FT LVRJ 8500-J

LEHIGH VALLEY RAIL MANAGEMENT LLC JOHNSTOWN DIVISION

FREIGHT TARIFF LVRJ 8500-J

CHARGES, RULES AND REGULATIONS
FOR
LOCAL, PROPORTIONAL AND
MISCELLANEOUS SWITCHING CHARGES
ALSO
PROVISIONS GOVERNING RECEIPT AND DELIVERY
OF CARS OF FREIGHT
AND STORAGE PROVISIONS ON EQUIPMENT
AT STATIONS ON
LEHIGH VALLEY RAIL MANAGEMENT LLC - JOHNSTOWN DIVISION

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular items.

SWITCHING AND MISCELLANEOUS TARIFF

Governed, except as otherwise provided herein, by Uniform Freight Classification shown in Item 5-series.

ISSUED: April 10, 2015 EFFECTIVE: May 1, 2015

ISSUED BY

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RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS

ITEM 5

DESCRIPTION OF GOVERNING CLASSIFICATION

The term "Uniform Classification" when used herein means the Uniform Freight Classification UFC 6000-series issued by the National Railroad Freight Committee, Agent.

Exception: Rules 13, 24, and 29 of UFC 6000-series do not apply.

ITEM 10

STATION LIST AND CONDITIONS

This tariff is governed by the Official List of Open and Prepay Stations, OPSL 6000-series, issued by Railinc, Agent to the extent shown below:

PREPAY REQUIREMENTS AND STATION CONDITIONS

For additions and abandonments 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.

ITEM 15

EXPLOSIVES, DANGEROUS ARTICLES

For rules and regulations governing the transportation of explosives and other dangerous articles by 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.

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 revisions of such items, notes, rules, etc.

ITEM 25

METHOD OF CANCELING ITEMS

As the tariff is supplemented, numbered items with letter suffixes cancel correspondingly numbered items in the original tariff, or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 100-A cancels Item 100 and Item 300-B cancels Item 300-A in a prior supplement which, in turn, cancelled Item 300.

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 45

CAPACITIES AND DIMENSIONS OF CARS AND CONNECTING RAILROADS AND JUNCTION POINTS

See Official Railway Equipment Register, issued by R.E.R. Publishing Corporation, Agent.

RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS

ITEM 115

APPLICATION OF SELECTIVE INCREASES

A selective increase of four (4) percent has been applied to rates and charges contained in this tariff, except where otherwise provided in specific items of this tariff. All rates, treated under the provisions of this item, will be rounded to the next highest whole dollar amount.

ITEM 125

STANDARD TRANSPORTATION COMMODITY CODE NUMBERS

Reference to commodities transported under the terms of this tariff shall be made by STCC number, as set forth in the Standard Transportation Commodity Code Tariff STCC 6001-series.

When shipments contain explosives or other dangerous commodities (See Item 15), the seven digit 49-series STCC number must be shown on the shipping document by the shipper.

RULES AND OTHER GOVERNING PROVISIONS SPECIAL RULES AND REGULATIONS - UNLIMITED

ITEM 200

DEMURRAGE CHARGES [C]

Demurrage for refrigerated cars or cars deemed as specialty equipment by the Equipment Manager of the Railroad will be \$60.00 [C] per car per day or fraction thereof after free time. Free time will be one (1) day for loaded cars and two (2) days for empty cars.

Demurrage on all other cars will be \$30.00 [C] per car per day or fraction thereof after free time. Free time will be one (1) day for loaded cars and two (2) days for empty cars.

All demurrage records will be maintained on a monthly calendar basis and billing, where applicable, will be presented by this railroad within 15 days after the monthly period ends.

ITEM 210

SWITCHING LIMITS DEFINED

The entire line of road, consisting of three sections connecting near Confluence of Hinckston Run and Conemaugh River in the city of Johnstown, PA. The western section runs from such connecting point to village of Tanneryville, PA in West Taylor Township. The Hinckston section runs from such connecting point northwardly to lower Ore Yard. The northern section runs from such connecting point northwardly to a point northeasterly from Park Hill Settlement in East Taylor Township.

ITEM 220

APPLICATION OF RATES - ARTICULATED RAILWAY CARS

The rates in this tariff will apply on each unit-segment of the articulation as a car. Each unit-segment must physically be part of the multi-unit-articulated-vehicle-of-commerce at the time of movement.

ITEM 225 (TARIFF CODE 14) SEPARATE HANDLING OF LONG CARS [I]

When because of track structure constraints, not operationally compatible with cars over 52 feet, 6 inches in length, this railroad is required to switch one-car-at-a-time, a charge of \$129.00 [I] per car will apply in addition to all other applicable charges.

ITEM 230

SHIPMENTS REQUIRING TWO OR MORE RAILWAY CARS [C]

When shipments are loaded in so called articulated cars (two or more units permanently or temporarily joined together), or when a shipment requires two or more cars for transportation (including any and all reach cars or idlers), the rate for each unit-segment, reach car, or idler car in the sequence will be \$500.00 in addition to the applicable charges associated with the loaded railcar.

RULES AND OTHER GOVERNING PROVISIONS SPECIAL RULES AND REGULATIONS - UNLIMITED

ITEM 245

SECURITY DEPOSITS [C]

A security deposit to insure payment of any demurrage, storage and other charges that may accrue will be required from every customer who:

- 1 Is not on the railroad's credit list or
- 2. Fails to pay demurrage, storage and other charges after specific written demand referring to this tariff provision.

The deposit must be paid in cash, certified check, cashier's check or money order before any freight car is delivered to such customer for loading or unloading. A deposit on one unit of equipment will not be transferable to another.

The deposit for each car shall be in the minimum amount of \$400.00 or up to the maximum amount of demurrage, storage and other charges that accrued on any one car during the preceding 12 months.

However, in the case of a customer receiving multiple carloads for loading or unloading, the total amount required to be deposited shall not exceed the higher of the following two numbers: (a) \$2,000.00; or (b) the amount of existing past due demurrage, storage and other charges accrued by the customer, plus \$1,000.00.

The deposit will be refunded after payment has been received for demurrage, storage and other charges on the corresponding equipment, should such charges have been incurred. The customer's request for such refund must be made in writing to the office of the railroad. If no refund request is received by that designated office within thirty (30) days after the equipment is released, the railroad will refund the remainder of the deposit to the customer after deducting any unpaid demurrage, storage and other charges on that shipment.

Deposits will no longer be required after the customer either:

- 1. Is placed on the railroad's credit list, or
- Has paid all outstanding charges, and has given assurance to the satisfaction of the railroad's credit officer that future charges will be paid within credit period of 15 consecutive days from the date on the bill

ITEM 250

MAINTENANCE CHARGE FOR SWITCH CONNECTION [C]

Switch Connection is a switch maintained and/or used by the LVRJ for access to privately-owned sidetracks.

Annual charge for maintenance of a Switch Connection \$3,500 per year

Exemptions:

The charge will not apply during any calendar year beginning January 1, 2006 in which the privately-owned sidetrack served by the switch connection originates and/or terminates twenty-four (24) or more carloads

Payable Date

This charge is payable by the owner of the sidetrack served by the switch connection on or before January 1, 2006 and each succeeding January 1. The charge relates to LVRJ maintenance of this switch connection during the previous calendar year.

Service Obligation

LVRJ is under no obligation to provide service to or from private sidetracks for which the applicable charge is unpaid.

SECTION 1

LOCAL SWITCHING AND MISCELLANEOUS SERVICES SPECIAL RULES AND REGULATIONS - LIMITED

ITFM 300

APPLICATION

Rates and charges apply on local switching and miscellaneous services for intradistrict (Item 305)and intraterminal (Item 310) activities described in this Section.

ITEM 305

INTRADISTRICT SWITCHING DEFINED

Intradistrict switching means the movement of a car or cars from a point within a switching district to another point within the same switching district as defined in Item 312.

ITEM 310

INTRATERMINAL SWITCHING DEFINED

Intraterminal switching is the movement of a car or cars from one district to another district, or between two locations of the same track (other than intradistrict switching as defined in Item 305), within the switching limits of the same area or industrial switching district.

ITEM 312

SWITCHING DISTRICTS DEFINED

The switching territory served by the LVRJ is divided into (10) ten districts as follows:

DISTRICT 1: Park Hill Upper Level. Consists of Tracks 815,

817, 818, 819 and 821.

DISTRICT 2: Park Hill Lower Level. Consists of all Tracks

East of Bridge 172-A over the Little Conemaugh River not named in District 1.

DISTRICT 3: Williams Farm. Tracks between Bridge 172-A

and Bridge 158 over Clapboard Run.

DISTRICT 4: Electric Furnace Melting Area. Consists of area

between Beth Yard Office and Kent Yard Office

DISTRICT 5: Franklin. Consists of Tracks between Bridge

158 and Foot, including all tracks North of the

Little Conemaugh River at Woodvale. Gautier. Consists of Tracks between Foot and

DISTRICT 6: Bridge 97 over the Little Conemaugh River.

DISTRICT 7: Lower Works. Tracks between Bridge 97 over

the Little Conemaugh River and Bridge 29 over

the Conemaugh River.

DISTRICT 8: Wire Mill. Tracks South of th Conemaugh River and West of Bridge 29.

DISTRICT 10: Ten Yard. Tracks South of the Conemaugh

River and East of Bridge 29.

Shell Plant. Tracks North of the Conemaugh **DISTRICT 11:** River and West of Laurel Avenue.

SECTION 1

LOCAL SWITCHING AND MISCELLANEOUS SERVICES (Rates and Charges in dollars and cents per car, except as noted)

ITEM 315

INTRADISTRICT SWITCHING (ITEM 305) INTRATERMINAL SWITCHING (ITEM 310 AND NOTE BELOW)

All traffic except as shown in these items below.

IC	except as sno	(TARIFE CORE 04)	
	DISTRICT 1	(TARIFF CODE 01)	\$583 00 [1]
	DISTRICT 1.	(TARIFF CODE 02)	ψυσυ.σο [i]
	DISTRICT 2.		\$528.00 [I]
	DIOTRICT	(TARIFF CODE 03)	^
		(TARIFF CODE 04)	\$296.00 [I]
		(TAKIT CODE 04)	\$174.00 [1]
		(TARIFF CODE 05)	
			\$174.00 [I]
		(TARIFF CODE 06)	¢206 00 III
		(TARIFF CODE 07)	φ290.00 [i]
			\$296.00 [1]
		(TARIFF CODE 08)	
	DISTRICT 8.	(TARIFF CODE 09)	\$296.00 [I]
	DISTRICT 10		\$296.00 [1]
		(TARIFF CODE 11)	
	DISTRICT 11		\$374.00 [I]

Note - When switching is performed between two different districts, the higher district charge will apply for the districts involved.

ITEM 321

(TARIFF CODE 70)

HOLDING CARS [N]

When loaded or empty cars cannot be placed to designated destination track due to conditions beyond the control of this railroad, an additional charge per movement will be assessed for the holding and subsequent delivery of the cars. \$127.00 [I]

In addition, a per car per day charge will apply beginning the day the cars are placed on hold tracks. \$30.00 [C]

If private or other railroad ownership cars, loaded or empty, are held on Railroad Owned tracks for any reason, including but not limited to storage, a per car per day charge will apply beginning the day the cars arrive on Railroad Owned tracks. There will be no free time\$30.00 [C]

The charges in this item will apply in addition to charges published elsewhere in this tariff.

Note: All Saturdays, Sundays, and holidays (See Item 560) are to be considered chargeable days for cars being held awaiting instructions under this item, including the first Saturday, Sunday or holiday immediately following the day cars are placed on hold tracks.

Carrier reserves the right to determine which of its tracks shall be used for holding cars subject to provisions of this item.

ITEM 323

(TARIFF CODE 73)

ORDERED, NOT USED, REJECTED [I]

When an empty car is ordered by a shipper, or by a third party on behalf of a shipper, and the car is subsequently cancelled or rejected by the shipper for any reason a charge will apply against the

SECTION 1

LOCAL SWITCHING AND MISCELLANEOUS SERVICES

(Rates and Charges in dollars and cents per car, except as noted)

ITEM 335

(TARIFF CODE 13)

LOCOMOTIVE RENTAL OR SPECIAL SERVICE [C]

For rental of locomotives, including crew, upon definite prearrangement with railroad management as to time, place and service to be performed

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prior request to carrier for locomotive services not required in connection with performing services under items named elsewhere in this tariff, such as stand-by (with or without supplying steam or air for dumping), rerailing of cars, or other equipment and other services not specifically covered herein..... \$500.00 per hour. [C]

ITEM 340

LOCOMOTIVES (NOTE 1), LOCOMOTIVE TENDERS, LOCOMOTIVES AND TENDERS, LOCOMOTIVE CRANES, POWER SHOVELS AND POWER DERRICKS

(TARIFF CODE 24)

(a) Locomotives, Locomotive Tenders, Locomotives And Tenders, Locomotive Cranes, Power Shovels And Power Derricks, Material Transfer Cars, Electric Pushers, On Their Own Wheels, Dead......\$928.00 Per Unit [C]

(TARIFF CODE 12)

(b) Locomotives, Locomotives And Tenders, On Their Own Wheels, Under Their Own Power.................\$624.00 Per Unit [C]

Note 1: A locomotive is considered to be a single unit or a combination of units operated under a single control.

ITEM 350

(TARIFF CODE 72)

REMOVAL AND REPLACEMENT OF CARS AFTER FIRST PLACEMENT OR SERVICE [I]

For removal and replacement of a car originally placed on a track, whether empty, partly loaded, partly unloaded, or fully loaded, requiring movement that changes car's position on the track or when necessary for the placement or removal of other car(s), a charge will be assessed for each additional movement of each car. . \$127.00 [I]

ITEM 358

(TARIFF CODE 21)

SHIPMENTS REQUIRING SPECIAL HANDLING [I]

When shipments upon request of the customer requires special handling movement on less than three (3) hours notice, this railroad will apply the following charge for the movement of the first car.....\$2,460.00 [I]

ITEM 375

(TARIFF CODE XX)

USE OF RAILROAD-OWNED TRACKS [I]

SECTION 1

LOCAL SWITCHING AND MISCELLANEOUS SERVICES (Rates and Charges in dollars and cents per car, except as noted)

ITFM 390

(TARIFF CODE 27)

WEIGHING [I]

SECTION 2

PROPORTIONAL SWITCHING AND MISCELLANEOUS SERVICES SPECIAL RULES AND REGULATIONS - LIMITED

(Rates and Charges in dollars and cents per car, except as noted.)

ITEM 400

APPLICATION

Rates and charges on proportional switching and miscellaneous services for interchange line-haul (Item 410) activities described in this Section.

ITEM 410

INTERCHANGE LINE-HAUL SWITCHING

Shipments destined to or originating at points beyond point of interchange with the LVRJ at Johnstown, PA. When the rates as published in Column A of Section 2 are not absorbed by the connecting railroads of the LVRJ, as provided in the individual tariffs of these railroads, the rates published in Column B of Section 2 will be in addition to line-haul rates applicable to point of interchange with the LVRJ.

ITEM 415

INTERCHANGE ERROR MOVEMENT [C]

Cars received by the LVRJ in error or without forwarding instructions from the delivering carrier will be handled in accordance with AAR Car Service Rule 7, subject to a switching charge of \$400.00 [C] for returning car to proper carrier or forwarding cars to proper carrier. Charges for this service will be assessed against the delivering carrier.

ITEM 420

INTERMEDIATE SWITCHING [C]

Intermediate switching service is defined as switching which LVRJ performs between interchange tracks of one carrier to interchange tracks of another carrier at the same station. LVRJ will assess the intermediate switching charge of \$600.00 [C] to the delivering line-haul carrier.

SECTION 2

PROPORTIONAL SWITCHING INTERCHANGE LINE-HAUL SWITCHING (ITEM 410)

(Rates and Charges in dollars and cents per car, except as noted.)

	COLUMN A ABSORBED ITEM 410	COLUMN B NON- ABSORBED ITEM 410	
ITEM 450			
Commodities, Other Than Shown Below	\$637.00 [I]	\$637.00 [I]	
ITEM 455			
Cars, Railway, empty on own wheels (Subject to Item 220), including New, repaired or to be repaired or dismantled (STCC 37 422 XX, except 37 422 93)	\$474.00 [I]	\$474.00 [I]	
ITEM 460			
All commodities originating or terminating in District 1 or 2 or 11 as described in Item 312 Section 1	\$932.00 [I]	\$932.00 [I]	
ITEM 465			
Primary & Fabricated Metal Products (STCC 33 and 34)	\$637.00 [I]	\$637.00 [I]	
ITEM 470			
Railway Car Parts (STCC 37-Subject to Item 455)	\$637.00 [I]	\$637.00 [I]	
ITEM 475			
Waste or Scrap Metal (STCC 40)	\$637.00 [I]	\$637.00 [I]	
ITEM 480			
Machinery, except electrical (STCC 35)	\$1,810.00 [I]	\$1,810.00 [I]	
ITEM 485			
Electrical machinery, equipment or supplies (STCC 36)	\$1,810.00 [I]	\$1,810.00 [I]	

SECTION 3

PROVISIONS GOVERNING RECEIPT AND DELIVERY OF CARS OF FREIGHT

ITEM 500

APPLICATION

Rules and charges applicable on receipt and delivery of cars of freight under conditions described in this tariff.

SECTION 3

PROVISIONS GOVERNING RECEIPT AND DELIVERY OF CARS OF FREIGHT

ITEM 510

RECEIPT AND DELIVERY AT PRIVATELY-OWNED SIDETRACKS

Except as otherwise provided in Item 530, cars of freight moving at carload switching rates published in tariffs or other instruments will be delivered on and removed from privately-owned side tracks or industrial tracks near and connecting with the carrier's tracks without additional charge, provided there are no conditions which make it unsafe for the carrier's locomotive to operate over such tracks, or that prevent the carrier from receiving or delivering cars at its ordinary operating convenience (See Note 1, Item 540).

ITEM 520

RECEIPT AND DELIVERY AT LOADING AND UNLOADING LOCATIONS

Except as otherwise provided in Item 530, cars covered by Item 510 will be received and delivered at loading and unloading locations on tracks designated by the industry within the industrial plant site without any additional charge when such service can be ordinarily performed in continuous movement (Note 2, Item 540), at the carrier's ordinary operating convenience (Note 1, Item 540), provided the locomotives in general use for switching in the vicinity of the plant site can do so safely.

ITEM 530

(TARIFF CODE 13) [C]

CHANGES FOR DELAY IN ACCEPTING SERVICE

When receipt or delivery of a car or cars as provided in Items 510 and 520 cannot be accomplished in continuous movement (Note 2, Item 540), at the carrier's ordinary operating convenience (Note 1, Item 540), because of interruption, interference or anyother condition caused by the shipper or consignee, the carrier will arrange for receipt or delivery under the following provisions:

- A. If it appears that the delay will be temporary in nature, the locomotive will be held at the nearest available location and the service completed when conditions permit. Fifteen (15) minutes free time will be allowed for such temporary delay. Following such fee time, a charge of \$125.00 [C] for each fifteen (15) minutes, or fraction thereof, for which the locomotive is delayed will be assessed in addition to all other rates and charges. Charges will be assessed in accordance with Paragraph (B) when delays encountered during a locomotive trick or shift, aggregate more than fifteen (15) minutes.
- B. If, after a reasonable period of delay, the obstruction or condition preventing completion of service has not been removed or eliminated, the carrier may, at its option, withdraw its locomotive and place the car or cars on a hold or other available track or tracks within or without the industry plant site. Charges for the delay encountered shall be computed in accordance with Paragraph (A). Subsequent movement by carrier's locomotive of the car or cars from the hold or other track or tracks to actual point of delivery will be subject to switching charges provided in Item 321 of this tariff.
- C. For the purpose of applying the provisions of Paragraph (A) and (B), time shall commence to run from the minute the carrier determines that the shipper or consignee is unable to accept service.

SECTION 3

PROVISIONS GOVERNING RECEIPT AND **DELIVERY OF CARS OF FREIGHT**

ITEM 540

EXPLANATION OF NOTES

Note 1 - The term "ordinary operating convenience" means the time selected by the carrier when it is most advantageous to the carrier, in relation to its coordinated and harmonious switching activities in a particular switching zone. Ordinarily it contemplates only one switch a weekday except when additional switches are made by the carrier in its own or the public interest as distinguished from the customer's interest. To secure the prompt release of equipment or facilities, or when necessitated by the volume of traffic. Movements to, from or within the switching limits at other times at the request of the customer or to meet the requirements of customer operations are not at the carrier's ordinary operating convenience.

Note 2 - The term "continuous movement" means a movement between the carrier's tracks and the loading or unloading locations, a hold track or tracks, or other place where cars are received or delivered without any delay or any suspension or break in time, or continuity of the movement, due to any circumstances or condition for which the customer is directly responsible.

ITEM 560

LIST OF HOLIDAYS

Whenever in this tariff reference is made to "holidays," it means the

New Year's Day Memorial Day Independence Day Labor Day Thanksgiving Day Christmas Day

In the event one of the above holidays occurs on Sunday, the following Monday will be considered as a holiday for the purposes of this tariff. The dates observed for above holidays will be as provided by Federal law except where individual states decree otherwise.

ITEM 1000

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

ASLG American Short Line and Regional Railroad Association

BOE Bureau of Explosives CSXT CSX Transportation Corp.

LVRJ Lehigh Valley Rail Management LLC, Johnstown

Division

Norfolk Southern Railway Company NS NSO National Service Order Tariff

OPSL Open and Prepay Station List **RER** Railway Equipment Register

RPS Railroad Publication Services, Agent

STCC Standard Transportation Commodity Codes Tariff TARIFF CODE - Indicates carrier's internal accounting code

Indicates no applicable tariff code Uniform Freight Classification

UFC [A] Denotes Addition

Denotes no change in rates

[C] [D] Cancellation

Denotes Increase

[N] Denotes change in wording which results in neither an

increase nor decrease

[NS] Denotes rate not subject to Item 115 of this tariff

Denotes reduction

- -X-The STCC number making reference hereto falling into one of the following categories:
 - 2 Digit level (major industry group)
 - 3 Digit level (minor industry group)
 - 4 Digit level (industries)
 - 5 Digit level (product classes)

shall also embrace all articles assigned additional digits listed thereunder in Tariff STCC 6001-series.