



**FLORIDA CENTRAL RAILROAD  
FLORIDA MIDLAND RAILROAD  
FLORIDA NORTHERN RAILROAD**  
*A PINSKY RAILROAD COMPANY*

## **Freight Tariff FCEN 6000 - C**

### **NAMING**

#### **SWITCHING AND ACCESSORIAL SERVICES**

**AT LOCATIONS ON THE FLORIDA CENTRAL, MIDLAND AND NORTHERN RAILROADS**

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

### **NOTICE**

**THE PROVISIONS HEREIN WILL, IF EFFECTIVE, NOT HAVE A NEGATIVE IMPACT ON THE QUALITY  
OF THE HUMAN ENVIRONMENT OR ENERGY CONSUMPTION  
FOR GOVERNING CLASSIFICATIONS, SEE ITEM 5**

**ISSUED: Dec. 11, 2007**

**EFFECTIVE: Jan. 7, 2008**

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## METHOD OF ADDING, CHANGING OR DELETING ITEMS IN THIS TARIFF

Changes to this tariff will be made by issuing supplements. These supplements will show the action taken on each item, namely:

**A** Increase

**C** Change resulting in neither an increase nor a decrease

**R** Decrease

There will be only one supplement to this tariff in effect at any time. Any item contained in a prior supplement will be brought forward to subsequent supplements.

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<b>GENERAL RULES AND REGULATIONS</b>	
<b>ITEM</b>	<b>APPLICATION</b>
5	<p><b>DESCRIPTION OF GOVERNING CLASSIFICATION</b></p> <p>This tariff is governed, except as otherwise provided herein, by Uniform Freight Classification UFC 6000 series, issued by the national Railroad Freight Committee, Agent, supplements thereto or reissues thereof.</p>
10	<p><b>STATION LIST AND CONDITIONS</b></p> <p>This tariff is governed by the Official Railroad Station List, OPSL 6000 series, to the extent shown below:</p> <p style="text-align: center;"><b>PREPAY REQUIREMENTS AND STATION CONDITIONS</b></p> <p>For addition and abandonment of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight, and changes in station facilities.</p> <p>When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station, as published in this tariff, is inapplicable on and after that date.</p> <p style="text-align: center;"><b>GEOGRAPHICAL LIST OF STATIONS</b></p> <p>For geographical locations of stations referred to in this tariff by station number.</p> <p style="text-align: center;"><b>STATION NUMBERS</b></p> <p>For the identification of stations when stations are shown or referred to by numbers in this tariff.</p>
15	<p><b>EXPLOSIVES, DANGEROUS ARTICLES</b></p> <p>For rules and regulations governing the transportation of explosives and other dangerous articles of freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Bureau of Explosives Tariff BOE 6000-series.</p>
20	<p><b>REFERENCE TO TARIFFS, ITEMS, NOTES AND RULES</b></p> <p>Where reference is made in this tariff to tariffs, items, notes or rules, such references are continuous and include supplements to and successive issues of such tariffs and reissues of items, notes or rules</p>
30	<p><b>NOT APPLICABLE - PERISHABLE FREIGHT</b></p>
40	<p><b>CONSECUTIVE NUMBERS</b></p> <p>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 the numbers shown.</p>
45	<p><b>CAPACITIES AND DIMENSIONS OF CARS</b></p> <p>For marked capacities, lengths, dimensions and cubical capacities of cars, see The Official Railway Equipment Register, RER 6413 series.</p> <p>Maximum Gross weight on rail on FCEN/FMID/FNOR is 286,000 lbs.</p> <p>.</p>
60	<p>This section intentionally left blank</p>

<b>GENERAL RULES AND REGULATIONS</b>	
<b>ITEM</b>	<b>APPLICATION</b>
70	<p><b>MILEAGE CHARGES ON PRIVATELY OWNED CARS</b>                      FCEN/FMID/FNOR will not pay mileage charges on privately owned car when moving to, from or via stations on the FCEN/FMID/FNOR.</p>
75	<p><b>DEMURRAGE</b>                      Cars handled under the provisions of this tariff will also be subject to the demurrage provisions of FCEN 8100 Series.</p>
80	<p><b>CHANGES IN OR ADDITION OF FIRMS OR INDUSTRIES</b>                      Switching charges shown in this tariff apply to the physical locations or plant sites and are not affected by name changes or ownership changes of the occupants or property.</p>
90	<p><b>PAYMENT AND CREDIT TERMS</b>                      All charges under this tariff must be prepaid, unless satisfactory arrangements with FCEN/FMID/FNOR have been made prior to performance of service. Charges for services rendered under terms of this tariff will accrue against the customer located on the FCEN/FMID/FNOR, unless arrangements to the contrary have been made with FCEN/FMID/FNOR prior to performance of service. All payments for services covered herein are due and payable within fifteen (15) days following the Freight Bill date. The rules applicable to payments and credit terms are in accordance with those found in 49 CFR 1320. Payments received after the expiration of the credit period shall be subject to a service charge of one and one-half percent (1 1/2%) per month (or fraction thereof) of the outstanding balance or highest rate allowed by law. In the event of a breach of this tariff – unless otherwise pre-empted by applicable federal statutes, rules and/or regulations - the laws of the State of Florida shall apply, the Court of proper jurisdiction located in Orange County, Florida shall be the proper venue for any cause of action and the losing party shall be required to compensate the prevailing party for all attorneys’ fees, court costs, suit money or any other costs incurred instant thereto, including an appeal if necessary.</p>
130	<p><b>RECEIPT AND DELIVERY OF CARS OR FREIGHT ON, TO, OR FROM PRIVATE AND INDUSTRIAL TRACKS</b></p> <ol style="list-style-type: none"> <li>1. This tariff will be subject to the rules and charges governing receipt and delivery of freight on, to, or from private and industrial tracks as published in Tariff RPS-6804 series.</li> <li>2. The tariff does not grant the use of private sidings or facilities to parties other than the owners thereof, unless the privilege of use is granted to others by the owners, without cost to FCEN/FMID/FNOR.</li> </ol>

<b>GENERAL RULES AND REGULATIONS</b>	
<b>ITEM</b>	<b>APPLICATION</b>
200	<p><b>HOURS OF SERVICE AND PERFORMANCE</b></p> <p>1. Hours of service and performance are subject to change based upon FCEN/FMID/FNOR railroads scheduled operation and switching. The following accessorial charges will be applied to services rendered outside of the prescribed scheduled operating and switching times or on designated holidays when service is not provided. Prescribed scheduled operating and switching service days on FCEN are Sunday through Friday, FMID and FNOR (Ocala) - Monday through Friday and on FNOR (West Coast Sub) Monday through Monday.</p> <p>2. Services required to be performed on days or at hours other than those set forth in No. 1 above will not be deemed to fall within the term “normal operation periods”, or “workdays”. Such days or hours will be deemed to fall within the term “Special Movements” and rates in accordance with Section 2, item 400 will apply.</p>
205	<p><b>HOLIDAYS</b></p> <p>FCEN/FMID/FNOR holidays are defined, for purposes of this tariff, as: New Year’s Day, Memorial Day Independence Day, Labor Day, Thanksgiving Day and Christmas Day.</p>
<b>SECTION 1 – SWITCHING</b>	
<b>ITEM</b>	<b>APPLICATION</b>
300	<p><b>DEFINITION OF TERMS</b></p> <p>Industrial Tracks - A track serving a particular industry, whether located upon property owned by FCEN/FMID/FNOR or upon property owned or leased by the industry.</p> <p>Intermediate Switching – A switching movement between interchange tracks of one carrier to interchange tracks of another carrier within the switching limits of the same station.</p> <p>Intra-Plant Switch - A switching movement from one location to another location within the confines of an industry.</p> <p>Intra-Terminal Switch - A switching movement (other than intra-plant) from one location to another location within the switching limits of one station or industrial switching district of the same railroad.</p> <p>Reciprocal Switching – An arrangement between and a connecting railroad serving the same station or switching district where the carrier physically serving the industry performs switching service for loading or unloading on behalf of the other carrier on shipments having an immediately preceding or following line-haul movement via the other carrier. will perform reciprocal switching only to or from customers specifically listed in this tariff.</p> <p>Inter-Terminal Switch - A switching movement from one railroad to another railroad when such movement is within the switching limits of the same station or switching district. Switching charges of connections will be in addition to those published herein for account of FCEN/FMID/FNOR.</p> <p>Team Track - A track or tracks assigned by for use by the general public.</p>

	<p>Unabsorbed Switch Charge- Applies in addition to the line-haul transportation charge or charges of a connecting carrier published in tariffs or other instruments of that carrier when moving to or from the specified station via a junction with that connecting carrier.</p> <p>Special Switch – Anything other than an Intra-Terminal, Local, or Intra Plant switch; includes special switch request by customer that does not fall into one of the defined switch categories above.</p> <p>Local Switch – Where car is consigned to an off-line customer and comes from CSX interchange into a storage track or a leased track on FCEN/FMID/FNOR; car is later switched to private siding of on-line customer and FCEN/FMID/FNOR charges for a switch on this latter move.</p> <p>Extra Switching and Train Crew Delays – This is when a customer requests an extra switch that is in addition to the customary switching service, and one that the railroad is not required to perform in its normal switching duties. Such extra switches will be subject to charges. Also, when a customer directly causes a delay to train crew operations, during normal switching services, such delays are subject to charges to the customer causing the delays. Both extra switching and crew delays will be billed by the hour. No fraction of an hour will be used; the first portion of any hour is billed as a whole hour, regardless of actual time.</p> <p>Switching in the Reverse Direction – Not Applicable</p>
310	<p><b>HANDLING OF EMPTY CARS</b>                  Except for Reciprocal Switching and as otherwise provided herein, switching charges published herein will apply on empty cars.</p>
320	<p><b>INTRA-PLANT SWITCH</b>                  The charge for an Intra-Plant Switch will be \$165 per car.</p>
330	<p><b>INTRA-TERMINAL SWITCH</b>                  The charge for an Intra-Terminal Switch will be \$300 per car.</p>

340	INTER-TERMINAL SWITCH – The charge for an Inter-Terminal Switch will be \$400 per car.			
370	RECIPROCAL SWITCHING – AS FOLLOWS:			
	<u>AT</u>	<u>FOR</u>	<u>CHARGE</u>	<u>NOTES</u>
	Orlando	20821 (beer)	\$235.00	Albany, GA Origin
	Orlando	14917 (peat filler)	\$168.00	
	Orlando	all other shipments	\$326.00	
380	INTERMEDIATE SWITCHING – NOT APPLICABLE			
	<u>AT</u>	<u>FOR</u>	<u>CHARGE</u>	<u>NOTES</u>
385	SPECIAL SWITCH The charge for a special Switch will be \$215 per car			
390	EXTRA SWITCHING AND TRAIN CREW DELAYS The charge for extra switching that delays train crews will be \$350 per hour.			
395	SWITCHING IN REVERSE DIRECTION – Not Applicable			
<b>ITEM</b>	<b>SECTION 2 – ACCESSORIAL CHARGES</b>			
	<b>APPLICATION</b>			
400	<p><b>SPECIAL MOVEMENTS</b></p> <p>Except as otherwise provided in this tariff, when special movements of cars or other equipment (including locomotives) are requested by patron, or required because of excessive dimension, excessive weight, high center of gravity, or other conditions not permitting normal operation, the following charges will be assessed in addition to other lawfully published rates:</p> <p><b>CHARGES:</b></p> <p>1. At All Stations within Normal Service Hours If service is as set forth in Item 200, Paragraph 1, a charge of \$150 per hour will be assessed, subject to a minimum charge of \$600, if performed within 8 continuous hours. Should performance of service exceed 8 continuous the rate will be \$225 per hour for all hours in excess of 8 continuous hours.</p> <p>1A. When special freight train service on FCEN/FMID/FNOR has been arranged by the operating department upon request of shippers or Consignees, or as deemed necessary by the railroad, the rate will be \$75 per mile, minimum of 20 miles. The charge for the special service will be in addition to the regular freight charges which are provided for in freight tariffs or private contracts or quotes governing the movement of freight handled in regular freight trains.</p> <p>1B. If special freight train service is subsequently cancelled by shipper or consignee within 8 hours of original requested time there will be a \$1300.00 cancellation fee.</p> <p>2. At All Stations not within Normal Service Hours If service is performed as set forth in Item 200, Paragraph 2, a charge of \$1,500 will be assessed. Should performance of service exceed 8 continuous the rate will be \$300 per hour for all hours in excess of 8 continuous hours.</p>			

	<p>CONDITIONS:</p> <p>1. Reasonable notice must be given to FCEN/FMID/FNOR by the party requesting service under the provisions of this Item.</p> <p>2. All requests for Special Movements must be received in writing (mail, fax or email) by FCEN/FMID/FNOR before service is performed.</p> <p>Time will be computed from the time engine and crew is dispatched from their on-duty location until the special movement has been performed and the engine and crew have returned to the point of dispatch.</p>						
405	ASSEMBLING UNIT GRAIN TRAINS – NOT APPLICABLE						
410	<p>TURNING OF CARS TO PERMIT UNLOADING</p> <p>In instances where it is desired that freight in carloads be placed on industrial or team tracks for loading or unloading from one particular side or end of the car, cars must be properly placarded on both sides, and notation made on the Bill of Lading and waybill substantially as follows:</p> <p style="text-align: center;">NOTICE TO CARRIER</p> <p style="text-align: center;">“Deliver car for loading or unloading from the door or end specified by placard.”</p> <p>1. When freight in carloads is properly placarded on both sides of the car to load or unload from one particular side or end of the car, and customer directs FCEN/FMID/FNOR to turn the car so that loading or unloading can be done from the other side or end of the car, a charge of \$250 per car shall apply, in addition to all other lawful charges.</p> <p>2. If the Bill of Lading carries notation that the car has been placarded, and the placard has disappeared before placement, a charge of \$250 will apply if the customer requests that the car be turned.</p> <p>3. If the car must be sent to another railroad to accomplish turning, the charges of the other railroad will be in addition to the charges contained in this item.</p>						
415	CLOSING DOORS - Not Applicable						
417	<p>WEIGHING (FNOR ONLY)</p> <p>When a car is weighed and subject to the assessment of charges, the following will apply as to:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">A. Private scales located at Industry of party requesting the weighing</td> <td style="text-align: right;">N/A</td> </tr> <tr> <td>B. Railroad Scales on FNOR only.</td> <td style="text-align: right;">\$ 250</td> </tr> <tr> <td>C. Private scales “NOT ” located at Industry of party requesting the weighing</td> <td style="text-align: right;">N/A</td> </tr> </table>	A. Private scales located at Industry of party requesting the weighing	N/A	B. Railroad Scales on FNOR only.	\$ 250	C. Private scales “NOT ” located at Industry of party requesting the weighing	N/A
A. Private scales located at Industry of party requesting the weighing	N/A						
B. Railroad Scales on FNOR only.	\$ 250						
C. Private scales “NOT ” located at Industry of party requesting the weighing	N/A						

420	OVERLOAD CHARGES – Not Applicable
430	<p><b>DIVERSION OR RECONSIGNMENT</b>                      Diversion or reconsignment means any one or more of the following when a car is located on or under control of the FCEN/FMID/FNOR :</p> <ol style="list-style-type: none"> <li>1. Change in the name of consignee</li> <li>2. Change in the name of consignor</li> <li>3. Change in the destination</li> <li>4. Change in route</li> <li>5. Any other instruction given by consignee, consignor, or owner affecting delivery and requiring and addition to or a change in billing, and additional movement of the car, or both.</li> </ol> <p>Except as otherwise provided herein, the term “destination” as used in these rules means the billed destination.</p> <p>Diversion or Reconsignment orders will not be accepted by FCEN/FMID/FNOR for cars that are not under its</p> <p><b>CHARGES:</b>                      When an order is placed with FCEN/FMID/FNOR by consignee, consignor, or owner that modifies any of the terms</p> <ol style="list-style-type: none"> <li>1. The charge for Diversion or Reconsignment will be \$250 per car.</li> <li>2. Facilitation of Diversions or Reconsignments are not guaranteed. If the request is not accomplished, no charge will be assessed for the request.</li> </ol> <p>Cars stopped, diverted of reconsigned under terms of this item are subject to demurrage provisions of this tariff.</p> <p><b>BILLS OF LADING</b>                      “Shipment to Order”, “Order Notify” or “Straight Bill of Lading” Requiring Surrender of Bill of Lading or Written Order</p>
440	<ol style="list-style-type: none"> <li>1. When the original Bill of Lading or written order covering a shipment described above is not available, the property may be delivered in advance of the surrender of the Bill of Lading or written order, as the case may require, under the provisions of Rule 7 of the UFC.</li> <li>2. If a Bill of Lading is tendered after 7:00 am of the day following loading, a charge of \$50 per car will apply.</li> <li>3. When Order Bills of Lading or written orders are received prior to arrival of car on FCEN/FMID/FNOR there will be no charge. Order Bills of Lading or written orders received after arrival of cars on FCEN/FMID/FNOR will be assessed a charge of \$50 per car.</li> <li>4. Cars held awaiting instructions under terms of this item will be subject to demurrage provisions of this tariff. Demurrage charges will accrue against the party issuing instructions.</li> </ol>

450	<p><b>CARS RECEIVED IN ERROR BY FCEN/FMID/FNOR</b>                  Loaded or empty cars received by FCEN/FMID/FNOR from connections that are not consigned to FCEN/FMID/FNOR or its customers or subsequently not accepted by consignee will be treated as mishandled cars received in error.                  The carrier interchanging a mishandled car to FCEN/FMID/FNOR will be assessed a charge of \$200 per</p>
455	<p><b>FAILURE TO DELIVER LOAD TO FCEN/FMID/FNOR</b>                  When FCEN/FMID/FNOR delivers a car for loading to a customer, and customer fails to return the loaded car to FCEN/FMID/FNOR, but instead ships the loaded car via another railroad, the customer will pay a charge of \$300 for each loaded car not delivered to FCEN/FMID/FNOR.                  This charge shall not apply to cars ordered and not used as covered in item 460 of this tariff.</p>
460	<p><b>EMPTY CARS ORDERED AND NOT USED</b>                  If FCEN/FMID/FNOR receives an order for empty cars, and such order is canceled by the ordering party after such empty car is dispatched in an FCEN/FMID/FNOR train to a shipper, a charge of \$250 per car will be assessed to the ordering party.</p>
470	<p><b>LEASE OF RAILROAD TRACKS FOR STORAGE</b>                  Contact Marketing &amp; Sales Manager</p>
475	<p><b>HANDLING EMPTY FREIGHT CARS FOR STORAGE</b>                  This item applies on all types of rail cars destined for storage on FCEN/FMID/FNOR including, but not limited to, cars provided by railroads, leased cars and cars bearing other than railroad reporting marks, but not including passenger train cars. The charge for movement of empty cars is \$250 per car.                  FCEN/FMID/FNOR will not be responsible for the payment of any per diem or mileage charges,                  FCEN/FMID/FNOR will not absorb any switch charges. FCEN/FMID/FNOR maximum liability for loss and damage is \$100 per railcar.</p>
480	<p><b>MOVEMENT OF LOCOMOTIVES</b>                  Privately owned, leased or foreign line locomotives will be moved over the FCEN/FMID/FNOR subject to a charge of \$750. FCEN/FMID/FNOR will not absorb any switching charges applicable to shipments of locomotives.                  All Privately owned, leased or foreign line locomotives are subject to a joint inspection at interchange by both FCEN/FMID/FNOR mechanical personnel and connecting carrier mechanical personnel. Any locomotives that fail inspection will be rejected at interchange                  FCEN/FMID/FNOR's maximum liability for loss and damage is \$100.00 per locomotive.</p>

500	<p><b>STORAGE OF RAIL CARS</b></p> <p>When cars are delivered to FCEN/FMID/FNOR from interchange, and the on-line customer refuses to accept car for actual placement on customer tracks, cars will go into storage, and a daily storage charge of \$40 per day will be assessed against customer requesting storage. This charge will be assessed from date of interchange to the date of placement. Cars subject to car hire charges will be subject to demurrage rules. Storage on FCEN/FMID/FNOR is subject to availability of track space. No fraction of any day will be used; the first portion of any day is billed as a whole day.</p>
510	<p><b>CARS RELEASED WITHOUT BILL OF LADING</b></p> <p>When loaded cars are released and pulled from industry track without proper Bill of Lading being sent to FCEN/FMID/FNOR agent, there will be a charge of \$250 per car for these cars held awaiting shipping instructions. It is the customer's responsibility to submit proper Bill of Lading instructions to the agent.</p>
<p style="text-align: center;"><b>EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</b></p> <p>AAR            Association of American Railroads</p> <p>CSXT           CSX Transportation</p> <p>FCEN           Florida Central Railroad</p> <p>FMID           Florida Midland Railroad</p> <p>FNOR           Florida Northern Railroad</p> <p>OPSL           Official List of Open and Prepay Stations, Station List Publishing Company, Agent</p> <p>RER            The Official Railway Equipment Register, R.E.R. Publishing Company, Agent</p> <p>RPS            Railroad Publication Services, Agent</p> <p>STB            Surface Transportation Board</p> <p>STCC           Standard Transportation Commodity Code</p> <p>UFC            Uniform Freight Classification, Uniform Freight Classification Committee, Agent</p> <p>A               Increase</p> <p>C               Changes resulting in neither an increase nor a decrease</p> <p>R               Decrease</p>	