

Subject, except as otherwise provided herein, to "Application of Selective Increases" as provided for in Item 115-series.

FT LVRJ 8500-U

LEHIGH VALLEY RAIL MANAGEMENT LLC JOHNSTOWN DIVISION

FREIGHT TARIFF LVRJ 8500-U

CHARGES, RULES AND
REGULATIONS FOR
LOCAL, PROPORTIONAL AND
MISCELLANEOUS SWITCHING CHARGES
ALSO
PROVISIONS GOVERNING RECEIPT AND
DELIVERY OF CARS OF FREIGHT
AND STORAGE PROVISIONS ON
EQUIPMENT AT STATIONS ON
LEHIGH VALLEY RAIL MANAGEMENT LLC - JOHNSTOWN DIVISION

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular items.

SWITCHING AND MISCELLANEOUS TARIFF

Governed, except as otherwise provided herein, by Uniform Freight Classification shown in Item 5-series.

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ISSUED BY

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FREIGHT TARIFF LVRJ 8500-T

TABLE OF CONTENTS	
SUBJECT	ITEM(S)
Abbreviations and Reference Marks, Explanation Of	1000
General Rules and Regulations:	
Application of Selective Increases	115
Capacity and Dimensions of Cars	45
Consecutive Numbers	40
Explosives, Dangerous Articles	15
Governing Classification, Description of	5
Method of Canceling Items	25
Reference to Tariffs, Items, Notes, Rules, Etc	20
Standard Transportation Commodity Codes Tariff	125
Station List and Conditions	10
Special Rules and Regulations - Unlimited:	
Demurrage Charges	200
Switching Limits Defined	210
Application of Rates - Articulated Railway Cars	220
Separate Handling of Long Single Cars	225
Shipments Requiring Two or More Railway Cars	230
Security Deposits	245
Maintenance Charge for Switch Connection	250
Special Rules And Regulations - Limited:	
Local Switching	300-312
Proportional Switching	400-420
Section 1 - Local Switching And Miscellaneous Services:	
Application of Rates	300
Intradistrict Switching Defined	305
Intraterminal Switching Defined	310
Intraterminal Switching Districts Defined	312
Rates	315-390
Section 2 - Proportional Switching and Miscellaneous Services:	
Application of Rates	400
Interchange Line-haul Switching Defined	410
Intermediate Switching Defined	420
Rates	450-485
Section 3 - Provisions Governing Receipt and Delivery of Freight:	
Application of Rates	500
At Privately Owned Sidetracks Or Industrial Tracks	510
Loading And Unloading Locations	520
Charges For Delay In Accepting Services	530
Explanation Of Notes For Items 500-530	540
Liability for Commodity Loss or Damage	550
List of Holidays	560

RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS	
ITEM 5	DESCRIPTION OF GOVERNING CLASSIFICATION
<p>The term "Uniform Classification" when used herein means the Uniform Freight Classification UFC 6000-series issued by the National Railroad Freight Committee, Agent.</p> <p>Exception: Rules 13, 24, and 29 of UFC 6000-series do not apply.</p>	
ITEM 10	STATION LIST AND CONDITIONS
<p>This tariff is governed by the Official List of Open and Prepay Stations, OPSL 6000-series, issued by Railinc, Agent to the extent shown below:</p> <p style="text-align: center;">PREPAY REQUIREMENTS AND STATION CONDITIONS</p> <p>For additions and abandonments 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>	
ITEM 15	EXPLOSIVES, DANGEROUS ARTICLES
<p>For rules and regulations governing the transportation of explosives and other dangerous articles by 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>	
ITEM 20	REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.
<p>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 revisions of such items, notes, rules, etc.</p>	
ITEM 25	METHOD OF CANCELING ITEMS
<p>As the 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 100-A cancels Item 100 and Item 300-B cancels Item 300-A in a prior supplement which, in turn, cancelled Item 300.</p>	
ITEM 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. 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>	
ITEM 45	CAPACITIES AND DIMENSIONS OF CARS AND CONNECTING RAILROADS AND JUNCTION POINTS
<p>See Official Railway Equipment Register, issued by R.E.R. Publishing Corporation, Agent.</p>	

For explanation of abbreviations and reference marks not explained herein, see Item 1000-series, this tariff.

FREIGHT TARIFF LVRJ 8500-T

RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS
<p>ITEM 115 APPLICATION OF SELECTIVE INCREASES</p> <p>A selective increase has been applied to rates and charges contained in this tariff, based off market and other industry factors. All rates, treated under the provisions of this item, will be rounded to the next highest whole dollar amount.</p>
<p>ITEM 125 STANDARD TRANSPORTATION COMMODITY CODE NUMBERS</p> <p>Reference to commodities transported under the terms of this tariff shall be made by STCC number, as set forth in the Standard Transportation Commodity Code Tariff STCC 6001-series.</p> <p>When shipments contain explosives or other dangerous commodities (See Item 15), the seven digit 49-series STCC number must be shown on the shipping document by the shipper.</p>
RULES AND OTHER GOVERNING PROVISIONS SPECIAL RULES AND REGULATIONS - UNLIMITED
<p>ITEM 200 DEMURRAGE CHARGES [A] / [I]</p> <p>Demurrage for hazardous commodities (non TIH/PIH), will be \$200.00 [A] per day or fraction thereof with no free time.</p> <p>Demurrage for heavy duty industrial cars or cars deemed as specialty equipment by the Equipment Manager of the Railroad will be \$150.00 [C] per car per day or fraction thereof with no free time.</p> <p>Demurrage for refrigerated cars or cars deemed as specialty equipment by the Equipment Manager of the Railroad will be \$80.00 [I] per car per day or fraction thereof after free time. Free time will be one (1) day for loaded cars and two (2) days for empty cars.</p> <p>Demurrage on all other cars will be \$60.00 [I] per car per day or fraction thereof after free time. Free time will be one (1) day for loaded cars and two (2) days for empty cars.</p> <p>All demurrage records will be maintained on a monthly calendar basis and billing, where applicable, will be presented by this railroad within 15 days after the monthly period ends.</p>
<p>ITEM 210 SWITCHING LIMITS DEFINED</p> <p>The entire line of road, will be consolidated into one district, connecting near Confluence of Hinckston Run and Conemaugh River in the city of Johnstown, PA. The western section runs from such connecting point to village of Tanneryville, PA in West Taylor Township. The Hinckston section runs from such connecting point northwardly to lower Ore Yard. The northern section runs from such connecting point northwardly to a point northeasterly from Park Hill Settlement in East Taylor Township.</p>
<p>ITEM 220 APPLICATION OF RATES - ARTICULATED RAILWAY CARS</p> <p>The rates in this tariff will apply on each unit-segment of the articulation as a car. Each unit-segment must physically be part of the multi-unit-articulated-vehicle-of-commerce at the time of movement.</p>
<p>ITEM 225 (TARIFF CODE 14) SEPARATE HANDLING OF LONG CARS [I]</p> <p>When because of track structure constraints, not operationally compatible with cars over 52 feet, 6 inches in length, this railroad is required to switch one-car-at-a-time, a charge of \$215.00 [I] per car will apply in addition to all other applicable charges.</p>
<p>ITEM 230 SHIPMENTS REQUIRING TWO OR MORE RAILWAY CARS [C]</p> <p>When shipments are loaded in so called articulated cars (two or more units permanently or temporarily joined together), or when a shipment requires two or more cars for transportation (including any and all reach cars or idlers), the rate for each unit-segment, reach car, or idler car in the sequence will be \$500.00 in addition to the applicable charges associated with the loaded railcar.</p>

RULES AND OTHER GOVERNING PROVISIONS SPECIAL RULES AND REGULATIONS - UNLIMITED
<p>ITEM 245 SECURITY DEPOSITS</p> <p>A security deposit to insure payment of any demurrage, storage and other charges that may accrue will be required from every customer who:</p> <ol style="list-style-type: none"> 1. Is not on the railroad's credit list or 2. Fails to pay demurrage, storage and other charges after specific written demand referring to this tariff provision. <p>The deposit must be paid in cash, certified check, cashier's check or money order before any freight car is delivered to such customer for loading or unloading. A deposit on one unit of equipment will not be transferable to another.</p> <p>The deposit for each car shall be in the minimum amount of \$1,000.00 [I] or up to the maximum amount of demurrage, storage and other charges that accrued on any one car during the preceding 12 months.</p> <p>However, in the case of a customer receiving multiple carloads for loading or unloading, the total amount required to be deposited shall not exceed the higher of the following two numbers: (a) \$5,000.00 [I]; or (b) the amount of existing past due demurrage, storage and other charges accrued by the customer, plus \$2,500.00 [I].</p> <p>The deposit will be refunded after payment has been received for demurrage, storage and other charges on the corresponding equipment, should such charges have been incurred. The customer's request for such refund must be made in writing to the office of the railroad. If no refund request is received by that designated office within thirty (30) days after the equipment is released, the railroad will refund the remainder of the deposit to the customer after deducting any unpaid demurrage, storage and other charges on that shipment.</p> <p>Deposits will no longer be required after the customer either:</p> <ol style="list-style-type: none"> 1. Is placed on the railroad's credit list, or 2. Has paid all outstanding charges and has given assurance to the satisfaction of the railroad's credit officer that future charges will be paid within credit period of 15 consecutive days from the date on the bill.
<p>ITEM 250 MAINTENANCE CHARGE FOR SWITCH CONNECTION [C]</p> <p>Switch Connection is a switch maintained and/or used by the LVRJ for access to privately-owned sidetracks.</p> <p>Annual charge for maintenance of a Switch Connection \$3,500 per year</p> <p>Exemptions: The charge will not apply during any calendar year beginning January 1, 2006 in which the privately-owned sidetrack served by the switch connection originates and/or terminates twenty-four (24) or more carloads.</p> <p>Payable Date This charge is payable by the owner of the sidetrack served by the switch connection on or before January 1, 2006 and each succeeding January 1. The charge relates to LVRJ maintenance of this switch connection during the previous calendar year.</p> <p>Service Obligation LVRJ is under no obligation to provide service to or from private sidetracks for which the applicable charge is unpaid.</p>

For explanation of abbreviations and reference marks not explained herein, see Item 1000-series, this tariff.

FREIGHT TARIFF LVRJ 8500-T

SECTION 1	
LOCAL SWITCHING AND MISCELLANEOUS SERVICES SPECIAL RULES AND REGULATIONS – LIMITED	
ITEM300	APPLICATION
Rates and charges apply on local switching and miscellaneous services for intra-terminal (Item 310) activities described in this Section.	
ITEM310	INTRA-TERMINAL SWITCHING DEFINED
Intra-Terminal switching is the movement of a car or cars from one track to another track, or between two locations of the same track, within the switching limits of the same area or industrial switching district.	
LOCAL SWITCHING AND MISCELLANEOUS SERVICES SPECIAL RULES AND REGULATIONS – LIMITED (Rates and Charges in dollars and cents per car, except as noted)	
ITEM315	INTRA-TERMINAL SWITCHING [I]
All traffic: Between all points and all industries within the switching limits (Item 210)	
All cars \$461.00 [I]	
ITEM321	HOLDING CARS [A] / [I]
When loaded or empty cars cannot be placed to designated destination track due to conditions beyond the control of this railroad, an additional charge per movement will be assessed for the holding and subsequent delivery of the cars..... \$225.00 [I]	
In addition, a per car per day charge will apply beginning the day the cars are placed on hold tracks. \$60.00 [I]	
If private or other railroad ownership cars, loaded or empty, are held on Railroad Owned tracks for any reason, including but not limited to storage, a per car per day charge will apply beginning the day the cars arrive on Railroad Owned tracks.\$80.00 [I]	
If railcars contain hazardous or last contained residue commodities, loaded or empty, are held on Railroad Owned tracks for any reason, including but not limited to storage, a per car per day charge will apply immediately with no free time.\$200.00[A]	
The charges in this item will apply in addition to charges published elsewhere in this tariff.	
Note: All Saturdays, Sundays, and holidays (See Item 560) are to be considered chargeable days for cars being held awaiting instructions under this item, after the first Saturday, Sunday or holiday immediately following the day cars are placed on hold tracks, except for railcars containing hazardous or last contained residue commodities.	
Carrier reserves the right to determine which of its tracks shall be used for holding cars subject to provisions of this item.	

SECTION 1	
ITEM323	ORDERED, NOT USED, REJECTED [C]
When an empty car is ordered by a shipper, or by a third party on behalf of a shipper, and the car is subsequently cancelled or rejected by the shipper for any reason a charge will apply against the shipper. shipper.\$250.00 [C]	
ITEM330	FORWARDING INSTRUCTIONS AND MANUAL RELEASE [A]
Forwarding instructions must be provided electronically by the first Line Haul Road in the route. Customer will submit forwarding instructions to the first Line Haul Road in the route.	
Revenue route empty release must be submitted to the Railroad using RailConnect™ and will be applied when released empty from Customer facility. Private cars are automatically reverse routed to their last point of origin or interchange unless instructions to the contrary are submitted in a timely manner. Changes in routing of empty railcars movements must be submitted as forwarding instructions as mentioned above. Railcars with more than 1,000 pounds of lading are not considered empty and may require a separate Shipping instruction.	
The Railroad will accept forwarding and/or release instructions to its Customer Service team via email (service@phoenixrail.com), subject to a charge of \$75 per single railcar waybill, or \$300 per bill of lading for unit trains and/or hazardous commodities. The Railroad reserves the right to reject as an unreasonable request for service, any emailed forwarding instructions that are illegible due to poor transmission quality, poor or illegible handwriting, incomplete or otherwise unable to complete the request. The Railroad will not accept delivery of forwarding instructions by U.S. Mail, express service, personal delivery, phone or otherwise. Charges for emailed forwarding instructions do not apply to hazardous waste, United States Government shipments, or voids and corrections.	
ITEM335	LOCOMOTIVE RENTAL OR SPECIAL SERVICE [C]
For rental of locomotives, including crew, upon definite prearrangement with railroad management as to time, place and service to be performed or prior request to carrier for locomotive services not required in connection with performing services under items named elsewhere in this tariff, such as stand-by (with or without supplying steam or air for dumping), rerailling of cars, or other equipment and other services not specifically covered herein. \$500.00 per hour. [C]	
ITEM340	LOCOMOTIVES (NOTE 1), LOCOMOTIVE TENDERS, LOCOMOTIVES AND TENDERS, LOCOMOTIVE CRANES, POWER SHOVELS AND POWER DERRICKS [I]
(a) Locomotives, Locomotive Tenders, Locomotives And Tenders, Loco Cranes, Power Shovels and Power Derricks, Material Transfer Cars Electric Pushers, On Their Own Wheels, Dead\$1,050.00 Per Unit [I]	
(b) Locomotives, Locomotives And Tenders, On Their Own Wheels, Under Their Own Power \$800.00 Per Unit [I]	
Note 1: A locomotive is considered to be a single unit.	

For explanation of abbreviations and reference marks not explained herein, see Item 1000-series, this tariff.

FREIGHT TARIFF LVRJ 8500-T

SECTION 1
<p>ITEM345</p> <p align="center">EARLY RELEASE - UNABLE TO PULL [A]</p> <p>(a) When a customer releases an empty or loaded railcar and it is determined by the Railroad's crew, upon arrival at the Customer's facility, that one or more of the railcars which were released by Customer cannot be pulled by the Railroad as a result of conditions attributable to the Customer, each such railcar released by Customer in error shall be deemed an "Early Release".\$100.00 per car [A]</p> <p>(b) The maximum amount per occurrence will be capped at the equivalent of five cars. \$500.00 Per Occurrence [A]</p>
<p>ITEM346</p> <p align="center">ORDERED IN - UNABLE TO PLACE [A]</p> <p>(a) When a customer orders in an empty or loaded railcar for placement but cannot receive the railcar because of conditions attributable to the Customer, each such railcar which may not be received by Customer shall be deemed a "Ordered in Error".\$100.00 per car [A]</p> <p>(b) The maximum amount per occurrence will be capped at the equivalent of five cars. \$500.00 Per Occurrence [A]</p>
<p>ITEM350</p> <p align="center">REMOVAL AND REPLACEMENT OF CARS AFTER FIRST PLACEMENT OR SERVICE [I]</p> <p>For removal and replacement of a car originally placed on a track, whether empty, partly loaded, partly unloaded, or fully loaded, requiring movement that changes car's position on the track or when necessary for the placement or removal of other car(s), a charge will be assessed for each additional movement of each car.\$225.00 [C]</p>
<p>ITEM355</p> <p align="center">RETURNED TO CUSTOMER [A]</p> <p>A charge per railcar will be assessed on railcars released by Customer, pulled from the Customer industry or track but not yet interchanged beyond Railroad, and subsequently ordered returned to Customer\$500.00 [A]</p>
<p>ITEM356</p> <p align="center">ERROR RELEASED, DELIVERED OFFLINE, RETURNED [A]</p> <p>If a railcar is released empty and found to be loaded, released loaded and found to be empty, or customer furnishes incomplete or incorrect billing instructions, and the railcar is subsequently interchanged to a connecting carrier, the Customer will be assessed a returned railcar fee in addition to any fees assessed by the Railroad in which the railcar was interchanged.\$1,000.00 [A]</p>
<p>ITEM360</p> <p align="center">SHOP CARS-REPAIRED OR TO BE REPAIRED [C]</p> <p>For switching of empty or loaded cars, repaired, or to be repaired, on railroad or customer owned tracks\$325.00 [C]</p>

SECTION 1
<p>ITEM370</p> <p align="center">SORTING AND ASSEMBLING [I]</p> <p>For sorting, assembling and selectively sequencing empty or loaded cars by type of car or railroad markings, when not randomly placed, the following charge will apply in addition to charges published elsewhere in this tariff.\$225.00 [I]</p>
<p>ITEM375</p> <p align="center">EXPEDITED SERVICE [A]</p> <p>Requests for service submitted to Railroad after expiration of cut-off time will be processed by the next available day of regular scheduled service. Railroad may honor requests for expedited service whenever feasible and at its sole discretion, subject to an additional expedited service charge.\$250.00 [A]</p>
<p>ITEM376</p> <p align="center">SECOND SWITCH [A]</p> <p>Second switching consists of the movement of railcars for the Customer from any location where such railcars are available at the Customer facility, at Interchange or held in constructive placement, storage or other retention status. Railcars are subject to charge when instruction is received to provide an additional switch or service after the first switch or service has already been performed earlier in the same 24 hour period. If a request is received and subsequently cancelled within (4) hours of scheduled service, Railroad reserves the right to still apply charges for the railcars anticipated to have been serviced for the second switch.</p> <p>Requests for second switches will be performed at the sole discretion of the Railroad.\$250.00 [A]</p>
<p>ITEM380</p> <p align="center">TURNING CARS / "WYE TURNAROUND" [C]</p> <p>Consignors and shippers should load railcars in a manner that unloading can be accomplished from either side of the railcar. If needed for convenience of loading or unloading after delivery at origin or destination, customers may request a repositioning called "turning car" or "Y" service, a charge will be assessed for each railcar that is turned. \$500.00 [C]</p>
<p>ITEM385</p> <p align="center">HANDLING OF OVERLOADED RAILCARS [A]</p> <p>When it is determined by the Railroad that a railcar is loaded beyond its registered and stenciled capacity or in excess of its maximum allowable gross weight on rail of 286,000 lbs, whichever is less ("Overloaded") or improperly loaded while on the Railroad's railway lines, the Railroad may take any of the following measures:</p> <ol style="list-style-type: none"> 1) Determine, on a case-by-case basis and at its sole discretion, whether the overloaded or improperly loaded railcar may be moved safely and allowed to continue in transit; and 2) If the railcar requires inspection or adjustment, the Railroad may assess additional fees and costs to the Customer if the Railroad performs the inspection or adjustment; and 3) Place the railcar into Constructive Placement status until such time that the situation is remedied to the Railroad's satisfaction and the railcar may be moved safely and allowed to continue in transit; and

For explanation of abbreviations and reference marks not explained herein, see Item 1000-series, this tariff.

FREIGHT TARIFF LVRJ 8500-T

SECTION 1
<p>ITEM385</p> <p align="center">HANDLING OF OVERLOADED RAILCARS (CONT)</p> <p>4) At its discretion, notify the Customer that the Customer, at its sole cost and expense, shall be responsible for remedying the overloaded or improperly loaded railcar situation</p> <p>5) Railroad has authority to take action to resolve</p> <p>None of the determinations made or measures taken by the Railroad shall in any way exonerate, excuse or limit the liability of the Customer to the Railroad under the present Item.</p> <p>In addition to the measures listed above, when it is determined by the Railroad that a railcar is overloaded or improperly loaded regardless whether this determination is made on its railroad lines or during or subsequent to unloading, the Railroad shall assess and the Customer shall pay the Overload charge and applicable demurrage charges as specified in this tariff and all costs and expenses incurred by the Railroad associated with the delay to the railcar's movement.</p> <p>(a) Railcars overloaded at or under 5,000 lbs.\$500.00 [A] (b) Railcars overloaded above 5,000 lbs.\$1,000.00 [A]</p>
<p>ITEM390</p> <p align="center">WEIGHING CARS [I]</p> <p>For weighing or reweighing cars on railroad company scales, charges will be assessed each time car is weighed, loaded or empty. \$265.00 [I]</p>
<p>ITEM395</p> <p align="center">UNSAFE OR LEAKING HAZARDOUS RAILCARS [A]</p> <p>When a railcar is deemed unsafe based on the criteria in the bullet points below, a penalty of \$5,000 [A] may be assessed to the Customer:</p> <p>(a) A railcar is overloaded, imbalanced or has a shifted load (b) A railcar is spilling, leaking, or dusting (c) A railcar containing Hazardous Material or TIH/PIH commodities or residue is identified moving on the Railroad's line for which shipping instructions were not regulatory compliant. (d) A railcar containing a load that is mislabeled or loads not in compliance with FRA or PHMSA</p>
<p>ITEM396</p> <p align="center">MISSING OR IMPROPER PLACARDS [A]</p> <p>Customer agrees to comply with all Railroad and FRA safety rules pertaining to railcars and any products or commodities therein, including providing the proper hazmat documentation including, without limitation, loaded and last contained hazmat paperwork, proper bills of lading, signage or placards, and other needed supplies as determined by Railroad. Railroad agrees to comply with all FRA safety rules pertaining to the performance of its obligations.</p> <p>All cars interchanged to Railroad must be in good mechanical condition and compliant with FRA regulations. All cars interchanged shall have proper placards in good condition and compliance with applicable laws and regulations per the FRA. Railroad will have authority to replace or provide missing placards as follows.\$75.00 [A]</p>

SECTION 2
<p>ITEM400</p> <p align="center">APPLICATION</p> <p>Rates and charges on proportional switching and miscellaneous services for interchange line-haul (Item 410) activities described in this Section.</p>
<p>ITEM410</p> <p align="center">INTERCHANGE LINE-HAUL SWITCHING</p> <p>Shipments destined to or originating at points beyond point of interchange with the LVRJ at Johnstown, PA. When the rates as published in Column A of Section 2 are not absorbed by the connecting railroads of the LVRJ, as provided in the individual tariffs of these railroads, the rates published in Column B of Section 2 will be in addition to line-haul rates applicable to point of interchange with the LVRJ.</p>
<p>ITEM415</p> <p align="center">INTERCHANGE ERROR MOVEMENT [C]</p> <p>Cars received by the LVRJ in error or without forwarding instructions from the delivering carrier will be handled in accordance with AAR Car Service Rule 7, subject to a switching charge of \$550.00 [C] for returning car to proper carrier or forwarding cars to proper carrier. Charges for this service will be assessed against the delivering carrier.</p>
<p>ITEM420</p> <p align="center">INTERMEDIATE SWITCHING [C]</p> <p>Intermediate switching service is defined as switching which LVRJ performs between interchange tracks of one carrier to interchange tracks of another carrier at the same station. LVRJ will assess the intermediate switching charge of \$600.00 [C] to the delivering line-haul carrier.</p>

For explanation of abbreviations and reference marks not explained herein, see Item 1000-series, this tariff.

FREIGHT TARIFF LVRJ 8500-T

SECTION 2		
PROPORTIONAL SWITCHING INTERCHANGE LINE-HAUL SWITCHING (ITEM 410)		
(Rates and Charges in dollars and cents per car, except as noted.)		
	COLUMN A ABSORBED ITEM 410	COLUMN B NON- ABSORBED ITEM 410
ITEM 450 (c) Commodities, Other Than Shown Below	\$900.00 [I]	\$900.00 [I]
ITEM 455 Cars, Railway, empty on own wheels (Subject to Item 220), including New, repaired or to be repaired or dismantled (STCC 37 422 XX, except 37 422 93)	\$556.00 [C]	\$556.00 [C]
ITEM 460 Primary & Fabricated Metal Products (STCC 33 and 34)	\$900.00 [I]	\$900.00 [I]
ITEM 465 Railway Car Parts (STCC 37 Subject to Item 455)	\$900.00 [I]	\$900.00 [I]
ITEM 470 Liquefied gases, Coal or Petroleum, other Hazardous Material for online customers (STCC 49-05)	\$2,300.00 [A]	\$2,300.00 [A]
ITEM 471 Liquefied gases, Coal, Petroleum, other Hazardous Material for Storage or Staging (STCC 49)	\$1,585.00 [A]	\$1,585.00 [A]
ITEM 475 Waste or Scrap Metal (STCC 40)	\$900.00 [I]	\$900.00 [I]
ITEM 480 Machinery, except electrical (STCC 35)	\$2,205.00 [C]	\$2,205.00 [C]
ITEM 485 Electrical machinery, equipment or supplies (STCC 36)	\$2,205.00 [C]	\$2,205.00 [C]
SECTION 3		
PROVISIONS GOVERNING RECEIPT AND DELIVERY OF CARS OF FREIGHT		
ITEM 500		
APPLICATION		
Rules and charges applicable on receipt and delivery of cars of freight under conditions described in this tariff.		

SECTION 3	
PROVISIONS GOVERNING RECEIPT AND DELIVERY OF CARS OF FREIGHT	
ITEM 510	RECEIPT AND DELIVERY AT PRIVATELY-OWNED SIDETRACKS
<p>Except as otherwise provided in Item 530, cars of freight moving at carload switching rates published in tariffs or other instruments will be delivered on and removed from privately-owned side tracks or industrial tracks near and connecting with the carrier's tracks without additional charge, provided there are no conditions which make it unsafe for the carrier's locomotive to operate over such tracks, or that prevent the carrier from receiving or delivering cars at its ordinary operating convenience (See Note 1, Item 540).</p>	
ITEM 520	RECEIPT AND DELIVERY AT LOADING AND UNLOADING LOCATIONS
<p>Except as otherwise provided in Item 530, cars covered by Item 510 will be received and delivered at loading and unloading locations on tracks designated by the industry within the industrial plant site without any additional charge when such service can be ordinarily performed in continuous movement (Note 2, Item 540), at the carrier's ordinary operating convenience (Note 1, Item 540), provided the locomotives in general use for switching in the vicinity of the plant site can do so safely.</p>	
ITEM 530	(TARIFF CODE 13) [C]
CHANGES FOR DELAY IN ACCEPTING SERVICE	
<p>When receipt or delivery of a car or cars as provided in Items 510 and 520 cannot be accomplished in continuous movement (Note 2, Item 540), at the carrier's ordinary operating convenience (Note 1, Item 540), because of interruption, interference or another condition caused by the shipper or consignee, the carrier will arrange for receipt or delivery under the following provisions:</p>	
<p>A. If it appears that the delay will be temporary in nature, the locomotive will be held at the nearest available location and the service completed when conditions permit. Fifteen (15) minutes free time will be allowed for such temporary delay. Following such free time, a charge of \$125.00 [C] for each fifteen (15) minutes, or fraction thereof, for which the locomotive is delayed will be assessed in addition to all other rates and charges. Charges will be assessed in accordance with Paragraph (B) when delays encountered during a locomotive trick or shift, aggregate more than fifteen (15) minutes.</p>	
<p>B. If, after a reasonable period of delay, the obstruction or condition preventing completion of service has not been removed or eliminated, the carrier may, at its option, withdraw its locomotive and place the car or cars on a hold or other available track or tracks within or without the industry plant site. Charges for the delay encountered shall be computed in accordance with Paragraph (A). Subsequent movement by carrier's locomotive of the car or cars from the hold or other track or tracks to actual point of delivery will be subject to switching charges provided in Item 321 of this tariff.</p>	
<p>C. For the purpose of applying the provisions of Paragraph (A) and (B), time shall commence to run from the minute the carrier determines that the shipper or consignee is unable to accept service.</p>	

For explanation of abbreviations and reference marks not explained herein, see Item 1000-series, this tariff.

FREIGHT TARIFF LVRJ 8500-T

SECTION 3
PROVISIONS GOVERNING RECEIPT AND DELIVERY OF CARS OF FREIGHT
<p>ITEM 540</p> <p style="text-align: center;">EXPLANATION OF NOTES</p> <p>Note 1 - The term "ordinary operating convenience" means the time selected by the carrier when it is most advantageous to the carrier, in relation to its coordinated and harmonious switching activities in a particular switching zone. Ordinarily it contemplates only one switch a weekday except when additional switches are made by the carrier in its own or the public interest as distinguished from the customer's interest. To secure the prompt release of equipment or facilities, or when necessitated by the volume of traffic. Movements to, from or within the switching limits at other times at the request of the customer or to meet the requirements of customer operations are not at the carrier's ordinary operating convenience.</p> <p>Note 2 - The term "continuous movement" means a movement between the carrier's tracks and the loading or unloading locations, a hold track or tracks, or other place where cars are received or delivered without any delay or any suspension or break in time, or continuity of the movement, due to any circumstances or condition for which the customer is directly responsible.</p>
<p>ITEM 550</p> <p style="text-align: center;">LIABILITY FOR COMMODITY LOSS OR DAMAGE [A]</p> <p>LVRJ will transport railcars, loaded or empty, within ordinary operating convenience (See Item 540). LVRJ will not be liable for loss, damage, or delay caused by:</p> <ul style="list-style-type: none"> • an act of God • a public enemy, terrorism, or cyber-attack • the authority of law • riots • strikes • acts of civil disobedience • an inherent quality or characteristic in the commodity • natural shrinkage • temperature, corrosion, or humidity related issues • shipper, consignor, consignee, owner, or any contracting party's inability or refusal to accept or receive a railcar, loaded or empty, when first offered for placement by LVRJ • an act or default of shipper, consignor, consignee, owner, or any contracting party, including but not limited to, the failure of the shipper or any other party to properly block or brace the lading; or the stoppage and holding in transit of lading at the request of the shipper, consignor, consignee, owner, or any contracting party. <p>LVRJ's liability will not extend beyond the actual physical loss or damage to the cargo itself, including any costs reasonably incurred in efforts to mitigate the loss or damage. Notwithstanding anything to the contrary, with respect to Commodity loss or damage, LVRJ will not be liable for any claims totaling less than \$250.00 per railcar or claims in excess of \$250,000.00 per railcar. As a condition precedent to any right to recovery for loss, damage, or delay to cargo, a written claim must be filed within nine (9) months after delivery of a shipment.</p>

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<p>ITEM 560</p> <p style="text-align: center;">LIST OF HOLIDAYS</p> <p>Whenever in this tariff reference is made to "holidays," it means the following:</p> <ul style="list-style-type: none"> New Year's Day Memorial Day Independence Day Labor Day Thanksgiving Day Christmas Day <p>In the event one of the above holidays occurs on Sunday, the following Monday will be considered as a holiday for the purposes of this tariff. The dates observed for above holidays will be as provided by Federal law except where individual states decree otherwise.</p>																																						
<p>ITEM 1000</p> <p style="text-align: center;">EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</p> <table style="width: 100%; border: none;"> <tr><td style="width: 100px;">ASLG</td><td>- American Short Line and Regional Railroad Association</td></tr> <tr><td>BOE</td><td>- Bureau of Explosives</td></tr> <tr><td>CSXT</td><td>- CSX Transportation Corp.</td></tr> <tr><td>LVRJ</td><td>- Lehigh Valley Rail Management LLC, Johnstown Division</td></tr> <tr><td>NS</td><td>- Norfolk Southern Railway Company</td></tr> <tr><td>NSO</td><td>- National Service Order Tariff</td></tr> <tr><td>OPSL</td><td>- Open and Prepay Station List</td></tr> <tr><td>RER</td><td>- Railway Equipment Register</td></tr> <tr><td>RPS</td><td>- Railroad Publication Services, Agent</td></tr> <tr><td>STCC</td><td>- Standard Transportation Commodity Codes Tariff</td></tr> <tr><td>XX</td><td>- Indicates no applicable tariff code</td></tr> <tr><td>UFC</td><td>- Uniform Freight Classification</td></tr> <tr><td>[A]</td><td>- Denotes Addition</td></tr> <tr><td>[C]</td><td>- Denotes no change in rates</td></tr> <tr><td>[D]</td><td>- Cancellation</td></tr> <tr><td>[I]</td><td>- Denotes Increase</td></tr> <tr><td>[N]</td><td>- Denotes change in wording which results in neither an increase nor decrease</td></tr> <tr><td>[NS]</td><td>- Denotes rate not subject to Item 115 of this tariff</td></tr> <tr><td>[R]</td><td>- Denotes reduction</td></tr> </table> <p style="margin-top: 20px;">-X- The STCC number making reference hereto falling into one of the following categories:</p> <ul style="list-style-type: none"> 2 - Digit level (major industry group) 3 - Digit level (minor industry group) 4 - Digit level (industries) 5 - Digit level (product classes) <p style="padding-left: 20px;">shall also embrace all articles assigned additional digits listed thereunder in Tariff STCC 6001-series.</p>	ASLG	- American Short Line and Regional Railroad Association	BOE	- Bureau of Explosives	CSXT	- CSX Transportation Corp.	LVRJ	- Lehigh Valley Rail Management LLC, Johnstown Division	NS	- Norfolk Southern Railway Company	NSO	- National Service Order Tariff	OPSL	- Open and Prepay Station List	RER	- Railway Equipment Register	RPS	- Railroad Publication Services, Agent	STCC	- Standard Transportation Commodity Codes Tariff	XX	- Indicates no applicable tariff code	UFC	- Uniform Freight Classification	[A]	- Denotes Addition	[C]	- Denotes no change in rates	[D]	- Cancellation	[I]	- Denotes Increase	[N]	- Denotes change in wording which results in neither an increase nor decrease	[NS]	- Denotes rate not subject to Item 115 of this tariff	[R]	- Denotes reduction
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