

INDIANA EASTERN RAILROAD, LLC

**SUPPLEMENT 1
TO
FREIGHT TARIFF IERR 8000**

**NAMING
SWITCHING, STORAGE, TERMINAL
AND
MISCELLANEOUS RULES AND CHARGES
ALSO
DEMURRAGE RULES AND CHARGES
APPLYING AT ALL POINTS ON THE
INDIANA EASTERN RAILROAD, LLC**

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

ISSUED: April 2, 2007

EFFECTIVE: April 22, 2007

ISSUED BY

Doug Jobe
President
Indiana Eastern Railroad, LLC
17 Airdrie Drive
Bear, DE 19701-2631

(The provisions published herein, if effective, will not result in an effect on the quality of the human environment.)

SUPPLEMENT 1 TO FREIGHT TARIFF IERR 8000

SECTION 1 SWITCHING	SECTION 1 SWITCHING
ITEM 100	MISCELLANEOUS SWITCHING
DEFINITIONS	ITEM 150
<p>INTRA-PLANT SWITCHING -The term intra-plant switching means a switching movement from one location to another location within the confines of an industry.</p> <p>INTRA-TERMINAL SWITCHING – The term intra-terminal switching means a switching movement (other than intra-plant) from one location to another location within the switching limits of one station or industrial switching district of the same railroad.</p> <p>INTER-TERMINAL SWITCHING – The term inter-terminal switching means a switching movement from one railroad to another railroad when such movement is within the switching limits of the same station or industrial district.</p> <p>SWITCHING OF LOCOMOTIVES MOVING ON OWN WHEELS – Switching of locomotives, moving on own wheels, but not under own power, from one location to another location within the same switching district.</p>	SPECIAL MOVEMENTS
SWITCHING CHARGES	<p>Except as otherwise provided in the tariff, when special movements of cars or other equipment (including locomotives) are requested by patron, or required because of excessive dimension, excessive weight, high center of gravity, or other conditions not permitting during normal operation, the following charges will be assessed in addition to all other applicable rates:</p> <p>CHARGES:</p> <ol style="list-style-type: none"> At All Stations within Normal Service Hours - a charge of \$150.00 per hour will be assessed, subject to a minimum charge of \$600.00, if performed within 8 continuous hours. Should performance of service exceed 8 continuous hours the rate will be \$225.00 per hour for all hours in excess of 8 continuous hours. At All Stations not within Normal Service Hours - a charge of \$1,500.00 will be assessed. Should performance of service exceed 8 continuous the rate will be \$300.00 per hour for all hours in excess of 8 continuous hours. <p>CONDITIONS:</p> <ol style="list-style-type: none"> Reasonable notice must be given to IERR by the party requesting service under the provisions of this Item. All requests for Special Movements must be received in writing by IERR before service is performed. Time will be computed from the time engine and crew are dispatched from their on-duty location until the special movement has been performed and the engine and crew have returned to the point of dispatch. <p>(The IERR reserves the right, at its sole discretion, to determine when, if at all, and for what portions of the move, special movement is necessary.)</p>
<p align="center">ITEM 105-A</p> <p>Intra-Plant Switching..... [R]\$150.00 Per Car Intra-Terminal Switching.....\$350.00 Per Car Inter-Terminal Switching.....\$350.00 Per Car</p>	ITEM 155-A
<p>ITEM 110</p> <p>Switching locomotives moving on own wheels: Charges will apply in each direction when the locomotive is moved for turning.....\$600.00 Per Unit</p>	<p>(Provisions formerly shown herein and not brought forward are hereby canceled.)</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

SUPPLEMENT 1 TO FREIGHT TARIFF IERR 8000

SECTION DEMURRAGE RULES AND CHANRGE
<p>ITEM 540</p> <p align="center">PRIVATE CAR(S) AND RAILROAD CAR(S) HELD FOR OTHER THAN LOADING OR UNLOADING</p> <p>Applies to car(s) held:</p> <p>A. On orders of consignor or consignee. B. Awaiting proper disposition from the consignor or consignee. C. As a result of conditions attributable to consignor or consignee.</p> <p>DISPOSITION: That information, including forwarding instructions or empty release information, that allows the railroad to either tender or release the car from the consignor's or consignee's account.</p> <p>TENDER: The notification, actual or constructive placement of a loaded car(s).</p> <p>RELEASE: Date and time that the railroad receives advice that the car is empty, or that forwarding instructions are received.</p> <p>COMPUTATION: Time will be computed from the first 0001 hours:</p> <p>A. After tender, until release, on car(s):</p> <ol style="list-style-type: none"> Diverted Empty for loading – ordered and not used (other than a rejected car) Partially unloaded Reconsigned Reshipped Stopped in transit <p>B. After car(s) are received by IERR until date of disposition on:</p> <ol style="list-style-type: none"> Car(s) received from connecting carriers Loaded private car(s) returned to railroad tracks Empty car(s) moving as freight with STCC 37 422 XX <p>C. After tender until date of refusal on:</p> <ol style="list-style-type: none"> Refused loaded car(s) (consignee) <p>D. After tender until date of disposition on:</p> <ol style="list-style-type: none"> Refused loaded car(s) (consignor) <p>E. After tender until release or placement on private tracks on:</p> <ol style="list-style-type: none"> Loaded private car(s) – while held on railroad tracks. Empty car(s) moving as freight with STCC 37 422 XX <p>CREDITS: Credits will be allowed for each car released, or on which disposition is provided in accordance with the Table of Charges in Item 550.</p>
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<p>ITEM 545</p> <p align="center">DEMURRAGE PLAN</p> <p>A. Settlement of charges will be made monthly on all car(s) released during each calendar month. B. Credits earned and demurrage days accrued by customers having facilities at separate stations cannot be combined. C. Credits earned, and demurrage days accrued, will be calculated separately in accordance with the Table of Charges in Item 550. D. Excess credits earned for one demurrage transaction cannot be used to offset days for another demurrage transaction. E. Excess credits earned cannot be used to offset demurrage between loading and unloading credits. F. Excess credits earned in one calendar month cannot be used to offset demurrage days in another calendar month. G. Unless otherwise advised, in WRITING, that another party is willing to accept responsibility for demurrage, consignor at origin or consignee at destination will be responsible for the payment of demurrage charges.</p> <p>H. Calculation of charges:</p> <ol style="list-style-type: none"> Total demurrage days for all car(s) released will be added Total credits for all car(s) released will be added If total days exceed the total credits, calculation of charges will be made as follows: <ol style="list-style-type: none"> Subtract number of total credits from total demurrage days to determine number of chargeable days Chargeable days will be assessed charges in accordance to the Table of Charges in Item 550. 																				
<p>ITEM 550-A</p> <p align="center">DEMURRAGE CHARGES</p> <p>[I]</p> <table border="1"> <thead> <tr> <th align="center">Demurrage Application</th> <th align="center">Car Equipment as Published in: The Official Railway Equipment Register</th> <th align="center">Credits</th> <th align="center">Daily Charge</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Railroad cars, including "railroad controlled private equipment"</td> <td rowspan="2">Railroad equipment</td> <td align="center">Loading: 1</td> <td align="center">\$90.00</td> </tr> <tr> <td align="center">Unloading: 2</td> <td align="center">\$90.00</td> </tr> <tr> <td rowspan="2">Empty cars and locomotives moving on own wheels in revenue service (STCC: 37 411 XX 37 422 XX)</td> <td rowspan="2">Railroad equipment and Industry controlled private railcars</td> <td align="center">Origin: 1</td> <td align="center">\$90.00</td> </tr> <tr> <td align="center">Destination: 2</td> <td align="center">\$90.00</td> </tr> <tr> <td>All shipments for other than loading or unloading</td> <td>Railroad equipment and industry controlled private railcars</td> <td align="center">Origin/ Destination or Transit: 1</td> <td align="center">\$90.00</td> </tr> </tbody> </table>	Demurrage Application	Car Equipment as Published in: The Official Railway Equipment Register	Credits	Daily Charge	Railroad cars, including "railroad controlled private equipment"	Railroad equipment	Loading: 1	\$90.00	Unloading: 2	\$90.00	Empty cars and locomotives moving on own wheels in revenue service (STCC: 37 411 XX 37 422 XX)	Railroad equipment and Industry controlled private railcars	Origin: 1	\$90.00	Destination: 2	\$90.00	All shipments for other than loading or unloading	Railroad equipment and industry controlled private railcars	Origin/ Destination or Transit: 1	\$90.00
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