



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

FREIGHT TARIFF FCEN 8000-B

Cancels and supersedes FCEN 8000-A

**RULES, REGULATIONS, AND CHARGES
GOVERNING
SWITCHING, ACCESSORIAL, AND DEMURRAGE CHARGES
AT LOCATIONS ON THE
FLORIDA CENTRAL, MIDLAND, AND NORTHERN RAILROADS**

This tariff applies on interstate traffic and intrastate traffic in Florida,
except where expressly provided to the contrary in connection with particular items.

ISSUED: August 29, 2010

EFFECTIVE: October 1, 2010

ISSUED BY:
Manager of Marketing & Sales
P. O. Box 967
Plymouth, FL 32768

The provisions published herein, if effective, will not have an impact
on the quality of the human environment or energy consumption.

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:

- I** 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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GENERAL RULES AND REGULATIONS

ITEM 5 DESCRIPTION OF GOVERNING CLASSIFICATION AND EXCEPTIONS

The terms "Governing Classifications" and "Uniform Freight Classification", when used herein, mean: Uniform Freight Classification STB 6000-series, issued by National Railroad Freight Committee, Agent.

ITEM 10 STATION LISTS AND CONDITIONS

This tariff is governed by the Official Railroad Station List, OPSL 6000 series, to the extent shown below:

PREPAY REQUIREMENTS AND STATION CONDITIONS:

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.

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.

GEOGRAPHICAL LIST OF STATIONS

For geographical locations of stations referred to in this tariff by station numbers.

STATION LIST

For the identification of stations when stations are shown or referred to by numbers in this tariff.

ITEM 15 EXPLOSIVES, DANGEROUS ARTICLES

For rules and regulations governing the transportation of explosives and other dangerous articles of freight, also for 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.

- a) 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.
- b) 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.

ITEM 30 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.

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ITEM 35 CAPACITIES AND DIMENSIONS OF CARS

For marked capacities, lengths, dimensions and cubical capacities of cars, see The Official Railway Equipment Register, RER 6413 series.

Maximum Gross weight on rail on FCEN/FMID/FNOR without clearance is 286,000

ITEM 40 NATIONAL SERVICE ORDER TARIFF

This tariff is subject to the provisions of various Surface Transportation Board Service Orders and General Permits as shown in National Service Order Tariff STB NSO 6100-series.

ITEM 50 MILEAGE CHARGES ON PRIVATELY OWNED CARS

FCEN/FMID/FNOR will not pay mileage charges on privately owned car when moving to, from or via stations on the FCEN/FMID/FNOR.

ITEM 60 METHOD OF CANCELLING ITEMS

As this 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 5-A cancels Item 5 and Item 10-B cancels Item 10-A in a prior supplement, which in turn, cancelled Item 10.

ITEM 70 HOURS OF SERVICE AND PERFORMANCE

- a) Hours of service and performance are subject to change based upon FCEN/FMID/FNOR's 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.
 - b) 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 Switching" and rates in accordance with Item 220 will apply.
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ITEM 80 HOLIDAYS

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.

SECTION 1
SWITCHING RULES AND OTHER GOVERNING PROVISIONS

ITEM 200 EXPLANATION OF SWITCHING CHARGES

Except as otherwise specifically provided herein, switching charges published in this tariff cover the movement of a loaded car in one direction and the empty car in the opposite direction. If cars are loaded in both directions, charge will be assessed for movement in each direction.

ITEM 205 DEFINITION OF TERMS

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.

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.

Inter-Terminal Switch - A switching movement between industry tracks on the FCEN/FMID/FNOR and interchange with connecting lines when within the switching limits of the same station or FCEN/FMID/FNOR branch.

Intra-Plant Switch - A switching movement from one location to another location wholly within the confines of the same (single) plant or industry located on the FCEN/FMID/FNOR.

Intra-Terminal Switch - A switching movement (other than intra-plant) from one location to another on the FCEN/FMID/FNOR, within the switching limits of one station or FCEN/FMID/FNOR branch.

Local Switch – Where car is consigned to an off-line customer and comes from CSXT 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.

Reciprocal Switching – An arrangement between FCEN/FMID/FNOR 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. FCEN/FMID/FNOR will perform reciprocal switching only to or from customers specifically listed in this tariff.

Team Track - A track or tracks assigned by for use by the general public.

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.

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.

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

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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.

ITEM 210 CHARGES FOR INTRA-PLANT, INTRA-TERMINAL, AND INTER-TERMINAL SWITCHING

Except as otherwise provided herein, FCEN/FMID/FNOR will assess the following charges in dollars per car for switching service as defined in Item 205:

INTRA-PLANT:	\$175.00
INTRA-TERMINAL:	\$315.00
INTER-TERMINAL:	\$420.00

ITEM 215 (I) CHARGES FOR RECIPROCAL SWITCHING

The per car charge for stations in Orlando, FL will be \$363.00 except:

1) STCC 20821 (Beer)	\$265.00 (Origin Albany, GA only)
2) STCC 14917 (Peat Filler)	\$196.00
3) STCC 28133 (CO2)	\$410.00
4) STCC 29121 (LPG)	\$670.00

ITEM 220 CHARGES FOR SPECIAL SWITCHING

Special switching movements are (1) requests by industry for switching service to be performed by the railroad at a time other than that scheduled by the railroad or (2) those movements required because of excessive dimensions, excessive weight, high center of gravity, or other conditions not permitting normal train operation.

When such movements can be conveniently arranged by the railroad with an existing crew, a charge for each hour, or fraction thereof, subject to the hourly rate and minimum charge listed in **Column A** below, will be assessed.

When movements can be arranged by the railroad that requires the use of an extra crew, a charge for each hour, or fraction thereof, subject to the hourly rate and minimum charge listed in **Column B** will be assessed.

SPECIAL SWITCHING

	COLUMN A	COLUMN B
Hourly Rate	\$185.00	\$185.00
Minimum Hours	3	8
Minimum Charge	\$555.00	\$1,480.00

The above charges are subject to the following provisions:

- a) Special Switch charges are in addition to the regular freight or switching charges.
- b) Hours are computed from the time crew is dispatched until switch is completed and crew has returned to the point of dispatch.
- c) Requests for Special Switching must be placed by consignor, consignee, or agent of consignor or consignee, in writing or by telephone confirmed by fax or letter. Request

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shall give all necessary information including car initial and number, location date and time of movement desired, party to be billed, routing, and any other information and instructions pertinent to such movement.

- d) Requests for Special Switching shall be made far enough in advance of the date and time required to allow railroad sufficient time to assemble equipment, personnel, and other incidental requirements.
- e) Railroad reserves the right to fill out such special trains with additional cars.

ITEM 230 OVERLOADED CARS

FCEN/FMID/FNOR will not accept cars that are loaded in excess of load limit markings, but in no case greater than 286,000 pounds gross weight, except by special permit. When a car is found to be loaded in excess of its stenciled load limit while en route but before placement, it will be placed at or near the location where the overload is discovered and consignor will be requested to arrange for disposition; or, at carrier's convenience, it may be returned to the shipper for removal of the excess weight. For the extra service performed, the switching charge and weigh charge will be assessed. The regular switching charge will be in addition. Shipper will be liable for all damages to overloaded cars.

ITEM 240 IDLER OR TRAILER CARS

Idler or trailer cars accompanying loaded cars will be treated as loaded cars.

ITEM 250 "SHIPMENT TO ORDER", "ORDER NOTIFY" OR "STRAIGHT BILL OF LADING" REQUIRING SURRENDER OF BILL OF LADING OR WRITTEN ORDER

- a) 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.
- b) When loaded cars are released and pulled from industry track at shipper's request 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.
- c) Order Bills of Lading – 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 \$250 per car.
- d) 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.
- e) Order Bills of Lading will not be issued covering intra-terminal or inter-terminal movements.

ITEM 260 CARS FURNISHED BUT NOT USED

Except as otherwise provided in tariffs lawfully on file, when an empty car is placed or constructively placed for loading, but is not used in subsequent transportation service and is released empty, a charge of \$250 per car in addition to applicable demurrage charges will be made against the party ordering but not using the equipment.

EXCEPTION - This charge will not apply when cars are refused or rejected account of not

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being in proper condition for loading.

ITEM 270 INTERCHANGE DELIVERY ERRORS

Cars received by FCEN/FMID/FNOR in error from delivering carrier will be returned to delivering carrier at a charge of \$200.00 per car, loaded or empty. Charge will be assessed against delivering carrier.

ITEM 280 CHARGES FOR CARS OF FOUR (4) OR MORE AXLES

- a) Charges for intra-plant or intra-terminal switching at points on these lines will be confined to cars having no more than four (4) axles.
 - b) When cars with more than four (4) axles are found in intra-plant, intra-terminal, or inter-terminal service, the charges for such service will be 200% of that shown herein for the same service application on cars with four (4) axles.
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ITEM 290 CHARGES FOR USE OF SPECIAL EQUIPMENT

FCEN/FMID/FNOR will not furnish cars that are other than ordinary equipment for use in intra-plant, intra-terminal, or inter-terminal switching service. In the event other than ordinary equipment is used, an additional charge of \$200.00 will be assessed. On joint-line movements, this charge will be assessed only once (see Exception).

ORDINARY EQUIPMENT MEANS:

- a) XM boxcars not exceeding 60 feet in length, inside measurement.
- b) FM flatcars, not over 60 feet in length and having capacity not over 180,000 pounds.
- c) Gondola cars having marked capacity not greater than 200,000 pounds, but not including gondola cars of any length equipped with covers, hoods, containers or cradle floors.
- d) Open-top hopper cars not exceeding 75 feet in length, inside measurement, and having marked capacity not exceeding 200,000 pounds.
- e) Shipper owned or leased cars.

EXCEPTION - Provisions of this item do not apply on a movement immediately prior or subsequent to a revenue line-haul movement when notation so stating is made by shipper on shipping document.

ITEM 300 SWITCHING OF LOCOMOTIVES ON OWN WHEELS, BUT NOT UNDER OWN POWER

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.

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ITEM 310 CHARGE FOR HEAVY DUTY FLAT CARS

When heavy-duty flat cars as defined in Tariff ICC RPS 6740-series are used on shipments both originating and terminating within the same switching district, the following charges will be assessed:

USE CHARGE:

\$1,000.00 per car switching movement (not subject to any other switching charges published in this tariff).

SPECIAL DETENTION CHARGES

When cars are held beyond the Free Time permitted in Items 755 and 760, charges therein will be assessed, and in addition the following detention charges will be assessed for each twenty-four (24) hour period or fraction thereof beyond the authorized free time:

CHARGES IN DOLLARS PER CAR

1st 24 hours	\$150.00
2nd 24 hours	\$200.00
3rd 24 hours	\$250.00
4th 24 hours	\$300.00
5th 24 hours	\$350.00
6th 24 hours and each subsequent 24 hours	\$450.00

NON-USE CHARGE

When car is ordered, placed, and released back to FCEN/FMID/FNOR without being used in transportation service, a charge of \$500.00 per car will be assessed and will be in addition to any detention charges that may accrue.

ITEM 320 TURNING OF CARS TO PERMIT UNLOADING

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:

NOTICE TO CARRIER

“Deliver car for loading or unloading from the door or end specified by placard.”

- a) 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.
 - b) 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.
 - c) 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.
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ITEM 330 DIVERSION OR RECONSIGNMENT

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:

- a) Change in the name of consignee
- b) Change in the name of consignor
- c) Change in the destination
- d) Change in route
- e) Any other instruction given by consignee, consignor, or owner affecting delivery and requiring an addition to or a change in billing, and additional movement of the car, or both.

Except as otherwise provided herein, the term “destination” as used in these rules means the billed destination. Diversion or Reconsignment orders will not be accepted by FCEN/FMID/FNOR for cars that are not under its control.

CHARGES:

When an order is placed with FCEN/FMID/FNOR by consignee, consignor, or owner that modifies any of the terms:

- a) The charge for Diversion or Reconsignment will be \$250 per car.
- b) Facilitation of Diversion or Reconsignment is not guaranteed. If the request is not accomplished, no charge will be assessed for the request.

Cars stopped, diverted or reconsigned under terms of this item are subject to demurrage provisions of this tariff.

ITEM 340 WEIGHING CHARGES

When a car is weighed or reweighed either empty or loaded at the request of either consignor or consignee, a charge of \$165.00 per car will be made each time the car is weighed. FCEN/FMID/FNOR has no scales of its own and no access to privately owned scales. The weighing charges herein apply only for services provided to a customer owning a scale on private tracks.

SECTION 2
GENERAL CAR DEMURRAGE RULES AND CHARGES

ITEM 700 DEFINITION OF TERMS

For the purpose of applying rules in Section 2 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.

Consignee – The party to whom a shipment is consigned and/or the party entitled to receive the shipment.

Consignor – The party in whose name cars are ordered and/or the party who furnishes FCEN/FMID/FNOR forwarding directions.

Constructive Placement – When a car consigned or ordered to a private track cannot be actually placed because of a condition attributable to the consignor or consignee, such a car will be held at an available hold point and notice shall be sent or given to the consignor or consignee that the car is held (naming the hold point if not held at destination) and that this railroad is unable to effect placement; however, if a car is placed on the private track serving the consignor or consignee, the car shall be considered constructively placed without notice.

Credit – Non-chargeable demurrage day. Credits can only be earned on those cars released.

Demurrage Day – A twenty-four (24) hour period, or part thereof, commencing 00:01 hours after tender (calendar day).

Diversions - An order from consignee to deliver car to other than original destination

Empty Release Information – Advice by consignor or consignee faxed or emailed to authorized personnel of FCEN/FMID/FNOR that car is unloaded and available to FCEN/FMID/FNOR. Information given must include identity of consignee, party furnishing data, car initial and number. Date and Time stamp from fax will be used in demurrage calculations.

Forwarding Instructions– Shipping instructions given to FCEN/FMID/FNOR at the point of loading containing all of the necessary information to transport the shipment to the final destination.

Free Time - Free time will be computed from the first 00:01 following actual placement or constructive placement, whichever occurs first, until car is released to railroad. When car is placed on a public delivery track, free time will commence at the first 00:01 after actual placement and after notice of the arrival is given to the party entitled to receive same.

Lease Track – Any trackage assigned to a user through written agreement. Lease track will be treated the same as private track under this Section.

Other Than Public Delivery Track – Any railroad track or portion of a track assigned for individual use or for joint use, including privately-owned or leased tracks.

Private Car – A private car is a car bearing other than railroad reporting marks, except as otherwise provided in item 720.

Private Track – A track outside of FCEN/FMID/FNOR's right-of-way, yard, and terminals, and of which FCEN/FMID/FNOR does not own either rails, ties, roadbed, or right-of-way. The track may be

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used jointly by two or more parties when written notice has been furnished to FCEN/FMID/FNOR by the owner of the track prior to such joint use; or, a track or portion thereof owned or operated by FCEN/FMID/FNOR that is leased for the purpose of the storage of rail cars of Lessee through a written agreement. The joint use of a lease track by each of two or more parties must have written consent from FCEN/FMID/FNOR prior to such joint use.

Public Delivery Track – Any accessible track open to the general public for loading and unloading.

Railroad-Controlled Car – A railroad-controlled car is a car provided to FCEN/FMID/FNOR directly, by car companies or others, for indiscriminate use by FCEN/FMID/FNOR in servicing any of its customers.

Reconsignment – An order from the consignor to bill a car to other than the original consignee.

Tender - When FCEN/FMID/FNOR gives notification that a car is available for unloading or loading by either actual or constructive placement to consignor or consignee.

ITEM 710 GENERAL APPLICATION

The rules and charges published herein apply at points on the FCEN/FMID/FNOR on international, interstate, and intrastate traffic. The charges apply on railroad owned or leased cars and on private (non-railroad) owned or leased cars.

ITEM 720 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 section, EXCEPT the following:

- a) Privately (non-railroad) owned or leased cars held on industry owned or leased tracks where the ownership or lease of the car and the track is the same.
- b) Cars for loading or unloading of FCEN/FMID/FNOR company material while held on FCEN/FMID/FNOR tracks or private sidings connecting therewith.
- c) Cars of refused or unclaimed freight to be sold by FCEN/FMID/FNOR for the time held beyond legal requirements.
- d) Empty Cars moving on own wheels under transportation charges as freight.
- e) Cars of railroad ownership, leased for storage of commodities, while held on lessee's tracks.
- f) Loaded or empty private cars held on private or leased storage tracks.
- g) Cars specially equipped for handling welded railroad rail held for loading such rail.
- h) Empty cars ordered and rejected as unsuitable for loading.
- i) Cars covered by storage or hold charges.
- j) Cars assigned to shippers returned empty to point of assignment, to the extent storage rules apply.

Further, the following situations due to no fault of the FCEN/FMID/FNOR or industry will not be subject to charges. Claims for relief from demurrage rules and charges due to these causes should be made in writing within 30 days by industry or FCEN/FMID/FNOR.

- a) Strike at plant or industry served by FCEN/FMID/FNOR which prevents loading or unloading. However, cars held because of strikes will be subject to detention charges of \$25.00 per car per day for all days including Saturdays, Sundays, and holidays. No free days will be allowed.

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- b) Acts of God (flood, hurricane, earthquake), including weather interference which prevents loading or unloading.
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ITEM 730 NOTIFICATION TO CONSIGNOR OR CONSIGNEE

- A. The following notifications will be furnished as indicated:
 - 1. Cars for Other than Public Delivery Tracks:
 - a. Notice of constructive placement if cars are held on FCEN/FMID/FNOR tracks due to reasons attributable to the consignor or consignee.
 - b. Delivery of car upon tracks of consignee will constitute notice.
 - c. When two or more parties, each performing their own switching, take delivery of cars from the same track, notice will be given when cars are placed on the that track.
 - 2. Cars for Public Delivery Track: Notice will be given to the party entitled to receive notification when car is actually placed
 - 3. Cars Stopped in Transit: Notice will be given to consignor, consignee, or owner responsible for the car being stopped upon arrival of the car at the point of stoppage.
 - 4. Refused Loaded Car: When a loaded car is refused at destination, Consignee will give notice of such refusal to FCEN/FMID/FNOR and to the consignor or owner.
 - B. Notification may be given in writing or electronically, and will contain the following:
 - 1. Car initials and number, if lading transferred en route, the initials and number of the original car, commodity, time and date
 - 2. When notification is received from customer that car is unloaded and released and railroad determines that car is not completely unloaded a charge of \$150.00 will be assessed and demurrage charges will continue to be assessed until actual release.
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ITEM 740 CARS HELD FOR COMPLETE UNLOADING

Unloading is 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.

- A. RELEASE:
 - 1. Date and time that the railroad received advice that the car is empty.
 - 2. Cars placed on interchange tracks of a consignee doing its own switching, must also be returned to the interchange track for release.
 - 3. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received.
- B. NOTIFICATION TO FCEN/FMID/FNOR:
 - 1. The FCEN/FMID/FNOR must be notified of empty releases by fax. All notifications must include the car initial and number, date, time, company name, and person providing the notification.
 - 2. When electronic or mechanical devices are used to furnish notification to railroad, the recorded date and time that instructions are received will govern.
 - 3. When notification is received from customer that car is unloaded and released and railroad determines that car is not completely unloaded a charge of \$150 will be assessed and demurrage charges will continue to be assessed until actual release.
- C. COMPUTATION:

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1. Time will be computed from the first 00:01 hours after tender until release.
2. On reloaded cars, time will be computed from the first 00:01 hours after advice is received that the car is empty until release.
3. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received

ITEM 750 CARS HELD FOR LOADING

Loading is the complete or partial loading of a car in conformity with FCEN/FMID/FNOR loading and clearance rules, and the furnishing of Forwarding Instructions.

A. RELEASE:

1. Date and time Forwarding Instructions are received.
2. Cars placed on tracks of a consignor doing its own switching must be returned to the interchange by the consignor to be considered released.
3. Cars found to be improperly loaded or overloaded at origin will not be considered released until the load has been adjusted properly.
4. A car to be held for official grading or inspection at origin will not be considered released until such time as the grading and inspection is complete.

B. NOTIFICATION TO RAILROADS:

1. FCEN/FMID/FNOR must receive complete Forwarding Instructions by EDI, fax or email before a car will be considered to be released.
2. When Forwarding Instructions are received, the recorded date and time instructions are received will govern.
3. If, after receipt of Forwarding Instructions, the FCEN/FMID/FNOR determines after arriving at our customers facility that a car is not ready to move, FCEN/FMID/FNOR will assess a charge of \$150.00 and demurrage charges will continue to be assessed until actual release.

C. COMPUTATION:

1. Time will be computed from the first 00:01 hours after tender until release
2. If a car is placed prior to the date for which it was ordered from "Railroad," time will be computed from the first 00:01 hours on the date for which it was ordered until its release.
3. On cars for reloading: Demurrage time for the unloading cycle will terminate and demurrage time for the (re)loading cycle will be computed from the first 00:01 hours after notification received by FCEN/FMID/FNOR that the car is empty. Demurrage time for loading will continue until the car is released to FCEN/FMID/FNOR loaded. Car will NOT be considered released until complete Forwarding Instructions are received by FCEN/FMID/FNOR and all car doors and hatches are closed for movement.
4. When a car is actually placed, or constructively placed, and released prior to 23:59 hours same day, no demurrage day will be accrued.
5. When an empty car is placed for loading and movement via a specific route in conformity with Car Service Rules and/or directives, and the loaded car is offered for movement via some other route and refused by the railway necessitating unloading, demurrage shall be charged from the first 0001 hour after placement until the car is loaded and no credit allowance shall be made.

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ITEM 760 PRIVATE AND RAILROAD CARS HELD FOR OTHER PURPOSES

Applicable to cars held on orders of 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, including forwarding instructions or empty release, which allows the railroad to either tender or release the car from the consignor's or consignee's account.

RELEASE: Date and time that the railroad received advice that the car is empty, or that forwarding instructions are received.

COMPUTATION: Time will be computed from the first 00:01 hours:

- A. After tender until release, on cars:
 - 1. Diverted
 - 2. Empty for loading – ordered and not used (other than a rejected car)
 - 3. Partially unloaded
 - 4. Reconsigned
 - 5. Reshipped
 - 6. Stopped in transit
 - B. After cars are received by FCEN/FMID/FNOR until date of disposition on:
 - 1. Cars received from connecting carriers.
 - 2. Loaded private cars returned to railroad tracks.
 - C. After tender until date of refusal on:
 - 1. Refused loaded cars (consignee).
 - D. After tender until date of disposition on:
 - 1. Refused loaded cars (consignor).
 - E. After tender until release or placement on private tracks on:
 - 1. Loaded private cars while held on railroad tracks.
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ITEM 770 DEMURRAGE PLAN AND PRICES

- A. Demurrage is assessed at the rate of \$50.00 per car per day for all time in excess of 48 hours for loading or 48 hours for unloading from the first 00:01 hours after tender until release.
- B. Credit will be applied for the balance of time any car for loading or unloading is released within 48 hours from the first 00:01 hours after tender. Credits will be used to offset demurrage time. Credits earned for complete loading may only be used to offset demurrage days accrued for complete loading and credits earned for complete unloading may only be used to offset demurrage days accrued for complete unloading.
- C. Settlement of charges will be made on a monthly basis on all cars released during each calendar month.
- D. Credits earned and demurrage days accrued by customers having facilities at separate stations cannot be combined.
- E. Credits will not be allowed for:
 - 1. Empty cars ordered and not used.
 - 2. Loaded private cars returned to railroad tracks to be held for disposition.
 - 3. Cars received from connecting carriers to be held for disposition.
- F. Credits earned and demurrage days accrued will be calculated separately for the following transaction:

Private and Railroad cars held for other purposes

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- G. Excess credits earned in one calendar month may not be used to offset demurrage days in another calendar month.

ITEM 780 PRIVATE CARS HELD ON RAILROAD TRACKS

For the purpose of applying items in this tariff, private cars on private tracks will be exempt from the rules and charges, except that private cars, while held under constructive placement on railroad tracks, will be subject to demurrage charges after expiration of free time allowed, and will be considered released from that demurrage transaction upon receipt of Notice to Deliver car to tracks of consignee.

ITEM 790 HEAVY DUTY OR SPECIAL TYPE FLATCARS

If a shipment requires the use of a heavy duty or special type flat car with AAR mechanical designations "FD", "FW" or "FML", use and detention charges for such cars as provided in Tariff RIC 6740-series (TEA series) will apply in lieu of rates and charges contained herein.

ITEM 800 HAZARDOUS COMMODITIES

The shipper of any hazardous commodity shipped via FCEN/FMID/FNOR shall indemnify FCEN/FMID/FNOR and hold FCEN/FMID/FNOR harmless for any and all loss, liability or cost whatsoever that FCEN/FMID/FNOR may incur or be held responsible for, to the extent that such liability is due to, or arises from: a) defects in or failure of shipper's cars and equipment, b) a failure of shipper or shipper's agent to conduct proper or appropriate pre-shipment inspection of the cars as described in 49 CFR Sec. 173.31 (d) or c) misidentification of commodity shipped.

The foregoing indemnification shall not apply to any loss or liability caused by or due to FCEN/FMID/FNOR's failure to conduct pre-departure inspections as described in 49 CFR Sec. 174.9 or failure to follow AAR interchange rules, or any other liability resulting from FCEN/FMID/FNOR's negligence.

The above provisions apply to shipments of Classes A, B or C explosives, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, and hazardous materials, substances or wastes requiring the use of a 4-digit identification number on shipping papers, placards or panels, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, while held on FCEN/FMID/FNOR premises.

ITEM 810 STORAGE OR HANDLING OF HAZARDOUS COMMODITY CARS

After the expiration of any free time allowed, and in addition to applicable demurrage charges, the following charges will apply per day of twenty-four (24) hours, or fraction thereof, until removal from FCEN/FMID/FNOR's premises:

- A) Class A, B and C -Explosives:
 - i. \$500.00 per car per day will apply on cars held on FCEN/FMID/FNOR premises
- B) Hazardous Materials, Substances, Wastes, Other Than Explosives
 - i. \$500.00 per car per day will apply on cars held on FCEN/FMID/FNOR premises

The above provisions apply to shipments of Classes A, B or C explosives, as named in Section

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172.101 Hazardous Materials Table of Tariff BOE 6000-Series, and hazardous materials, substances or wastes requiring the use of a 4-digit identification number on shipping papers, placards or panels, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, while held on FCEN/FMID/FNOR premises.

- C) Empty Railcars Formerly Containing Hazardous Materials or Explosives
 - i. \$500.00 per car per day will apply to the Customer (defined for the purpose of this subsection as the consignee of the empty railcar) for each empty railcar released to FCEN/FMID/FNOR without sufficient forwarding or billing instruction, if the railcar's prior movement contained any of the items referenced in A) or B) above.

ITEM 820 TOXIC/POISONOUS INHALATION HAZARD (TIH/PIH) CARS

Storage or holding of cars containing toxic or poisonous inhalation hazards (TIH or PIH) on FCEN/FMID/FNOR tracks is NOT permitted. Such cars must be delivered to consignee's private tracks by the next regularly scheduled train. If consignee's private track is full or access to this track is not granted to FCEN/FMID/FNOR, then a penalty charge applies.

Charge for TIH/PIH car delay..... \$1,000 per car per day

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

AAR	Association of American Railroads
CSXT	CSX Transportation
FCEN	Florida Central Railroad
FMID	Florida Midland Railroad
FNOR	Florida Northern Railroad
OPSL	Official List of Open and Prepay Stations, Station List Publishing Company, Agent
RER	The Official Railway Equipment Register, R.E.R. Publishing Company, Agent
RPS	Railroad Publication Services, Agent
STB	Surface Transportation Board
STCC	Standard Transportation Commodity Code
UFC	Uniform Freight Classification, Uniform Freight Classification Committee, Agent
A	Increase
C	Changes resulting in neither an increase nor a decrease
R	Decrease

- End of Tariff -