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SUPPLEMENT  
TO  
ICC NS 9037-I

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NORFOLK SOUTHERN RAILWAY COMPANY

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SUPPLEMENT 3 Corrected  
(Brings forward Item 230 from Supplement #2 Unchanged)

TO

FREIGHT TARIFF NS 9037-I

Cancels Supplements 1 & 2  
Supplement 3 contains all changes

of

Publishing Rules and Charges For  
DIVERSION AND RECONSIGNMENT

of

COAL, COKE and IRON ORE  
(as described in Condition 5 in the Coal Conditions of Carriage #2 Series)

In Carloads  
At Stations On

NORFOLK SOUTHERN RAILWAY COMPANY

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THIS TARIFF ALSO APPLIES ON INTRASTATE TRAFFIC

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ISSUED: October 21, 2008

EFFECTIVE: November 12, 2008

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Issued By

Coal Business Group  
Roanoke, Virginia 24042-0026

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**SUPPLEMENT 3 TO TARIFF NS 9037-I**

**RULES AND OTHER GOVERNING PROVISIONS  
GENERAL RULES AND REGULATIONS**

	SUBJECT	APPLICATION
10 Z	Station Lists and Conditions	The NS Conditions of Carriage #2 Series, including all of the tariffs and other publications incorporated therein shall apply to movements under this tariff except to the extent inconsistent with the terms of this tariff. This Tariff is also governed by the Official List of Open and Prepay Stations ICC OPSL 6000 Series, Station List Publishing Company, Agent.
20 Z	Reference to Tariffs, Items, Notes, Rules, etc.	Where reference is made in this Tariff to tariffs to items, etc., such references are continuous and include supplements to and successive issues of such tariffs and reissues of such items, etc.
45 Z	Capacities and Dimensions of Cars	For marked capacities, lengths, dimensions and cubical capacities of cars, see the Official Railway Equipment Register R.E.R. Publishing corporation, Agent, ICC RER 6411 Series.
60 Z	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.
120 Z	Per Car Minimum Weight	For Minimum weight to apply please see the NS Coal Conditions of Carriage #2 Series. In the absence of a minimum weight provision in the NS Condition of Carriage #2 series then the 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 order or bill of lading that car is so loaded, actual weight will apply.

**SUPPLEMENT 3 TO TARIFF NS 9037-I**

**RULES AND OTHER GOVERNING PROVISIONS  
GENERAL RULES AND REGULATIONS**

205 B	Conditions	<ol style="list-style-type: none"><li>1. N- A party requesting reconsignment represents that it is the owner of the coal or is authorized by the owner to request reconsignment. If the party requesting reconsignment is neither the owner of the coal nor authorized by the owner to request reconsignment, the party requesting reconsignment shall indemnify Carrier for any and all liabilities it incurs as a result of Carrier granting such request.</li><li>2. A shipment which has "broken bulk", i.e., has been partially unloaded, at the original destination, cannot be reconsigned.</li><li>3. An order for reconsignment cannot specify a particular time for execution.</li><li>4. 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.</li><li>5. Orders for reconsignment must be made or confirmed in writing.</li><li>6. Carrier will only agree to reconsign a car which has not been delivered to another railroad.</li></ol>
221 Z	Application Of Charges	<p>All reconsignment and/or out-of-route charges applicable herein shall be in addition to the freight charges which are due on a reconsigned shipment based upon the applicable through rate between the origin and new destination, to which the shipment has been reconsigned.</p>

ITEM	SUBJECT	APPLICATION
230 Z	Reconsigning Charges	<p>When a car is reconsigned and/or is stopped in transit, apply the following charges (in addition to applicable demurrage charges in Item 225 and out-of-route charges in Item 250, if applicable):</p> <p>A. For individual cars or not more than twenty five (25) cars moving in a block on one waybill:</p> <p style="text-align: right;">Per Car</p> <p>(1) prior to actual or constructive placement for unloading by the billed consignee . . . . . \$ 205.00</p> <p>(2) after actual or constructive placement for unloading by the billed consignee . . . . . \$ 293.00</p> <p>B. For more than twenty five (25) cars but less than seventy five (75) cars moving in a block, on one waybill:</p> <p>(1) prior to actual or constructive placement for unloading by the billed consignee . . . . . \$ 104.00</p> <p>(2) after actual or constructive placement for unloading by the billed consignee . . . . . \$ 149.00</p> <p>C. For seventy five (75) or more cars moving in a block, on one waybill:</p> <p>(1) prior to actual or constructive placement for unloading by the billed consignee . . . . . \$ 52.00</p> <p>(2) after actual or constructive placement for unloading by the billed consignee . . . . . \$ 79.00</p>

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RULES AND OTHER GOVERNING PROVISIONS  
GENERAL RULES AND REGULATIONS

RULES AND CHARGES GOVERNING DIVERSION AND RECONSIGNMENT		
ITEM	SUBJECT	APPLICATION
245 Z	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) B. (1), or C. (1) 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><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), B. (3) or C. (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 another coal. The appropriate charge(s) in Item 230 will apply.</p>

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RULES AND OTHER GOVERNING PROVISIONS  
GENERAL RULES AND REGULATIONS

		GOVERNED BY ICC RPS 6301 SERIES	COAL, COKE, IRON ORE CARLOADS
			RATE
		MILES (Not Over)	(Per Car)
250 Z	Charges for Out-of-Route Movement (Note 1)	15	\$327
		25	\$384
		50	\$533
		75	\$730
		100	\$888
		125	\$1,005
		150	\$1,084
		175	\$1,122
		200	\$1,160
		225	\$1,192
		250	\$1,233
		275	\$1,256
		300	\$1,302
		325	\$1,324
		350	\$1,358
		375	\$1,436
400	\$1,509		
425	\$1,580		
450	\$1,648		
475	\$1,712		
500	\$1,774		

(Note 1):

With the exception shown in Paragraph 4 of Item 240, when the reconsignment involves movement out of route, charge shown above 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.

Reference Mark

- ◆ Increase
- B Brought forward with changes
- N New Item that does not result in an increase or a decrease
- Z Brought forward with no changes