

SARATOGA & NORTH CREEK RAILWAY, LLC

FREIGHT TARIFF SNC 8000 (NEW)

NAMING
LOCAL RATES
ALSO
DEMURRAGE
AND
MISCELLANEOUS RULES AND CHARGES
APPLYING
AT
STATIONS ON THE
SARATOGA & NORTH CREEK RAILWAY, LLC

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: July 26, 2012

EFFECTIVE: July 1, 2012

ISSUED BY

Stephen Gregory
Executive Vice President - Marketing
Saratoga & North Creek Railway, LLC
3 Railroad Place,
North Creek, NY 12853

<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL</p>	<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL</p>
<p>ITEM 10</p> <p align="center">STATION LIST AND CONDITIONS</p> <p>This tariff is governed by the Official List of Open and Prepay Stations, Station List Publishing Company, Agent, OPSL 6000-series, to the extent shown below:</p> <p 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> <p>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 this tariff are inapplicable on and after that date.</p> <p align="center">GEOGRAPHICAL LIST OF STATIONS</p> <p>For geographical locations of stations referred to in this tariff by station numbers.</p> <p align="center">STATION NUMBERS</p> <p>For the identification of stations when stations are shown or referred to by numbers in this tariff.</p>	<p>ITEM 25</p> <p align="center">METHOD OF CANCELLING ITEMS</p> <p>As this tariff is supplemented, numbered items with lettered suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequences starting with A. For example: Item 100-A cancels Item 100 and Item 200-B cancels Item 200-A in a prior supplement, which in turn cancelled Item 200.</p>
<p>ITEM 15</p> <p align="center">EXPLOSIVES, DANGEROUS ARTICLES</p> <p>For rules and regulations governing the transportation of explosives and other dangerous articles of 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>	<p>ITEM 30</p> <p align="center">CAPACITIES AND DIMENSIONS OF CARS</p> <p>For marked capacities, lengths, dimensions and cubical capacities of cars, see Official Railway Equipment Register, issued by the National Railway Publication Company, Agent, RER 6414-series.</p>
<p>ITEM 20</p> <p align="center">REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.</p> <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 reissues of such items, notes, rules, etc.</p>	<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>
	<p>ITEM 50</p> <p align="center">MILEAGE CHARGES ON PRIVATELY OWNED CARS</p> <p>The SNC will not pay mileage charges on privately owned cars when moving from, to or via stations on the SNC.</p>
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	<p>ITEM 60</p> <p align="center">LIABILITY AND CLAIMS</p> <p>Carrier's liability for any alleged loss, damage or delay to any commodity shall be in accordance with standards imposed in 49 USC 11707 and 49 CFR Part 1005.</p> <p>Securement of lading shall be in accordance with the rules and/or recommendations of the Association of American Railroads, or as modified to meet the needs of customer. When hazardous articles are involved, safe loading and handling of such articles shall be performed in accordance with all Federal and State requirements.</p>

<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>	<p align="center">SECTION 1 DEMURRAGE AND MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 70</p> <p align="center">PAYMENT TERMS</p> <p>All payments for service covered herein are due and payable within fifteen (15) calendar days following presentation of the Freight Bill. Payments received after the expiration of the credit period shall be subject to a service charge of one and one half percent (1 1/2%) per month (or fraction thereof) of the outstanding balance.</p> <p>A discount of two percent (2%) may be taken for all charges paid within ten (10) days of presentation of freight bills.</p>	<p>ITEM 100</p> <p align="center">HOLIDAYS</p> <p>Holidays are defined for the purpose of this tariff, are as follows:</p> <ul style="list-style-type: none"> New Year's Day Good Friday Memorial Day Independence Day Labor Day Thanksgiving Day Friday after Thanksgiving Day Christmas Eve Day Christmas Day New Year's Eve Day
<p>ITEM 80</p> <p align="center">USE OF PRIVATE SIDINGS</p> <p>This tariff does not grant the use of private sidings or facilities to parties other than the owners thereof unless the privilege of use is granted to others by the owners, without cost to the carrier.</p>	<p>ITEM 110</p> <p align="center">SPECIAL TRAIN HANDLING CHARGE</p> <p>Special handling of cars will be charged for at \$2500.00 per locomotive and crew assignment, with a minimum charge of \$2500.00. Special handling charges are in addition to all other applicable charges. Service will be provided subject to crew and locomotive availability. This item will not apply to movements requiring clearance for excessive dimensions; charges for such movements will be issued on an individual basis."</p>
<p>ITEM 90</p> <p align="center">PAYMENT OF CHARGES</p> <p>Customer shall be liable for the payment of any and all transportation, demurrage and other charges accruing on traffic from, to and at stations on the SNC. Nothing herein shall limit the right of the SNC to require at time of movement, shipment or delivery the prepayment or guarantee of such charges. Customer will pay SNC immediately upon presentation of a bill therefor by the SNC. The SNC will not accept shipment from customer, make delivery of shipment to customer, deliver loaded cars to interchange, or accept request for any other movement of car without payment or guarantee of all outstanding and current charges, unless customer has entered into an agreement for credit with the SNC. SNC reserves the right, at its sole discretion, to cancel the credit of any customer at any time.</p> <p>Cars held for payment of charges will be subject to demurrage rules and charges in Item 120. The exception for private cars in paragraph 4, Item 120, will not apply and private cars held for payment of charges will be subject to demurrage.</p>	<p>ITEM 120</p> <p align="center">CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p> <p>1. DEMURRAGE:</p> <p>Carrier will permit free time of 24 hours to load and unload all railroad-marked cars (including TTX cars). Free time starts the first 7:00 A.M. after actual or constructive placement of car, whichever comes first. If car is placed on a Holiday, free time starts at 7:00 A.M. the following day. If the following day is a Sunday, free time starts at 7:00 A.M. Monday.</p> <p>After expiration of free time, the demurrage charge of \$45.00 per car, per day or fraction thereof, will be assessed on railroad-marked cars (including TTX cars).</p> <p>EXCEPTION: For cars bearing reporting mark KRL or QTTX, demurrage charge shall be \$100.00 per car, per day or fraction thereof, and no free time shall be allowed.</p> <p>2. STORAGE:</p> <p>Privately-owned cars which are first held on railroad-owned tracks under constructive placement will be subject to storage charges provided for herein after expiration of free time as calculated in Paragraph 1 until such time car is placed on private tracks.</p> <p>After expiration of free time, the storage charge of \$45.00 per car, per day or fraction thereof, will be assessed on privately-owned cars.</p>
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>	

FT SNC 8000

SECTION 1 DEMURRAGE AND MISCELLANEOUS RULES AND CHARGES	SECTION 2 LOCAL RATES (Charges are in dollars and cents per car, except as noted)			
<p>ITEM 130</p> <p align="center">HANDLING OF EMPTY CARS</p> <p>Except as otherwise provided, the switching charges published herein, applicable within the corporate limits of any station on loaded cars, will also apply on empty cars.</p>	<p>ITEM 200</p> <p>COMMODITY: All Commodities, except where otherwise specifically provided</p>			
<p>ITEM 140</p> <p align="center">CLEANING CHARGE</p> <p>When cars loaded are switched from industry or team tracks to designated track for inspection, fumigation or cleaning, the applicable switch charge will be applied. There will be no additional free time permitted under provisions of car demurrage tariff for cleaning, disinfecting, inspecting or fumigating loaded cars in intra-plant or intra-terminal switching service.</p>	BETWEEN	AND	RATES (See Note)	ROUTE
<p>ITEM 150</p> <p align="center">OVERLOAD CHARGES</p> <p>1. Cars interchanged from SNC to another carrier which are returned to SNC because such cars are overloaded will be subject to demurrage rules and charges as shown in Item 120, and will be subject to an additional charge of \$300.00 per car.</p> <p>2. Cars found to be overloaded while on the tracks of the SNC and returned to the shipper will be subject to demurrage rules and charges as shown in Item 120, and will be subject to an additional charge of \$200.00 per car.</p>	All points on the SNC	All points on the SNC	\$500.00	1
<p>ITEM 160</p> <p align="center">CARS RECEIVED IN ERROR BY SNC</p> <p>Loaded or empty car(s) received by SNC from connections that are not for SNC patrons will be treated as mishandled cars. The carrier interchanging mishandled car(s) to SNC will be assessed a charge of \$200.00 per car.</p>	<p>Note - For shipments destined to or originating at points beyond the point of interchange with SNC at Saratoga Springs, NY, the rates published herein will be absorbed by CPRS (included in the through freight charges) as provided for in CPRS' individual tariffs.</p> <p>When rates published herein are not absorbed by CPRS, SNC freight charges will be payable by the shipper or consignee located on SNC.</p>			
<p>ITEM 170</p> <p align="center">EMPTY CARS ORDERED AND NOT USED</p> <p>If SNC receives an order for empty cars, and provides same, and such order is cancelled by ordering party after such empty car is dispatched in a train to shipper, a charge of \$500.00 per car shall be assessed.</p>	<p>ROUTE:</p> <p>1. SNC direct.</p>			
<p>For explanation of abbreviations and reference marks not explained herein, see Item 99999, this tariff.</p>				

**EXPLANATION OF ABBREVIATIONS AND
REFERENCE MARKS**

ITEM 99999

**EXPLANATION OF ABBREVIATIONS
AND REFERENCE MARKS**

BOE - Bureau of Explosives
OPSL - Official Railroad Station List, RAILINC, Agent
CPRS - Canadian Pacific Railway
SNC - Saratoga & North Creek Railway, LLC

[A] - Addition[
[I] - Increase
[R] - Reduction
[NC] - Brought forward without change

(Underscored portion denotes addition / change.)