

Freight Tariff NS 9037-I

(See Cancellation Notice on Page 1)

IL CC 39-A
ICC NS 9037-I
WV PSC 9037-I
MIDT NS 9037-I
NY DT NS 9037-I
VA SCC NS 9037-I
PA PUC NS 9037-I
MD PSC NS 9037-I



NORFOLK SOUTHERN

COAL

Marketing

Moving Energy Today, Building Your Tomorrow.

**Publishing Rules AND Charges Governing
Diversion and Reconsignment of Coal and Coke,
Coke Breeze, Coke Dust, and Coke Screenings
(The Direct Products of Coal)**

**In Carloads at Stations on
Norfolk Southern Railway Company**

This tariff also applies on interstate traffic

**130-MWC 3301L 21-RCCR
Filed AL, IA, KY, MO, and TN**

Effective: January 26, 1992

Issued: January 14, 1992

Norfolk Southern Corporation
3 Commercial Place
Norfolk, Virginia 23510
www.nscorp.com

NO CHANGE IN CHARGES

(Former Item 8 not brought forward; the charges in this tariff are not subject to Rail Carrier Cost Recovery Tariffs).

Cancellation Notice

This tariff cancels the following as indicated below:

Issuing Carrier	Tariff	ICC	IL CC	MD PSC	MIDT	NY DT	PA PUC	VA SCC	PSC WV	To Extent Indicated
NS	NS 9037 -H	9037 -H	36 -A	NS 9037 -H	In Full					

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Rules and Other Governing Provisions

General Rules and Regulations

Item	Subject	Application
10	Station Lists and Conditions	<p>This tariff is governed by Tariff ICC OPSL 6000 Series as follows:</p> <p>(A) For additions or changes in Name, Location, or Abandonments of Stations.</p> <p>(B) Prepay Requirements</p> <p>(C) Restrictions as to acceptance or delivery of freight</p> <p>(D) Changes in station facilities</p> <p>(E) When a station is abandoned, all provisions applicable thereto are cancelled, effective on the date of abandonment.</p>
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.
40	Consecutive Numbers	<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 of the numbers shown.</p> <p>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.</p>
45	Capacities and Dimensions of Cars	For marked capacities, lengths, dimensions and cubical capacities of cars, see Tariff ICC RER 6411-Z.
60	National Service Order Tariff	This tariff is subject to provisions of various Interstate Commerce Commission Service Orders and General Permits, as shown in Tariff ICC NSO 6100 Series.
75	Method of Canceling Items	<p>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.</p> <p>EXAMPLE: Item 445A cancels Item 445, and Item 305B cancels Item 305A in a supplement, which, in turn, cancelled Item 305.</p>
100	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, the number being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine its original effective date, consult the supplement in which the reissued matter first became effective.



Special Rules and Regulations

Item	Subject	Application
120	Per Car Minimum Weight	Minimum weight will be marked capacity of car, except when car is loaded to full visible or cubical capacity and shipper so certifies on shipping document that car is so loaded, actual weight will apply.

Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application
200	Definition of Reconsignment or Diversion	The term "Diversion" or "Reconsignment" (used interchangeably in this tariff) means any change requested by consignor, consignee or owner which requires a change in billing or an additional movement of the car, or both, including stopping a car in transit. The term "in transit", as used in this Tariff, means prior to actual or constructive placement for unloading by the billed consignee. Actual placement is made when the car is placed on the track of the consignee. Constructive placement applies when actual placement is prevented by any cause attributable to consignee.
205	Conditions	<ol style="list-style-type: none"> 1. A shipment which has "broken bulk", i.e., has been partially unloaded, at the original destination, cannot be reconsigned. 2. An order for reconsignment cannot specify a particular time for execution. 3. If a request is made for a reconsignment, Carrier will make a diligent effort to locate the shipment and effect the reconsignment, but will not be responsible for failure to do so unless such failure is due to the negligence of its employees. 4. Orders for reconsignment must be made or confirmed in writing. 5. Carrier will only agree to reconsign a car which has not been delivered to another railroad.
210	Stopping in Transit	<ol style="list-style-type: none"> 1. When a car is ordered stopped in transit and is later ordered to continue under its initial billing, the charge in Item 230 A. (1), A. (2), B. (1), B. (2), C (1) or C (2), as appropriate, will be assessed. 2. When a car is ordered stopped in transit and is later reconsigned, the charge in Item 230 A. (1) and A. (2), or B. (1) and B. (2), or C. (1) and C. (2), as appropriate, will both be assessed.
215	Freight Rate Applicable	The through rate to the new destination is the rate from original point of origin to that destination applicable via the reconsigning point. If the through rate from origin to the new destination does not apply via the reconsigning point, then an out-of-route charge in Item 250 will be assessed to a point intermediate from origin to the new destination.



Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application				
220	Level of Rates and Charges	<p>The level of the reconsigning charges in Item 230 and the charges in Item 250 will be determined as of the date of the reconsigning order. The level of the through rate from origin to the new destination will be determined as of the date of shipment from the origin.</p>				
225	Demurrage	<p>Cars reconsigned to a new destination are subject to the demurrage rules that would normally apply at that destination. In addition:</p> <ol style="list-style-type: none"> 1. Cars ordered stopped or held in transit will be subject to detention charges after 24 hours free time. Detention time begins with the time the car arrives, except that when the car arrives prior to receipt of the order to hold the car, detention time will begin with the time the order is received. Detention time ends at the time the reconsignment order, or an order to release the car from being held, is received. (See Exception) 2. Cars reconsigned after actual or constructive placement for unloading by the billed consignee will be subject to detention charges after 24 hours free time. Detention time begins with the time of actual or constructive placement and ends at the time the reconsignment order is received. Cars so reconsigned shall not be subject to demurrage rules and charges applicable to that consignee and destination. <p>Cars held in excess of the free time provided in this Item will be assessed the following charges per car per day, or fraction of a day, until the car is released:</p> <p style="margin-left: 40px;">\$20.00 for each of the first 4 chargeable days; \$30.00 for each of the next 4 days; \$60.00 for each subsequent day.</p> <p>Payment of such charges is the responsibility of the party ordering the reconsignment or stopping in transit.</p> <p style="margin-left: 40px;">Exception: Cars reconsigned at Lamberts Point, VA under the provisions of the exception to Item 245 2. or at Sandusky Dock, Ohio under the provisions of Item 240 4. are subject to demurrage rules published in NS Tariff 9209 Series or NS Tariff 4008 Series, respectively.</p>				
230	Reconsigning Charges	<p>When a car is reconsigned and/or is stopped in transit, and is subject to the assessment of reconsigning charges, apply the following charges (in addition to applicable demurrage charges in Item 225 and out-of-route charges in Item 250, if applicable):</p> <ol style="list-style-type: none"> A. For individual cars or not more than four (4) cars moving in a block: <table style="margin-left: 40px; border: none;"> <tr> <td></td> <td style="text-align: right;"><u>Per Car</u></td> </tr> <tr> <td>(1) prior to actual or constructive placement for unloading by the billed consignee and where no switching is required</td> <td style="text-align: right;">\$ 77.00</td> </tr> </table> <p style="text-align: right;">(Continued on following page)</p>		<u>Per Car</u>	(1) prior to actual or constructive placement for unloading by the billed consignee and where no switching is required	\$ 77.00
	<u>Per Car</u>					
(1) prior to actual or constructive placement for unloading by the billed consignee and where no switching is required	\$ 77.00					



Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application
230 (con- cluded)	Reconsigning Charges	<p>(2) prior to actual or construction placement for unloading by the billed consignee and where switching is required \$154.00</p> <p>(3) after actual or constructive placement for unloading by the billed consignee \$220.00</p> <p>B. For more than four (4) cars but less than seventy (70) cars moving in a block:</p> <p>(1) prior to actual or constructive placement for unloading by the billed consignee and where no switching is required \$ 39.00</p> <p>(2) prior to actual or construction placement for unloading by the billed consignee and where switching is required \$78.00</p> <p>(3) after actual or constructive placement for unloading by the billed consignee \$112.00</p> <p>C. For seventy (70) or more cars moving in a block:</p> <p>(1) prior to actual or constructive placement for unloading by the billed consignee and where no switching is required \$20.00</p> <p>(2) prior to actual or constructive placement for unloading by the billed consignee and where switching is required \$39.00</p> <p>(3) after actual or constructive placement for unloading by the billed consignee \$59.00</p>
235	Other Switching Charges Not Applicable	The charges in Item 230 cover all switching of stopped or reconsigned cars at the hold point. Switching charges at the hold point published in other tariffs are not applicable to cars subject to charges in Item 230.
240	Coal to Sandusky Dock, OH for Lake Movement	<p>1. If the reconsignment only involves a change in consignee or consignment name, then the charge in Item 230 A. (1) or B. (1), as appropriate, will apply.</p> <p>2. If coal initially consigned to another destination is reconsigned to Sandusky Dock, OH, then the appropriate charge(s) in Item 230 will apply.</p> <p>3. Except as shown in Section 4. of this Item, if coal initially consigned to Sandusky Dock, OH is reconsigned to another destination, then the appropriate charge(s) in Item 230 will apply.</p> <p>4. Coal left over or in transit after the last vessel is loaded by a consignee who discontinues any specific consignment or his lake coal business may be reconsigned to another destination. The charge(s) in Item 230 A. (3) or B. (3), as appropriate, are to apply, except that no back haul charge will be assessed for movement from Sandusky Dock, OH to Bellevue, OH.</p> <p style="text-align: center;">(Continued on following page)</p>



Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application
240 (concluded)	Coal to Sandusky Dock, OH for Lake Movement	<u>Exception:</u> Where cars miss the last vessel due to actions of NS or for NS' convenience or cars are simply diverted to consignee's own ground storage account, no reconsigning charges will apply.
245	Coal to Lamberts Point, VA for Vessel Movement	<p>1. If the reconsignment only involves a change in classification name, then the charge in Item 230 A. (1) or B. (1), as appropriate, will apply. The reconsignment will be made by Carrier only when the car arrives at Lamberts Point, VA</p> <p>2. If coal initially consigned to Lamberts Point, VA is reconsigned to another destination, reconsignment will be permitted only if the reconsignment order is received before the car arrives at Bluefield or Elmore, WV and if the car has not been placed in a through train destined to Lamberts Point, VA.</p> <p style="padding-left: 20px;"><u>Exception:</u> Cars refused by the original consignee at Lamberts Point, VA may be reconsigned to another destination. The charge in Item 230 A. (3) or B. (3), as appropriate, and Item 250 will apply.</p> <p>3. Coal initially consigned to another destination may be reconsigned to Lamberts Point, VA only if reconsignment is to a movement for which a valid permit issued by the Carrier under the provisions of Item 112 of Tariff NS 4007 Series, or under an existing contract, has not been fulfilled by other coal. The appropriate charge(s) in Item 230 will apply.</p>
		With the exception shown in Paragraph 4. of Item 240, when the reconsignment involves movement out of route, charge shown below will be assessed for the distance car must be handled from the point of reconsignment to the nearest point which lies intermediate from the initial origin to the new destination. Such charge will be in addition to the reconsignment charge in Item 230 and any demurrage charges in Item 225.



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Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application	
		GOVERNED BY ICC RPS 6301 SERIES	COAL, COKE (The direct products of Coal), CARLOADS
			RATE
		MILES (Not Over)	(Per Car)
250	Charges for Out-of-Route Movement	15	\$245
		25	\$288
		50	\$400
		75	\$548
		100	\$666
		125	\$754
		150	\$813
		175	\$842
		200	\$870
		225	\$894
		250	\$925
		275	\$942
		300	\$977
		325	\$993
		350	\$1,019
		375	\$1,077
		400	\$1,132
425	\$1,185		
450	\$1,236		
475	\$1,284		
500	\$1,331		

Explanation of Abbreviations

Abbreviation	Application
ILCC	Illinois Commerce Commission.
MD PSC	Public Service Commission of Maryland
MIDT	Michigan Department of Transportation
NSO	National Service Order (Western Trunk Line Committee, Agent)
NY DT	New York Department of Transportation
OPSL	Official List of Open and Prepay Stations (Station List Publishing Company, Agent).
PA PUC	Pennsylvania Public Utility Commission
RER	Official Railway Equipment Register, The (National Railway Publication Company, Agent).
RPS	Railroad Publication Services, Agent.
VA SCC	Virginia State Corporation Commission
WV PSC	Public Service Commission of West Virginia

