
TARIFF JAIL 9000-B

JACKSON & LANSING RAILROAD COMPANY

DEMURRAGE RULES AND CHARGES

Applying at all JAIL points in the United States and other points as specifically provided herein.

ISSUED January 6, 2012

EFFECTIVE February 1, 2012

ISSUED BY
Mark W. Dobronski, President
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ITEM 1 - CANCELLATION NOTICE

This tariff cancels rates, rules, regulations and charges published in the following Tariffs:
JAIL 9000-A

ITEM 4 - LIST OF PARTICIPATING CARRIERS

The following carriers shall be deemed to be participating carriers in this tariff:

<u>Name of Carrier</u>	<u>Abbreviation</u>
Jackson & Lansing Railroad Company	JAIL

ITEM 5 - APPLICATION TO REFERENCE PUBLICATIONS

The following publications contains rules, regulations, charges and allowances specifically referred to herein or may apply directly or indirectly along with the terms of demurrage, storage, etc. that are covered in this tariff.

AAR 2	Hazardous Materials Shipping Descriptions
BOE 6001	Bureau of Explosives Rules
RER 6411	Official Railway Equipment Register
RPS 6007	Mileage Allowances and Rules
RPS 6740	Heavy Duty Flat Car Charges
OPSL 6001	Official Railroad Station List
STCC 6001	Standard Transportation Commodity Code
UFC 6000	Uniform Freight Classification

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ITEM 10 - EXPLANATIONS OF ABBREVIATIONS AND REFERENCE MARKS

The following abbreviations and reference marks are used in this tariff.

ASLG	American Shortline and Regional Railroad Association
OPSL	Open and Prepay Station List
STCC	Standard Transportation Commodity Code
UFC	Uniform Freight Classification
<A>	Addition
<D>	Cancellation
<I>	Increase
<NC>	Brought forward without change
<R>	Reduction
<C>	Change in terms or wording

ITEM 20 - REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

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.

ITEM 40 - CONSECUTIVE NUMBERS

Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last numbers.

ITEM 50 - METHOD OF CANCELING ITEMS

As this tariff is supplemented, numbered items with letter suffixes will be used in alphabetical sequence starting with A. Example: Item 445-A cancels Item 445, and Item 365-B cancels Item 365-A in a prior supplement, which in turn canceled Item 365.

ITEM 60 - METHOD OF DENOTING REISSUED MATTER IN SUPPLEMENTS

Matter brought forward without change from one supplement to another will be designated as "Reissued" by a reference mark in the form of a square enclosing a number (or letter, or number and letter) being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine the original effective date, consult the supplement in which the reissued matter first became effective.

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ITEM 80 - PAYMENT AND CREDIT TERMS

Unless otherwise advised in writing, demurrage charges will be assessed against the online consignor at origin or online consignee at destination.

Demurrage charges assessed must be paid in full and disputes for adjustment together with supporting documentation must be presented in writing to JAIL within fifteen (15) days after the date on which the invoice for demurrage is rendered. Disputes must be car specific and provided in writing. Disputes may be faxed or mailed to Carrier's administrative office. Fax: 734-641-2323. Mail: P.O. Box 85527, Westland, Michigan 48185-0527, ATTN: Demurrage Disputes.

Any invoice which remains with an outstanding balance after fifteen (15) days shall be subject to a rebilling charge of two percent (2%) of the then outstanding balance due and owing as of the first calendar day of each calendar month until paid in full.

ITEM 90 - SECURITY DEPOSITS FOR PAYMENT

A security deposit to insure payment of any demurrage, storage or other accessorial charges that may accrue will be required from any consignor, consignee, beneficial owner, or other responsible parties, hereafter referred to as customer, who:

1. Is not on the carrier's authorized credit list; and/or
2. Fails to pay demurrage, storage or other accessorial charges after specific written demand referred to in this tariff.

The deposit must be paid in cash, cashier's check or money order before any car is delivered to such customer for loading or unloading.

The deposit for each freight car must be the minimum amount of \$500.00 or up to the maximum amount of demurrage, storage or other accessorial charges that accrued on any one (1) freight car during the preceding twelve (12) months.

The carrier will refund the balance of the deposit to the customer within 30 days after the equipment is released to the carrier after deducting all unpaid charges on that equipment. Such deposit will not be transferable to another freight car.

Security deposits will no longer be required after the customer has paid all outstanding demurrage, storage, and other accessorial charges, and has given assurance to the satisfaction of the carrier's credit office that future demurrage, storage and other accessorial charges will be paid within the prescribed credit period.

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ITEM 100 - GLOSSARY OF TERMS

For purposes of applying rules of this tariff, the following are defined and shall govern.

ACTUAL PLACEMENT: - When a car is placed in an accessible position for loading or unloading or at a point designated by the consignor or consignee.

ASSIGNEE: - A shipper who has requested and has been assigned cars to a specific pool for their use.

ASSIGNEE CAR: - A car or any ownership specifically requested and assigned to a shipper from a pool of assignment service cars.

CAR DAY: - A twenty four (24) hour period or fraction thereof commencing 0001 hours (local time) after actual or constructive placement until the car is released and available to Carrier.

CARRIER TRACK: - All tracks which Carrier provides for its own uses and purposes and other tracks located inside Carrier's right-of-way or yards and terminals.

CLOSED GATE: - When a car cannot be placed on a consignee's siding at time of arrival due to siding having a locked gate or date and/or standing instructions not to place any cars unless the consignee first contacts Carrier for placement instructions.

CONSIGNEE: - The party to whom a shipment is consigned or the party entitled to receive the shipment.

CONSIGNOR: - The party in whose name cars are ordered.

CONSTRUCTIVE PLACEMENT: - When a car cannot be actually placed because of any condition attributable to the consignor or consignee, such car will be held at an available hold point and notice will be given to the consignor or consignee that the car is held awaiting instructions. Car Days will begin if instructions to Carrier are not received before 0001 hours (see Car Days) of day following notification.

CREDIT DAY: - Non-chargeable Car Day. Credits can only be earned on those cars released.

DEMURRAGE DAY: - See Car Day.

EMPTY RELEASE INFORMATION: - Advice by consignor or consignee sent via electronic data interchange or fax to authorized personnel of Carrier that car is completely unloaded and available to be pulled by Carrier. Information given must include identity of consignee, party furnishing data, and car initial and number. The date and time stamp of the electronic data interchange or fax will be used in demurrage calculations.

FORWARDING INSTRUCTIONS: - A bill of lading or other suitable order containing all the

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necessary information to transport the shipment to final destination. Bill of lading or other suitable order must be given to Carrier via electronic data interchange or facsimile.

FREE DAY: - A non-chargeable storage day.

HOLIDAYS: - The following days will be considered Holidays: New Year's Day (January 1), Martin Luther King's Birthday (Third Monday in January), Washington's Birthday (Third Monday in February), Memorial Day (Last Monday in May), Independence Day (July 4), Labor Day (First Monday in September), Columbus Day (Second Monday in October), Veteran's Day (November 11), Thanksgiving Day (Fourth Thursday in November), and Christmas Day (December 25).

LEASE TRACK: - Any trackage assigned to a user through written agreement. Lease track will be treated the same as private track under this tariff.

LOADING: - The complete or partial loading of a car in conformity with carrier's loading and clearance rules, including the furnishing of forwarding instructions.

NOTIFICATION: - When required, notification will be furnished verbally or in writing to all parties entitled to receive notification.

OPEN GATE: - When a consignee does not place any restrictions (physical or otherwise) on Carrier to place cars on consignee's siding upon arrival.

PRIVATE CAR: - A car bearing other than railroad reporting marks and which is not a railroad controlled car.

PRIVATE TRACK: - Trackage assigned for individual use including privately owned or leased tracks.

PUBLIC DELIVERY TRACK: - Any accessible track open to the general public for loading or unloading.

RAILROAD-CONTROLLED CAR: - A car provided to Carrier directly by car companies or others for indiscriminate use by Carrier in servicing any of its customers.

RECONSIGNMENT: - An order from the consignor to bill a car to other than the original consignee.

RELOAD: - When the same car is completely unloaded and then loaded. Reloading will be expressed (with car unloading demurrage) from date of tender to date forwarding instructions are received.

STOPPED IN TRANSIT: - When cars are held enroute because of any condition attributable to

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the consignor or consignee or owner.

STORAGE DAY: - A 24 hour period or part thereof.

TENDER: - When Carrier gives notification that a car is available for unloading or loading by either actual or constructive placement to consignor or consignee.

TIME: - Local time is applicable. Time is expressed on the basis of the 24-hour clock. (Example: 12:01 AM is expressed as 0001 hours.)

UNLOADING: - The complete unloading of a car.

ITEM 110 - EXCEPTIONS TO DEMURRAGE CHARGES

All railroad and privately owned cars held for or by consignors or consignees are subject to demurrage rules and charges contained in this tariff, except the following:

- A. Cars for loading or unloading of Carrier company material while held on Carrier tracks or private sidings connecting therewith.
- B. Cars of refused or unclaimed freight to be sold by Carrier for the time held beyond legal requirements.
- C. Empty cars moving on own wheels under transportation charges as freight.
- D. Cars of railroad ownership, leased for storage of commodities, while held on lessee's tracks.
- E. Loaded or empty private cars held on private or leased storage tracks.
- F. Cars specially equipped for handling welded railroad rail held for loading such rail.
- G. Empty cars ordered and rejected as unsuitable for loading.
- H. Cars covered by storage or hold charges.
- I. Cars assigned to shippers returned empty to point of assignment, to the extent storage rules apply.

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ITEM 200 - NOTIFICATION TO CONSIGNOR OR CONSIGNEE

1. The following notifications (including by electronic means) will be furnished as indicated:

Cars for Private Tracks

- (a) Notification of constructive placement on all cars held on Carrier tracks due to any condition attributable to consignee or consignor.
- (b) Delivery of car upon consignee tracks will constitute notification.
- (c) Delivery upon industrial interchange tracks of consignee or party entitled to receive same will constitute notification.

Cars for Public Delivery Tracks

Notice of arrival will be given to party entitled to receive notification when car is actually placed.

Cars Stopped in Transit

Notice shall be sent or given to the consignee, consignor, or owner ordering the car stopped upon arrival of car at the point of stoppage.

2. Notification information provided:

- (a) Car initial and number.
- (b) If contents transferred enroute, Carrier will furnish car initial and number of the original car.

3. Method and procedures for notification:

- (a) Notification may be sent or given:
 - (1) In writing by U.S. mail. When claim is made that notice was mailed at a later date or delayed through the Postal Service, the date of mailing shall be determined by the postmark. If no postmark or no date appear, the records of Carrier shall govern.
 - (2) By personal telephone communication or electronic means. When consignor or consignee utilizes an electronic or mechanical device (either in written, oral or keyed data form) notification left on such device shall be considered as having been given to consignor or consignee as of the date and time transmitted.
- (b) Notice of arrival shall be sent or given: - Upon arrival of cars at destination (notification is given 7 days a week) for all cars held under order notify or other provisions which require surrender of bill of lading or payment of lawful charges.

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ITEM 210 - NOTIFICATION TO CARRIER

- (a) When Carrier personnel are not on duty to receive forwarding instructions, empty release information or other disposition, consignor/consignee will have until 0001 hours of the next day personnel are on duty to furnish such instructions, and they will be considered as having been furnished at the date and time the instructions could have been furnished.
- (b) When electronic or mechanical devices are used to furnish notification to Carrier, the recorded date and time that instructions are received will govern.

ITEM 300 - CARS HELD FOR COMPLETE UNLOADING

Unloading: The complete unloading of a car, including blocking and dunnage, and advice from the consignee to the railroad that the car is empty and available to the railroad.

Tender: The notification, actual or constructive placement of each loaded car.

Release:

- (a) Date and time that carrier receives advice that the car is empty.
- (b) Cars placed on interchange tracks of a consignee doing its own switching must also be returned to the interchange track for release.
- (c) When cars are unloaded by carrier, those cars will be released at the time the request to unload is received by carrier from the consignee.
- (d) When the same car is unloaded and reloaded, when forwarding instructions are received.

Computation: Car days will be computed from the first 0001 hours after tender until release.

Credits:

- (a) Two (2) credit days will be earned for each car released from unloading.
- (b) Two (2) additional credit days will be earned when the same car is reloaded if customer has not released the car to the railroad from the unloading transaction. When car is held for loading after being emptied, in one continuous transaction, a total of four (4) credits will be earned.

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ITEM 310 - CARS HELD FOR LOADING

Loading: The complete or partial loading of a car in conformity with carrier's loading and clearance rules, including the furnishing of forwarding instructions.

Tender: The notification, actual or constructive placement of an empty car placed on orders of the consignor.

Release:

- (a) The date and time that forwarding instructions are received by carrier.
- (b) On empty cars placed on interchange tracks of consignor performing their own switching, time will also continue until cars are returned to an interchange track.
- (c) On cars found to be overloaded or improperly loaded while at origin will not be considered released until the load has been adjusted.

Computation:

- (a) Car days will be computed from the first 0001 hours after tender until release.
- (b) On cars placed prior to date for which ordered, car days will be computed from the first 0001 hours of the day for which the car was ordered until the car is released.
- (c) On empty cars appropriated, without being ordered, will be considered as having been ordered and actually placed on the day so appropriated.

Credits: Two (2) credit days will be earned for each car released on which disposition is given.

ITEM 320 - EMPTY CARS ORDERED OR APPROPRIATE FOR LOADING BUT NOT USED

When empty cars are ordered or appropriated but not used in transportation service, demurrage will be charged for all detention, including Saturdays, Sundays and holidays, from the date and time of actual or constructive placement or appropriation until released, with no free time allowance.

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ITEM 460 - PRIVATE AND RAILROAD CARS HELD FOR OTHER PURPOSES

Applicable to cars held on orders of the consignor or consignee, while awaiting disposition from the consignor or consignee or as a result of conditions attributable to consignor or consignee.

Disposition: That information which allows carrier to either tender or release the car from the consignor's or consignee's account.

Tender: The notification, actual or constructive placement of a loaded car.

Release: Date and time that carrier receives advice that the car is released and on which disposition is given on cars.

Computation: Car days will be computed from the first 0001 hours after tender until release on cars partially loaded, reconsigned, or stopped in transit. Car days will also be computed from the first 0001 hours until date of refusal on loaded cars refused by consignee.

Credits: No (zero) credit days will be earned for each car released.

ITEM 850 - DEMURRAGE PLAN

1. Billing will be tendered on a monthly basis for all cars released during a calendar month.
2. Customers having facilities at separate stations cannot be combined.
3. Credit days and car day charges will be applied separately to each individual to each individual car according to the provisions herein.
4. Credits can only be used to offset debits on the car under which they were earned. Any excess credits on an individual car cannot be carried forward in the calculation of demurrage on any other car.
5. Demurrage charges will be assessed against the consignor at origin or consignee at destination who will be responsible for payment.
6. Customer having two or more facilities at the same station with carrier may combine the accounts into one if requested in writing.
7. All days count including Saturdays and Sundays. Holidays, as set forth in Item 100, will not be subject to demurrage.

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ITEM 950 - DEMURRAGE CALCULATION

1. Total car days for each railroad-owned car will be determined, and credits for each railroad-owned car will be subtracted, to determine net car days for each car. Car days are net of holidays and non-service allowance days.
3. If net car days for a railroad-owned car is not greater than zero, demurrage charges will not be assessed against the car..
4. If net car days for a railroad-owned car is greater than zero, the number of chargeable days will be assessed at the rate of \$75.00 per day.

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