

TARIFF TCWR 8500F

(Cancels TCWR 8500E)

TWIN CITIES & WESTERN RAILROAD COMPANY

LOCAL TARIFF

APPLICABLE ON

**RULES AND CHARGES COVERING BUSTED BILLING,
CAR ORDERING, DIVERSIONS, OVERLOADS, WEIGHING OF CARS,
SWITCHING OF CARS, SPECIAL TRAIN SERVICE AND ALSO PAYMENT
OF FREIGHT**

APPLYING AT

**STATIONS ON TWIN CITIES & WESTERN RAILROAD COMPANY
AS PROVIDED IN TARIFF OPSL 6000-SERIES**

Governed by Uniform Freight Classification, UFC 6000-Series, Uniform Freight Classification Committee, Agent, Supplements thereto or Successive issues thereof, and applicable TCWR demurrage rules and procedures.

SPECIAL ARRANGEMENT TARIFF

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

ISSUED: February 9, 2006

EFFECTIVE: March 1, 2006

Issued by:
Lloyd T. Host
Vice President Marketing & Sales
Twin Cities & Western Railroad Company
2925 - 12th Street East
Glencoe, MN 55336

TWIN CITIES & WESTERN RAILROAD COMPANY

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FOR EXPLANATION OF ABBREVIATIONS AND OTHER REFERENCE MARKS, PLEASE SEE CONCLUDING PAGES OF TARIFF.

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ITEM 10

STATION LISTS AND CONDITIONS

This tariff is governed by Tariff OPSL 6000-Series as follows:

- A. For additions or changes in Name, Locations or Abandonment of Stations.
- B. Prepay requirements
- C. Restrictions as to acceptance or delivery of freight.
- D. Changes in station facilities.
- E. When a station is abandoned, all provisions applicable thereto are cancelled, effective on the date of abandonment.

ITEM 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, items, notes, rules, etc.

ITEM 40

CONSECUTIVE NUMBERS

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.

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ITEM 60 SERVICE ORDERS – REFERENCE NUMBERS

This tariff, as may be amended, is subject to Tariff NSO 6100-Series.

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ITEM 75 METHOD OF CANCELLING ITEMS

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.

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ITEM 115 DEMURRAGE CHARGES

Cars stopped, held in transit for diversions under these rules will be subject to demurrage charges lawfully in effect at the point where stopping, holding or diversion is accomplished.

Unless otherwise specifically provided in a rate item governing the line-haul rate, the provisions of Tariff TCWR 8400 series will apply.

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**ITEM 210 CANCELLATION OF SHIPPING DOCUMENT
OR BUSTED BILLING**

There will be a charge of \$25 per car or a maximum of \$200 per bill of lading to cover the administrative cost of canceling the billing for the purpose of rebilling car or cars to a new destination.

**ITEM 215 ADMINISTRATIVE CHARGES FOR
DIVERSIONS ON ANOTHER RAILROAD**

There will be an administrative charge of \$25 per car or maximum of \$200 per bill of lading to cover administrative costs on rail shipments originating at TC&W stations that are billed under a through rate and route from origin to destination thence diverted to a new destination on a rail carrier other than TC&W which is a party to the through rate and route. A copy of the diversion must be sent via fax to the Twin Cities & Western Railroad Accounting Department (FAX Number: 320-864-7205) or emailed to customerservice@TCWR.NET.

If the Twin Cities & Western Railroad does not receive a copy of the diversion order, a charge of \$50 per car or maximum of \$400 per bill of lading will be assessed to cover administrative costs.

The provisions in TC&W Rate Tariffs do not allow for diversions, however we do understand the need for exceptions based on changes in the market place.

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ITEM 225 TCWR RESPONSIBILITY TO EFFECT DIVERSIONS

- A. TCWR will make a diligent effort to effect a desired diversion when the car in TCWR's possession.
- B. TCWR will not assume any responsibility for effecting a diversion after a car has been interchanged to a connecting railroad for a line-haul movement.
- C. TCWR will not be responsible for executing a diversion order on a specified day or time of day.
- D. TCWR will not be responsible for increased charges when the diversion cannot be accomplished at desired location.
- E. TCWR will not assume any responsibility for effecting a diversion at a specified location.

ITEM 235 DIVERSION CHARGES (NS)

- A. Diversion charge will be \$125.00 per car or a maximum of \$625 per bill of lading for any diversion while car is in route and prior to arrival of shipment at destination.
- B. Diversion charge will be \$150.00 per car or a maximum of \$750 per bill of lading for any diversion after arrival of shipment at a destination served by TCWR.

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ITEM 240 LINE-HAUL FREIGHT CHARGES (NS)

The through rate (local, joint or combination) will be that rate which is applicable from origin to destination, via the diversion station, on the date the shipment is originally billed.

TCWR assumes no responsibility that the lowest rate, from origin of the shipment to the diverted destination, can be protected via the diversion station.

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ITEM 245 TERMINAL SERVICES

TCWR will not be responsible for any charges accruing on cars delivered to connecting railroads, other than the absorption of reciprocal or intermediate switching charges that are authorized by TCWR switching absorption provisions or covered by tariff provisions that TCWR is a participant.

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ITEM 250

WEIGHING CHARGES (NS)

A. Weighing charge will be \$250.00 per car, if requested by instructions on the bill of lading or verbally requested after car is billed and in route. Weigh charge will be added to the freight bill or invoiced separately by the TCWR.

B. Weigh charges apply each time a car is weighed.

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ITEM 275

PAYMENT OF FREIGHT TERMS

All payments for services billed by this railroad are due and payable within fifteen (15) calendar days following presentation of freight bill. Time of mailing shall be deemed as the time of presentation of the freight bill. Payments received after the expiration of the credit period shall be subject to a service charge of one percent (1.5%) per month, (or fraction thereof) of the outstanding balance.

The above collection terms are under the provisions authorized in 49 CFR (Code of Federal Regulations) Part 1320 Transportation.

To qualify for credit on the Twin Cities & Western Railroad, a credit application may be required to be on file with the TCW Comptroller. Payment for all other shipments must be made at the time of shipment by certified check or wire transfer.

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ITEM 300 SWITCHING (NS)

A charge per car as shown below shall apply to the following switch movements:

(A) Intra-plant switching: For the movement of cars, loaded or empty, from one location within an industry to another location within the same industry a charge of \$75.00 per car shall apply.

(B) When a car is placed at an industry for loading or unloading and is by order of and for the convenience of the industry removed there from before loading or unloading is accomplished, a charge of \$75.00 per car shall apply when such car can be removed to trackage located within the same switching limits or yard limits as the industry ordering the removal of such cars.

(C) If, cars must be removed to a location outside of the same switching or yard limits as the industry or customer ordering the removal of such cars a charge of \$150.00 per car shall apply.

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ITEM 330 CARS RECEIVED IN ERROR (NS)

Cars empty or loaded, delivered to TCWR in error will be subject to switching charges listed below for returning car(s) to carrier responsible for delivery error or forwarding car(s) to proper carrier with the same switching district. Charge for this service will be assessed against the carrier responsible for the car(s) being delivered in error.

<u>WHEN CAR IS DELIVERED OR CAUSED TO BE DELIVERED TO TCWR BY:</u>	<u>SWITCHING CHARGE PER CAR:</u>
BNSF, MNNR, CPRS, UP, CN	\$285.00

If car(s) are held by TCWR awaiting disposition from the carrier making the delivery error, an additional holding charge of \$9.99 per day will be assessed to the responsible carrier for each day, or fraction thereof, car is held beginning with the first full calendar day (12:01 a.m.) following written notification that car is being held for disposition until disposition is furnished.

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CANCELS
TCWR 8500E

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TWIN CITIES & WESTERN RAILROAD COMPANY

ITEM 360

SPECIAL TRAIN SERVICE (NS)

When special train service is requested requiring the assignment of an engine or engines and crew or crews out of routine service, a charge will be made in addition to the regular rate(s) applicable on the individual car(s) as follows:

\$190.00 per hour or fraction thereof, subject to a minimum charge of \$1520 when special train service is requested requiring the assignment of engine(s) and crew(s) out of routine service. _____

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TWIN CITIES & WESTERN RAILROAD COMPANY

ITEM 380 RULES GOVERNING OVERLOADED OR IMPROPERLY LOADED CARS

This item does not apply on Grain or Grain Products. For overload provisions to apply in connection with those commodities, see Item 215 of Tariff TCWR 4000-series.

An overloaded car is defined as a car for which either the net is in excess of the car's stenciled load limit or the gross weight is in excess of the track weight limit at any point along the route of movement.

An improperly loaded car is defined as a car in or on which lading has not been loaded in accordance with AAR standard loading practices, RER 6412-Series exceptions or individual railroad practices or exceptions.

OVERLOADED OR IMPROPERLY LOADED CARS DISCOVERED AT ORIGIN OR ENROUTE

A - Overloaded or improperly loaded cars as determined above, when discovered at origin will be returned to the shippers track or to the connecting line tendering such cars to TCWR. The shipper shall be assessed the intra-plant or intra-terminal switching charge plus the penalty charges for return of cars.

B - TCWR may elect to stop an overloaded or improperly loaded car enroute and hold it on a track where partial unloading or adjustment of the load may be accomplished. It will be the responsibility of the shipper to partially unload or adjust the car at his expense. TCWR will not furnish any personnel, equipment or machinery that may be necessary to partially unload or adjust the overloaded or improperly loaded car and the penalty charges names in paragraph "D" will also be assessed against the shipper. Where safe and practical to do so, TCWR will move an overloaded or improperly loaded car to a track where adjustment of the load can be accomplished for a switch charge \$569 per car.

OVERLOADS DISCOVERED AT DESTINATION

C - When an overloaded car is delivered to destination and such car(s) are not detected while enroute (whether the overloaded condition is discovered prior to delivery or not), or if the outturn weights are used for the assessment of freight charges and the car(s) are subsequently determined to be overloaded, the penalty charges named in paragraph "D" will be assessed against the shipper responsible for overloading the car.

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ITEM 380 RULES GOVERNING OVERLOADED OR IMPROPERLY LOADED CARS
(CONTINUED)

D - PENTALY CHARGES

AMOUNT OF OVERLOAD IN EXCESS OF LOAD LIMIT FOR CAR USED	PENALTY
1 to 2000 pounds	\$130.00
2001 to 4000 pounds	260.00
4001 and over	525.00

DEMURRAGE

Individual overloaded or improperly loaded cars discovered at origin or enroute shall be placed on demurrage immediately following notification to the consignor or owner of the overloaded or improperly loaded condition. No free time will be allowed on cars held due to overloading or improper loading.

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ITEM 390

CAR ORDERING

GENERAL PROVISIONS

Consignors must place order through TCW's Glencoe, MN offices and provide the following information as indicated on the order form:

- Specific number of cars needed
- Requested placement date
- Commodity to be loaded
- Destination to which cars will be billed

Except as otherwise provided in this item, the provisions of Item 400 (Car Cancellation Rule) will apply. If the TCWR is unable to provide cars as ordered with 15 calendar days of the ordered date, the consignor may cancel that order and no penalty charge will be assessed.

Car orders must be placed utilizing the form provided from this item or via email providing the above information.

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TCWR 8500F
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TWIN CITIES & WESTERN RAILROAD COMPANY

ITEM 390 CAR ORDERING (CONTINUED)

CAR ORDERING SYSTEM
TWIN CITIES & WESTERN RAILROAD

TO: Car Distribution Manager
Twin Cities & Western Railroad
2925 12th Street East
Glencoe, MN 55336
FAX: (320) 864-7220

Elevator Name: _____

Elevator Station/Location: _____

Elevator FAX Number: _____

Type of Equipment Required: _____

Number of Cars Required: _____

Requested Placement Date: _____

Commodity: _____

Destination & Route: _____

Ordered By: (Name): _____

Permit # _____ (Will be applied by TCWR Car Distribution Manager and faxed back to you acknowledging order accepted).

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TWIN CITIES & WESTERN RAILROAD COMPANY

ITEM 400

CAR CANCELLATION RULE

CAR CANCELLATION RULE

A car order for rail cars for transportation of commodities which is reduced or cancelled less than seven (7) calendar days prior to the date wanted for loading, or anytime thereafter, see Exception, is subject to a car order cancellation charge of (NS) \$250.00 per car per occurrence. When a car order is reduced, a charge of (NS) \$250.00 per car reduced, will be assessed.

The "date wanted for loading" will be determined from the car order.

A change in commodity to the original car order is NOT subject to the penalty.

EXCEPTION - If during the time of car shortages cars are not received within fifteen (15) days of the ordered for date, a customer may cancel that order and no penalty charge will be assessed.

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ITEM 500

GUARANTEED CAR SUPPLY

This program is being offered under the provisions of USC S 10722 effective December 1, 2006 through December 31, 2007 and will apply to the guaranteed supply of covered hopper cars for the movement of corn, soybeans and wheat from Twin Cities & Western Railroad served elevators to either online or offline destinations.

The Twin Cities and Western Railroad will offer one hundred (100) covered hopper cars up for bids per month and will guarantee availability of these cars to the entity with the highest bid. Fifty (50) cars will be offered for the first half of a given month (1st-15th) and fifty (50) cars will be offered for the second half of a given month (16-31st). Monthly bids will be accepted up to three months in advance on the first working day of the month between 0800 hours and 1200 hours. Bids are to be submitted on the Web Site, via fax (320 864 7205) or email to LHost@TCWR.NET, TLueth@TCWR.NET & CGlaeser@TCWR.NET. In the event of equal bids, the bidders will be asked to resubmit their bid offers. Bids shall be tendered for a minimum of five (5) cars and a maximum of fifty (50) cars for the first half and second half of the month. The winning bidder will be awarded the bid based on the total dollar aggregate for the cars sold. The minimum bid amount will be \$25.00 per car and if there are no bids received at the close of the bid period, cars will be utilized in the general fleet program.

The applicable freight rates will be the published rates in TCWR Grain Tariffs and the amount of the awarded bid will be billed direct to the awardee. The bid awards can not be sold or traded. If a car order is cancelled the bid award will still be invoiced to the successful bidder.

The number of cars per month offered and sold will be posted on the TCWR web site; TCWR.NET. Guaranteed Car Supply is sold out through February 2007 and the number of cars offered will change from 50 to 100 cars effective March 1, 2007.

The general rules and regulation in Grain Tariff TCWR 4000E, and this Special Arrangement Tariff TCWR 8500F will be applicable on cars handled in connection with the Guaranteed Car Supply.

FOR EXPLANATION OF ABBREVIATIONS AND OTHER REFERENCE MARKS, PLEASE SEE CONCLUDING PAGES OF TARIFF.

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Lloyd T. Host
Vice President Marketing & Sales
Twin Cities & Western Railroad Company
2925 - 12th Street East
Glencoe, MN 55336

TWIN CITIES & WESTERN RAILROAD COMPANY

ITEM 500 (Continued)

GUARANTEED CAR SUPPLY

BID FORM

DATE: _____

ELEVATOR: _____ LOADING LOCATION _____

NUMBER OF CARS AVAILABLE FOR MONTHLY BID:
50 CARS FIRST HALF 50 CARS SECOND HALF

NUMBER OF CARS REQUESTED:

MONTH _____ MONTH _____
FIRST HALF _____ SECOND HALF _____

BID AMOUNT PER CAR IN U.S. DOLLARS _____
Please note : Bids are to be submitted in dollars above tariff rate.

BIDS WILL BE ACCEPTED: Bids for covered hopper cars will be accepted the first working day of the month between 0800 hours and 1200 hours for the following month and shipping periods up to three (3) months in advance.

BIDS ARE TO BE SUBMITTED on the Web Site, emailed to LHost@TCWR.NET with a copy to CGlaeser@TCWR.NET and TLueth@TCWR.NET or faxed to 320 864 7205.

SUBMITTED BY: _____

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Vice President Marketing & Sales
Twin Cities & Western Railroad Company
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TWIN CITIES & WESTERN RAILROAD COMPANY

NSO	National Service Order (Western Trunk Line Committee, Agent)
OPSL	Official Railroad Station List
TCWR	Twin Cities & Western Railroad
(A)	Addition
(I)	Increase
(R)	Reduction
(N)	Change in wording which result in neither increases nor reductions in charges
(NS)	Not subject to any increases

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Twin Cities & Western Railroad Company
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Glencoe, MN 55336