

**SUPPLEMENT
TO
VCC NS 9219-B**

**SUPPLEMENT
TO
ICC NS 9219-B**

NORFOLK SOUTHERN RAILWAY COMPANY

SUPPLEMENT 18

TO

FREIGHT TARIFF NS 9219-B

**Cancels Supplement 17
Supplement 18 contains all changes**

COVERING

CHARGES, RULES AND REGULATIONS ON COAL AND COKE

(the direct product of coal)

CHARGES, RULES AND REGULATIONS TARIFF

ISSUED: November 7, 2005

EFFECTIVE: November 27, 2005

ISSUED BY

**T. E. BAYRER
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Roanoke, Virginia 24042-0026**

SUPPLEMENT 18 TO FREIGHT TARIFF NS 9219-B

CANCELLATION NOTICE 16	
Supplement 16 canceled:	
<u>Tariff</u>	<i>Extent of Cancellation</i>
CR-4605-C	Rules and charges governing the handling of overloaded cars for account NS. Transferred to NS 9219-B
CR-4605-C	Charges for loading of bituminous coal transferred to NS-9219-B
RPS-6008-R	NS participation transferred to NS 9219-B

RULES AND OTHER GOVERNMENT PROVISIONS SPECIAL RULES AND REGULATIONS – UNLIMITED		
ITEM	SUBJECT	APPLICATION
16 110-B B	Charges on CL Coal found to be overloaded	<p>(Provisions formerly shown and not brought forward are hereby canceled.)</p> <p>When carloads of coal shipped from origins on NS are found to be overloaded; i.e., when the car is loaded beyond its stenciled load limits, or beyond track weight limitations, the load in the car must be reduced and the following will apply:</p> <p>(1) A charge of three hundred (\$300.00) per car shall be assessed against the Consignor or owners of the shipment for each car found to be loaded in excess of the load limit or in excess of track weight limitation.</p> <p>(2) At its discretion, NS will reduce the overloaded car or require the Consignor to arrange for the reduction. Should NS reduce the overloaded car, in addition to (1), a charge of one hundred seventy-five (\$175.00) per car will be assessed against the Consignor or owner of the shipment to reduce the excess coal from overloaded car.</p> <p>(3) At its discretion, NS shall confiscate and dispose of the excess coal but shipper will not be compensated for the coal removed from the overloaded car.</p> <p>(4) If an overloaded shipment was weighed prior to the time the lading in the car is reduced and if the tariff or contract covering the line-haul rate for the shipment requires such weight to be used to calculate freight charges, then NS shall estimate the lading removed from the car and shall adjust the billing on the remaining lading on the basis of that estimate.</p>
160-C©	Coal at Richburg, MS	CANCELLED
165©	Coal at Richburg, MS	CANCELLED
16 225-D B	Flood Loading of Coal with Railway Crews at Railway Origins	Consignor agrees to be bound by the provisions of this item, including payment of charge, if any, when Railway performs flood loading service at Consignor's mine. Railway may decline to provide flood loading service at its sole discretion for any reason.

For explanation of reference marks, see last page of this tariff.

SUPPLEMENT 18 TO FREIGHT TARIFF NS 9219-B

RULES AND OTHER GOVERNMENT PROVISIONS SPECIAL RULES AND REGULATIONS – UNLIMITED		
ITEM	SUBJECT	APPLICATION
<p>16 225-D B (concluded)</p>	<p>Flood Loading of Coal with Railway Crews at Railway Origins</p>	<p>Flood loading service consists of the continuously coupled movement of a train of at least 50 cars through qualifying NS served coal loading facilities using Railway motive power and crews for the purpose of loading the train by Consignor subject to the following provisions:</p> <ol style="list-style-type: none"> (1) Such service will be performed only at the convenience of the Railway. (2) Consignor must arrange flood load service with Railway's designated Operating personnel prior to loading. (3) When necessary and in Railway's judgment to permit loadings. Railway may split a train into two or more segments at the mine and reassemble the segments after loading. Railway shall decide the number of segments and the number of cars in each segment. (4) Trains flood loaded in this service shall not be subject to other demurrage rules and charges that apply in the absence of this item. (5) Free time for loading a train herein, shall be 2.50 minutes per car except that 3.00 minutes per car shall be allowed for segmented loading pursuant to Item (3) above. (6) Loading time shall commence when the first car begins to move through the loading facility, except that if movement through the loading facility is prevented by any cause attributable to the Consignor, loading time shall begin when the Railway would ordinarily have begun such movement. (7) All loaded cars in the train must be tendered and billed by Consignor in a separate block for each destination. In applying the provisions of Paragraph (8), loading of the train shall not be considered as completed until all cars are properly blocked by destination. (8) Loading time shall end when the last car in the train has been loaded and valid Bill of Lading supplied to NS for all cars in the train. (9) Railroad caused delays are to be excluded from loading time, as described in paragraph (6) and (8). In addition, in the case of segmented loading, as described in paragraph (3), railroad switching time in excess of 30 minutes shall be excluded from loading time. <p>Flood loading service of 49 cars or less may be provided at Railway's convenience and must be arranged with NS' Manager Coal Transportation at least 48 hours in advance of loading unless lesser notice is acceptable to Railway.</p> <p>If loading time, as defined in Paragraph (6) and (8) exceeds allowable free time, the Consignor will be charged and agrees to pay \$120 for trains with 49 or fewer cars and \$80 for trains with 50 or more cars, for each 15 minute period or fraction thereof until all cars in the train are loaded and ready to be transported by Railway.</p>

For explanation of reference marks, see last page of this tariff.

RULES AND OTHER GOVERNMENT PROVISIONS SPECIAL RULES AND REGULATIONS – UNLIMITED		
ITEM	SUBJECT	APPLICATION
<p>16 240 B</p>	<p>Train Cancellation Charges</p>	<p>A train or unit train with respect to which a permit has been issued by Railway and that is subsequently cancelled by the scheduling party (“Customer”) shall be subject to the following charges payable by Customer:</p> <p>(1) A Train Cancellation Charge of \$1,750 shall apply if a Notice is received after 12:00 PM of the day prior to the permitted load date or a Notice is not given but Customer is unable to load a permitted train on the load date and;</p> <p>(2) An Out of Route Charge of \$5,000 shall apply on all cancelled trains for which the permitted load point is NOT within the states described in subpart (B) below and Railway has physically begun movement of the empty train to the permitted load point and;</p> <p>(3) An empty train Switching Charge of \$2,500 shall apply on all empty trains that have been moved and placed at a permitted flood load point, irrespective of the train cancellation time, and will be in addition to the Out of Route Charge and if applicable, the Train Cancellation Charge. Such placed trains also shall be subject to demurrage as applicable.</p> <p>Notwithstanding the foregoing:</p> <p>(1) No charges under this item shall apply with respect to a train or unit train cancellation if:</p> <p style="padding-left: 40px;">(A) the Notice is received by Railway not later than 12:00 p.m. on the day prior to the permitted load date; and</p> <p style="padding-left: 40px;">(B) the permitted loading point is in West Virginia, Virginia, Kentucky, Tennessee, Ohio, or Pennsylvania: and</p> <p style="padding-left: 40px;">(C) the empty train has not been placed at the permitted load point or can, at Railway’s discretion, be redirected to another available loading point that is within 30 miles from the original loading point;</p> <p>(2) No charges under this item shall apply with respect to a train or unit train cancellation if cancellation is the result of a breakdown of coal loading facilities, a strike or walkout of mine employees, or an Act of God, any of which occurs at the permitted origin after 12:00 p.m. of the day prior to the day loading is scheduled. In the event of any of these occurrences, Customer must provide a written, detailed explanation of such occurrence to Railway within ten (10) days following the date of cancellation.</p> <p>Notice of train or unit train permit cancellation (“Notice”) shall be in writing, by telephone or by e-mail (with correct address) and shall be given to Railway’s Office of Manager Coal Transportation during Railway’s normal working hours and to Railway’s Transportation Control Center after Railway’s normal working hours.</p> <p>For purposes of applying this item, trainload/unit train service is defined as railroad service at a permitted coal loading point when a shipment is made pursuant to a contract or tariff rate which requires that such shipment be at least 5,000 tons (2,000 pounds) in 50 or more cars.</p>

For explanation of reference marks, see last page of this tariff.

RULES AND OTHER GOVERNMENT PROVISIONS SPECIAL RULES AND REGULATIONS – UNLIMITED		
ITEM	SUBJECT	APPLICATION
<p>16 250 (A) ◆</p>	<p>Coal Trains Stopped in Transit</p>	<p>Loaded Coal Trains stopped in transit shall be subject to a stoppage charge as follows:</p> <p>(A) Loaded Coal trains consisting of private rail cars shall be subject to a stoppage charge of \$2,800.</p> <p>(B) Loaded Coal trains consisting of railroad cars shall be subject to a stoppage charge of \$4,200.</p> <p>(C) In addition to the stoppage charge and if disposition on the stopped train has not been received by NS Transportation after 24 hours from the first 7 AM following the time the train was ordered stopped, then a demurrage charge shall apply on Railroad cars for each subsequent 24 hour period, or fraction thereof, equal to \$60 times the number of cars in the train. Such demurrage charge shall accrue until the stop order is lifted by the consignee and NS is cleared to move the train towards destination.</p>
<p>16 260 ◆</p>	<p>Origin Demurrage</p>	<p>1. Cars placed for loading on coal mine tracks, coal mine sidings or tracks for loading by Consignor must be loaded and shipping instructions or other disposition issued within two days from the first 7:00 a.m. after placement of the empty car, except on cars placed in advance of the date for which ordered for loading, time will be computed from 7:00 a.m. of the day for which ordered. After expiration of free time allowed, the charge of \$60.00 per car per day, or fraction of a day, will apply and be due from Consignor until car is released.</p> <p>2. Each Consignor must maintain complete records as to the number of empty or loaded cars held for each origin awaiting shipping instructions or other disposition and must furnish carrier a daily report for each origin showing the number of such cars on hand as of 7:00 a.m. each day.</p>
EXPLANATION OF REFERENCE MARKS		
REFERENCE MARKS		EXPLANATION
(A)		Addition.
!		Reduction.
+		Application only on Alabama Intrastate Traffic.
□		Reissued from Supplement bearing the number enclosed within the square.
◆		Increase
©		CANCELLED

B – Brought forward without change.

For explanation of reference marks, see last page of this tariff.

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