

WHEELING AND LAKE ERIE RAILWAY COMPANY

FREIGHT TARIFF WE 9004-D

CANCELS FREIGHT TARIFF WE 9004 -C
AND ALL SUPPLEMENTS THERETO

NAMING
RULES, REGULATIONS AND CHARGES
FOR MOVEMENT OF SPECIAL FREIGHT TRAINS
ALSO
SPECIAL TRAIN AND SWITCHING MOVEMENTS AT TERMINALS

BETWEEN STATIONS ON	AND STATIONS ON
WHEELING AND LAKE ERIE RAILWAY	WHEELING AND LAKE ERIE RAILWAY AND INTERCHANGE TRACKS WITH CONNECTING LINES
SPECIAL TRAIN SERVICE TARIFF	
Except where expressly provided to the contrary, this Tariff also applies on Interstate Traffic.	
Governing except as otherwise provided herein, by Classification and exceptions thereto as shown in Item 5.	
For explanation of abbreviations and reference marks, see last page of Tariff	
ISSUED: January 1, 2011	EFFECTIVE: February 1, 2011

ISSUED BY:

CHARLENE FLACK
DIRECTOR MARKETING SERVICES
WHEELING & LAKE ERIE RAILWAY COMPANY
100 EAST FIRST STREET
BREWSTER, OHIO 44613

Tariff WE 9004-D

ABBREVIATION		CARRIER
WE.....		WHEELING AND LAKE ERIE RAILWAY COMPANY
RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS		
ITEM	SUBJECT	APPLICATION
5	GOVERNING CLASSIFICATION	Governed by Tariff UFC 6000-Series
10	STATION LISTS AND CONDITIONS	This Tariff is governed by Tariff OPSL 6000-Series, to the extent shown below: <u>PREPAY REQUIREMENTS:</u> 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. <u>STATION CONDITIONS:</u> 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 the Tariff are inapplicable after the date.
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 WE number, such reference applies also to such Tariff to the extent it may be applicable on intra-state traffic or traffic to, from or through Canada.
25	TERMINAL OR TRANSIT PRIVILEGES OR SERVICE TARIFF	Shipments made under the rates contained in this Tariff are entitled also to terminal and transit services and privileges, and are subject to the charges, allowances, rules and regulations legally applicable thereto, as provided in separately published Tariffs. <u>EXCEPTION:</u> When provisions of this Tariff specifically cover any such charge, allowance, rule or regulation, corresponding or conflicting provisions in such separate Tariffs will not apply.
35	TRANSFER BETWEEN CONNECTING CARRIERS	The rates published herein include all charges for switching, drayage, or other transfer services at intermediate interchange points on shipments handled through and not stopped for special services at such intermediate interchange points.
45	CAPACITIES AND DIMENSIONS OF CARS	For marked capacities, lengths, dimensions and cubical capacities of cars, see Tariff RER 6410-Series.
For explanation of abbreviations and reference marks, see last page of Tariff		
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75	ADVANCED NOTIFICATION REQUIRED	Special freight train movements will only be arranged upon reasonable advance notice to this Company and when special motive power and crews are available without serious detriment to its other service and the right is reserved to fill out such trains with additional cars at option of this Company.										
100	PAYMENT OF CHARGES	Special freight train shipments must be waybilled showing the regular charges as freight charges; prepaid or guaranteed. The waybills must be endorsed on their Face "Special Freight Train Movement", and go forward with the train. The special charges based on the Special Train rate plus the per train mile unless prepaid must be guaranteed by responsible parties and collection made by the agent at destination and reported as miscellaneous freight earnings.										
130	APPLICATION OF RATES TO OR FROM INTERCHANGE TRACKS WITH CONNECTING LINES	Shipment handled by special freight train on lines parties to this Tariff from or to interchange tracks with connecting lines not parties to this Tariff will, so far as the application of this Tariff is concerned, be treated as having originated at or being destined to interchange tracks of the lines parties to this Tariff with such connecting lines not parties to this Tariff. The regular freight charges, however, will be assessed on basis of the freight rate applicable from point of origin to destination.										
140	ROUTES	The route to be used in arriving at the charge based upon the rate per train mile provided herein will be that applied to the lading under the applicable freight rate.										
150	HOLIDAYS	Whenever reference is made to "Holidays" in Tariff, it shall mean only the below listed days. In the event one of these "Holidays" occurs on Sunday, the following Monday will be considered as the Holiday. The dates for the "Holidays" will be provided by Federal Law except where individual States decree otherwise. <table border="0"> <tr> <td>New Year's Day</td> <td>Day after Thanksgiving</td> </tr> <tr> <td>Memorial Day</td> <td>Christmas Eve</td> </tr> <tr> <td>Independence Day</td> <td>Christmas Day</td> </tr> <tr> <td>Labor Day</td> <td>New Year's Eve</td> </tr> <tr> <td>Thanksgiving Day</td> <td></td> </tr> </table>	New Year's Day	Day after Thanksgiving	Memorial Day	Christmas Eve	Independence Day	Christmas Day	Labor Day	New Year's Eve	Thanksgiving Day	
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Thanksgiving Day												
160	MILEAGE TO BE USED IN DETERMINING CHARGES	For mileage to be used determining charges for special train service refer to Tariff WE 6300-Series										
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170	APPLICATION OF SPECIAL TRAIN SERVICE	<p>When continuous special freight train service is requested by shipper or consignee or required because of excessive dimensions, excessive weight, high center of gravity or any other condition not permitting normal train operation, WE will perform special train movements:</p> <p>Between stations on WE, or between stations on WE and junction with connecting lines.</p> <p>The special freight train charges in Item 180 will be assessed for this service and will be in addition to the regular freight charges applicable to ordinary freight train movements.</p> <p>The right is reserved to fill out such trains with additional cars at the option of this company.</p>
180	CHARGES	<p>The charge for Special Freight Service, except as otherwise provided in exceptions in Item 190, will be based on the following:</p> <p>A. When a scheduled crew is used, a charge of \$1,520.00 (fifteen hundred twenty dollars) per train if travel distance is between 1 and 25 miles, and \$3,040.00 (three thousand forty dollars) per train if travel distance is between 26 and 50 miles.</p> <p>B. When a special crew is required, a charge of \$9,120.00 (nine thousand one hundred twenty dollars) per train if travel distance is between 1 and 99 miles. For travel distance in excess of 100 miles, charge for special train service will be \$95.00 (ninety-five dollars) per mile or fraction thereof, via route of movement.</p> <p>C. When a special crew is required, for Holiday service, based on Holidays listed in Item 150, the charges will be \$9,700.00 (nine thousand seven hundred dollars) per train if travel distance is between 1 and 99 miles. For travel distance in excess of 100 miles, charge for special train service will be \$105.00 (one hundred five dollars) per mile or fraction thereof, via route of movement.</p>
190	EXCEPTIONS	<p>Exception A-When special train movements include idler cars which are required for any reason, an additional charge of \$800.00 will be assessed for each such idler car in the special train movement.</p>
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200	ATTENDANTS ACCOMPANYING FREIGHT SHIPMENTS	<p>If WE is unable to provide sufficient space to accommodate attendants accompanying freight shipments in the cab of a locomotive in special train service and WE finds it is necessary to provide a caboose to accommodate said attendants, or if attendants furnish their own caboose, the following charges will apply for the caboose:</p> <p><u>CHARGES FOR CABOOSE</u> \$2.25 per mile, minimum charge of \$1,215.00 per caboose.</p> <p><u>CHARGES FOR ATTENDANTS ACCOMPANYING SHIPMENTS</u></p> <table> <thead> <tr> <th>Miles</th> <th>Charges</th> </tr> </thead> <tbody> <tr> <td>Not Over</td> <td></td> </tr> <tr> <td>100</td> <td>\$ 97.00</td> </tr> <tr> <td>300</td> <td>\$ 307.00</td> </tr> <tr> <td>500</td> <td>\$ 507.00</td> </tr> </tbody> </table> <p>Mileage to be computed by use of Tariff WE 6300</p>	Miles	Charges	Not Over		100	\$ 97.00	300	\$ 307.00	500	\$ 507.00
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