

SUPPLEMENT
TO
FT AZER 8000-A

ARIZONA EASTERN RAILWAY COMPANY

SUPPLEMENT 3 TO FREIGHT TARIFF AZER 8000-A

(Supplement 3 cancels Supplement 2)
(Supplement 3 contains all changes)

NAMING
MISCELLANEOUS RULES AND CHARGES
ALSO
SWITCHING AND DEMURRAGE RULES AND CHARGES
APPLYING
ON THE
ARIZONA EASTERN RAILWAY COMPANY

LOCAL TARIFF

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular rates and provisions contained herein.

ISSUED: February 24, 2010

EFFECTIVE: April 1, 2010

ISSUED BY

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For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.

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SECTION 1 MISCELLANEOUS RULES AND CHARGES	SECTION 1 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 135</p> <p>DIVERSION / RE-CONSIGNMENT</p> <p>(1) Only cars in possession of AZER may be diverted or re-consigned. Cars not yet in possession of AZER must be diverted or re-consigned before arrival to avoid charge.</p> <p>(2) Cars in AZER possession may be diverted at any time before actual placement for a charge of \$175.00 per car and will be subject to out of route charges if applicable.</p> <p>(3) Cars diverted after placement will be charged switching or other line haul charges as provided in this tariff.</p> <p>(4) Cars may only be diverted by the Consignee, Freight-payer, or their agent. Car owners or lessees may divert empty revenue, home shop, or storage cars.</p> <p>(5) All diversion requests must be addressed to service@iowapacific.com or faxed to (972) 692-8016. Diversion is not consummated until it is confirmed by email or other means.</p>	<p>ITEM 160</p> <p>OPENING AND CLOSING OF FREIGHT CAR DOORS</p> <p>(1) Cars will be released to AZER with all doors, hatches, vents, and all other openings and appurtenances closed and secured.</p> <p>(2) Cars with openings and appurtenances not properly closed and secured will be kept in a demurrage status until such time as secured.</p> <p>(3) Unsecured cars switched by the AZER as required for operating purposes will be subject to switching charges in this tariff.</p> <p>(4) Cars for which doors and appurtenances must be opened, closed, and/or secured by the railroad will receive a minimum charge of \$200.00 per car. AZER may levy additional charges for contracted or professional services required.</p>
<p>ITEM 145</p> <p>CLEANING OF FREIGHT CARS</p> <p>(1) All empty cars will be released back to AZER clean and in condition to load.</p> <p>(2) Cars containing non-railroad blocking, bracing or dunnage, or waste will be kept in a demurrage status until properly cleaned.</p> <p>(3) Cars switched for cleaning will be subject to switching charges in this tariff.</p> <p>(4) Cars cleaned or washed by the railroad will receive a minimum charge of \$135 per car. AZER may levy additional charges for contracted or professional cleaning services required.</p>	

For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.

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SECTION 4 CAR DEMURRAGE RULES AND CHARGES	SECTION 4 CAR DEMURRAGE RULES AND CHARGES
<p>ITEM 420-A</p> <p align="center">CONSTRUCTIVE PLACEMENT</p> <p>When a car consigned or ordered to a private track, industrial interchange track or other-than-public-delivery track cannot be actually placed because of a condition attributable to the consignor or consignee, such car will be held at available hold point and notice shall be sent or given the consignor or consignee that the car is being held and that this railroad is unable to effect placement; however, if car is placed on private track, industrial interchange track or other-than-public delivery track serving the consignor or consignee, the car will be considered constructively placed without notice.</p> <p>Cars destined for customers in Miami, Claypool or Globe, AZ, will be constructively placed 48 hours after interchange receipt by AZER except when AZER operating conditions result in delivery in excess of 48 hours.</p>	<p>ITEM 440-B [NC][I]</p> <p align="center">DEMURRAGE CHARGES</p> <p>After expiration of free time allowed the following charges per car per day, or fraction of a day, will be made until car is released.</p> <p>\$25.00 for each of the first two chargeable days, \$35.00 for each subsequent day.</p> <p>The applicable charge will accrue on all Saturdays, Sundays and holidays subsequent to the first chargeable day, including a Saturday, Sunday or holiday immediately following the day on which the first chargeable day begins to run.</p> <p>Note 1: Not applicable on privately-owned cars on private tracks.</p> <p>Note 2: Privately-owned cars which are first held on railroad tracks under constructive placement will be subject to demurrage charges provided for herein after expiration of free time (See Item 330) until such time car is placed on private tracks.</p> <p>Note 3: Notwithstanding any other provisions contained herein, demurrage charge applying on cars with reporting mark QTTX shall be \$50.00 per day, whether held for loading or unloading. No free time shall be allowed.</p>
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	