARS ON 1 BOL		CHARGE RATE 3 3-44 CARS ON 1 BOL		CHARGE RATE 50 45-94 CARS ON 1 BOL		CHARGE RATE 100 95+ CARS ON 1 BOL	
		PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM
O-1	263,000	-	-	-	-	-	-	-	-
O-1	286,000	-	-	-	-	-	-	-	-
I-2	263,000	-	-	-	-	-	-	-	-
I-2	286,000	-	-	-	-	-	-	-	16
I-3	263,000	75	105	25	55	55	85	70	100
I-3	286,000	139	156	84	101	113	134	130	150
I-4	263,000	-	-	-	-	-	25	-	25
I-4	286,000	91	108	64	80	137	158	137	158
M-5	263,000	-	-	-	-	-	9	5	39
M-5	286,000	72	90	50	68	128	150	155	178
M-6	263,000	-	3	-	-	5	43	55	93
M-6	286,000	126	148	98	120	165	192	220	247
M-7	263,000	65	110	15	60	155	200	205	250
M-7	286,000	251	281	196	226	345	380	400	435

(ITEM 545, CONTINUED ON PAGE 14)

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ITEM**APPLICATION**

545

(ITEM 545, CONTINUED FROM PAGE 13)

(C) Destined to NS considered stations in the states of: DE, NJ, MD, PA and NY

LOADING ORIGIN DIVISION	MAXIMUM RAILCAR POUNDS	CHARGE RATE 1 1-2 CARS ON 1 BOL		CHARGE RATE 3 3-44 CARS ON 1 BOL		CHARGE RATE 50 45-94 CARS ON 1 BOL		CHARGE RATE 100 95+ CARS ON 1 BOL	
		PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM
O-1	263,000	-	-	-	-	-	-	5	14
O-1	286,000	-	-	-	-	-	-	15	17
I-2	263,000	-	6	-	-	10	36	25	51
I-2	286,000	12	27	-	-	41	60	58	76
I-3	263,000	130	160	80	110	110	140	125	155
I-3	286,000	197	216	142	161	171	194	188	211
I-4	263,000	5	35	-	10	50	80	50	80
I-4	286,000	149	169	122	141	195	218	195	218
M-5	263,000	-	-	-	-	15	49	45	79
M-5	286,000	103	123	81	101	164	189	197	222
M-6	263,000	-	33	-	8	45	83	95	133
M-6	286,000	157	181	130	153	207	236	262	291
M-7	263,000	95	140	45	90	195	240	245	290
M-7	286,000	282	314	227	295	387	424	442	479

**(D) Unit Trains Destined to Corn Processors Served by the NS at Loudon, TN or Winston-Salem, NC
(these charges supercede charges in Part # 1 B for these specific destinations)**

LOADING ORIGIN DIVISION	MAXIMUM RAILCAR POUNDS	CHARGE RATE 50 45-94 CARS ON 1 BOL		CHARGE RATE 100 95+ CARS ON 1 BOL	
		PRIVATE	SYSTEM	PRIVATE	SYSTEM
O-1	263,000	-	18	25	48
O-1	286,000	4	19	37	52
I-2	263,000	25	51	40	66
I-2	286,000	57	76	73	93
I-3	263,000	125	155	140	170
I-3	286,000	187	211	203	227
I-4	263,000	65	95	65	95
I-4	286,000	211	235	211	235

RAILCAR NOTE: Rates in the left hand column titled "PRIVATE" shall mean "X" marked shipper controlled railcars, free on line to the IN. Rates in the right hand column titled "SYSTEM" shall mean railroad controlled railcars that are not free on line to the IN.

PART TWO—Free Time Restriction—UNIT GRAIN TRAINS

DEMURRAGE DETERMINATION/CALCULATION: When a loading station receives an empty unit train for loading under CHARGE RATE 50 or CHARGE RATE 100 rates, Item 305 – FREE TIME AND DETERMINATION OF FIRST CHARGEABLE DAY of this Tariff shall be amended/restricted on the empty cars received to allow for ["...twenty four (24) hours free time to complete loading..."]. The individual loading origin shall have free time and demurrage calculated on the complete block of cars, based from when said block of cars is made available for loading (placed) until said block of cars is released loaded to the railroad from the individual shipper. The railroad will allow limited extensions to this 24 hours free time provision if the origin loading station is dependent on the services of the railroad for Item 220 – STANDBY SWITCH ENGINE SERVICE for loading and the railroad, in the railroad's judgment cannot reasonably make this service adequately available to the individual loading station within the allotted 24 hour period.

(ITEM 545, CONTINUED ON PAGE 15)

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ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242

IN 8000	INDIANA NORTHEASTERN RAILROAD COMPANY	12 TH REVISION	PAGE 15								
ITEM	APPLICATION										
545	<p style="text-align: center;">(ITEM 545, CONTINUED FROM PAGE 14)</p> <p>PART THREE—Split Loading 45 Plus Car Unit Corn or Wheat Trains</p> <p>The railroad will approve of split loading unit grain trains to the NS (the single billing of 45 or more loaded railcars onto the NS, on one Bill-of-Lading that originates at more than one loading station) under the following rates, terms and conditions:</p> <p>(A) SURCHARGES: When split loading a unit grain train, the railroad will receive compensation from the actual loading stations that load the railcars based on the size of the complete/combined unit and applicable CHARGE RATE 50 or CHARGE RATE 100 surcharges contained in Item 545, PART #1 for that individual origin, plus any other applicable Tariff charges, plus the following per loaded railcar “train-splitting” surcharges as outlined below:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">(1) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 2 LOADING STATIONS</td> <td style="text-align: right;">-- no surcharges –</td> </tr> <tr> <td>(2) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 3 LOADING STATIONS</td> <td style="text-align: right;">\$5/car surcharge</td> </tr> <tr> <td>(3) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 2 LOADING STATIONS</td> <td style="text-align: right;">\$10/car surcharge</td> </tr> <tr> <td>(4) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 3 LOADING STATIONS</td> <td style="text-align: right;">\$20/car surcharge</td> </tr> </table> <p>(B) MICHIGAN RATE ADJUSTMENT: When split loading under CHARGE RATE 50 or CHARGE RATE 100 as described above, an additional charge of \$50.00 per carload will be assessed to any shipper with any carloads physically originating in division M-5, M-6 or M-7 that are included in a unit train with an outbound loaded Bill-of-Lading origin shown as Ohio or Indiana. (This adjustment compensates for the difference between the Michigan and Ohio or Indiana RATE BASE.)</p> <p>(C) MINIMUM CARS / MAXIMUM ORIGINS: Unless otherwise approved by the railroad General Manager, the minimum number of railcars to be loaded at any one loading station under this Item will be ten (10) rail-cars and the maximum number of loading stations will be three (3).</p> <p>(D) NOTIFICATION TO RAILROAD: On all split loaded trains, the party that the empty train is consigned to shall immediately inform the railroad of; (I) the expected time of arrival of the empty train on the Indiana Northeastern Railroad rail-line, (II) the number of cars expected, (III) the desired split of the empty cars and (IV) some empty car identification numbers for tracing the movement of the empty train.</p> <p>(E) DIVIDING EMPTY TRAIN: Empty grain trains that are to be split loaded between more than one shipper will be divided by the railroad as directed by the party that the empty train is consigned to. The railroad will divide empty cars between multiple shippers indiscriminately and in a similar order as the railcars are received from the NS. If sorting of empty railcars is required by an individual shipper and is agreed to by any other shipper the sorting would effect, the railroad will perform this service for the party requesting said service and will charge the party requesting this service at the rates outlined in Tariff Item 220.</p> <p>PART FOUR—Additional Information</p> <p>(A) Shelled corn or wheat moving from IN loading stations onto the NS will be considered as NS origin shipments and are allowed to be shipped under NS contract or tariff rates. <u>Any applicable surcharges stated in this Item will be billed directly to the IN grain shipper.</u> This will need to be considered when selling grain FOB the origin loading station, as the grain buyer will not see these surcharges and therefore will likely not pay these surcharges.</p> <p>(B) Norfolk Southern grain shipment RATE BASE POINTS: Indiana origins = South Milford Michigan origins = Jonesville Ohio = Edon</p> <p>PART FIVE—Prepaid Surcharges—95 Plus Car Unit Trains</p> <p>When a 95 plus car unit grain train is to be loaded by a grain train shipper or a combination of grain shippers on the IN rail-lines, all applicable/estimated surcharges identified in Item 545 may be required (by the railroad) to be prepaid by the intended shipper or shippers prior to this empty train being accepted at interchange by the IN. Prepaid shall mean that the applicable surcharges will be estimated by the railroad to the shipper or shippers, and the shipper or shippers will deliver good funds directly to the railroad, before the empty train is pulled as an empty train from interchange. After the loaded 95 plus car unit grain train is interchanged back off the IN rail-lines as a load, billing adjustments will be made by the IN for any overcharges or undercharges, based on the actual number of cars loaded and moved from the shipper or shippers.</p>			(1) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	-- no surcharges –	(2) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$5/car surcharge	(3) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	\$10/car surcharge	(4) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$20/car surcharge
(1) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	-- no surcharges –										
(2) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$5/car surcharge										
(3) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	\$10/car surcharge										
(4) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$20/car surcharge										
ISSUED: SEPTEMBER 20, 2005		EFFECTIVE: OCTOBER 1, 2005									
ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242											

ITEM**APPLICATION**

547

SOYBEAN SHIPMENTS FORWARDED TO THE NORFOLK SOUTHERN**PART ONE—Surcharges For Single Origin Outbound Shipments to the NS**

The below stated charges will apply in **dollars per carload** for outbound soybeans shipments, originating from a single IN loading station, per loaded covered hopper car forwarded to the NS at Montpelier, Ohio, billed as identified:

WEIGHT NOTE #1: The following rates are for movement of soybeans in covered hopper cars with a gross loaded weight (car plus lading) not in excess of the stenciled load limit or the maximum railcar weight, whichever is less.

WEIGHT NOTE #2: Rates for loading soybean cars to 286,000 pounds only applicable if origin division approved for loading to 286,000 pounds gross weight per railcar – see Item 137 for details.

SOYBEANS (STCC 0114415)----- Destined to ANY Destination -----

LOADING ORIGIN DIVISION	MAXIMUM RAILCAR POUNDS	CHARGE RATE 1 1-2 CARS ON 1 BOL		CHARGE RATE 3 3-44 CARS ON 1 BOL		CHARGE RATE 50 45-94 CARS ON 1 BOL		CHARGE RATE 100 95+ CARS ON 1 BOL	
		PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM	PRIVATE	SYSTEM
O-1	263,000	40	54	-	14	-	9	35	49
O-1	286,000	52	60	8	16	-	11	45	55
I-2	263,000	-	21	-	-	-	-	10	31
I-2	286,000	33	44	-	-	-	11	42	55
I-3	263,000	150	178	40	68	-	28	85	113
I-3	286,000	218	237	97	116	51	72	144	166
I-4	263,000	25	53	-	3	-	13	35	63
I-4	286,000	170	190	115	135	124	146	179	201
M-5	263,000	50	85	-	35	-	35	60	95
M-5	286,000	203	230	148	175	146	175	212	241
M-6	263,000	100	142	75	117	70	112	135	177
M-6	286,000	268	303	240	276	233	270	304	342
M-7	263,000	200	263	150	213	210	273	285	348
M-7	286,000	393	452	338	397	402	463	484	546

RAILCAR NOTE: Rates in the left hand column titled "PRIVATE" shall mean "X" marked shipper controlled railcars, free on line to the IN. Rates in the right hand column titled "SYSTEM" shall mean railroad controlled railcars that are not free on line to the IN.

PART TWO—Free Time Restriction—Soybean Unit Trains

DEMURRAGE DETERMINATION/CALCULATION: When a loading station receives an empty unit train for loading under CHARGE RATE 50 or CHARGE RATE 100 rates, Item 305 – FREE TIME AND DETERMINATION OF FIRST CHARGEABLE DAY of this Tariff shall be amended/restricted on the empty cars received to allow for ["...twenty four (24) hours free time to complete loading..."]. The individual loading origin shall have free time and demurrage calculated on the complete block of cars, based from when said block of cars is made available for loading (placed) until said block of cars is released loaded to the railroad from the individual shipper. The railroad will allow limited extensions to this 24 hours free time provision if the origin loading station is dependent on the services of the railroad for Item 220 – STANDBY SWITCH ENGINE SERVICE for loading and the railroad, in the railroads judgment cannot reasonably make this service adequately available to the individual loading station within the allotted 24 hour period.

(ITEM 547, CONTINUED ON PAGE 17)

ISSUED: SEPTEMBER 20, 2005

EFFECTIVE: OCTOBER 1, 2005

ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242

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ITEM	<u>APPLICATION</u>										
547	<p style="text-align: center;">(ITEM 547, CONTINUED FROM PAGE 16)</p> <p>PART THREE—Split Loading 45 Plus Car Unit Soybean Trains</p> <p>The railroad will approve of split loading unit grain trains to the NS (the single billing of 45 or more loaded railcars onto the NS, on one Bill-of-Lading that originates at more than one loading station) under the following rates, terms and conditions:</p> <p>(A) SURCHARGES: When split loading a unit grain train, the railroad will receive compensation from the actual loading stations that load the railcars based on the size of the complete/combined unit and applicable CHARGE RATE 50 or CHARGE RATE 100 surcharges contained in ITEM 547, PART #1 for that individual origin, plus any other applicable Tariff charges, plus the following per loaded railcar "train-splitting" surcharges as outlined below:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">(1) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 2 LOADING STATIONS</td> <td style="width: 20%;">-- no surcharges –</td> </tr> <tr> <td>(2) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 3 LOADING STATIONS</td> <td>\$5/car surcharge</td> </tr> <tr> <td>(3) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 2 LOADING STATIONS</td> <td>\$10/car surcharge</td> </tr> <tr> <td>(4) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 3 LOADING STATIONS</td> <td>\$20/car surcharge</td> </tr> </table> <p>(B) MINIMUM CARS / MAXIMUM ORIGINS: Unless otherwise approved by the railroad General Manager, the minimum number of railcars to be loaded at any one loading station under this Item will be ten (10) rail-cars and the maximum number of loading stations will be three (3).</p> <p>(C) NOTIFICATION TO RAILROAD: On all split loaded trains, the party that the empty train is consigned to shall immediately inform the railroad of; (I) the expected time of arrival of the empty train on the Indiana Northeastern Railroad rail-line, (II) the number of cars expected, (III) the desired split of the empty cars and (IV) some empty car identification numbers for tracing the movement of the empty train.</p> <p>(D) DIVIDING EMPTY TRAIN: Empty grain trains that are to be split loaded between more than one shipper will be divided by the railroad as directed by the party that the empty train is consigned to. The railroad will divide empty cars between multiple shippers indiscriminately and in a similar order as the railcars are received from the NS. If sorting of empty railcars is required by an individual shipper and is agreed to by any other shipper the sorting would effect, the railroad will perform this service for the party requesting said service and will charge the party requesting this service at the rates outlined in Tariff Item 220.</p> <p>PART FOUR—Additional Information</p> <p>Soybeans moving from IN loading stations onto the NS will be considered as NS origin shipments and are allowed to be shipped under NS contract or tariff rates. Any applicable surcharges stated in this Item will be billed directly to the IN grain shipper. This will need to be considered when selling grain FOB, as the grain buyer will not see these surcharges and therefore will likely not pay these surcharges.</p> <p>PART FIVE—Prepaid Surcharges</p> <p>When a 95 plus car unit grain train is to be loaded by a grain train shipper or a combination of grain shippers on the IN rail-lines, all applicable/estimated surcharges identified in Item 547 may be required (by the railroad) to be prepaid by the intended shipper or shippers prior to this empty train being accepted at interchange by the IN. Prepaid shall mean that the applicable surcharges will be estimated by the railroad to the shipper or shippers, and the shipper or shippers will deliver good funds directly to the railroad, before the empty train is pulled as an empty train from interchange. After the loaded 95 plus car unit grain train is interchanged back off the IN rail-lines as a load, billing adjustments will be made by the IN for any overcharges or undercharges, based on the actual number of cars loaded and moved from the shipper or shippers.</p>			(1) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	-- no surcharges –	(2) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$5/car surcharge	(3) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	\$10/car surcharge	(4) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$20/car surcharge
(1) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	-- no surcharges –										
(2) COMBINED TRAIN BILLED UNDER CHARGE RATE 50 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$5/car surcharge										
(3) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 2 LOADING STATIONS	\$10/car surcharge										
(4) COMBINED TRAIN BILLED UNDER CHARGE RATE 100 – SPLIT LOADED BETWEEN 3 LOADING STATIONS	\$20/car surcharge										
ISSUED: SEPTEMBER 20, 2005		EFFECTIVE: OCTOBER 1, 2005									
ISSUED BY: G. E. SHULTZ, PRESIDENT, P.O. BOX 262, HILLSDALE, MICHIGAN 49242											

ITEMAPPLICATION**SECTION 6—ABBREVIATIONS AND REFERENCE MARKS**

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EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

STB	Surface Transportation Board
OH PUC	Ohio Public Service Commission
MI DOT	Michigan Department of Transportation
BOE	Bureau of Explosives
OPSL	Open and Prepay Station List
STCC	Standard Transportation Commodity Code
SPLC	Standard Point Location Code
RER	Railroad Equipment Register
UFC	Uniform Freight Classification
WTL	Western Trunk Lines
BOL	Bill of Lading
IN	Indiana Northeastern Railroad Company
MSO	Michigan Southern Railroad Company
NS	Norfolk Southern Railway Company
via	“By way of...”
\$	Dollar(s)
&	And
—	No charge
(C)	Cancel
(I)	Denotes an increase
(R)	Denotes a reduction
(NC)	Denotes no change in rate
(CW)	Change in wording resulting in neither an increase or reduction in charges
N/A	Not applicable
*	For interchange purposes only. Not intended to be used for “Local Freight.”

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