

FT PAL 4000-B
(Cancels FT PAL 4000-A)

PADUCAH & LOUISVILLE RAILWAY, INC.



COAL TARIFF PAL 4000-B

(Cancels Coal Tariff PAL 4000-A)

NAMING RULES AND CHARGES ON BITUMINOUS COAL; OR COKE, THE DIRECT PRODUCT OF COAL; OR COKE, PETROLEUM

FROM	TO
Mines and stations on the Paducah & Louisville Railway, Inc.	Interchange point on the Paducah & Louisville Railway, Inc.
Interchange point on the Paducah & Louisville Railway, Inc.	Mines and stations on the Paducah & Louisville Railway, Inc.

ISSUED: September 8, 2008

EFFECTIVE: October 1, 2008

ISSUED BY

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ITEM	SUBJECT	ITEM 1
1	- Application of Tariff	APPLICATION
10	- Station List and Conditions	This tariff contains rates, rules, regulation, etc. which govern the handling of coal, bituminous or coke, the direct product of coal or coke, petroleum from, to and between stations served by the Paducah & Louisville Railway, Inc.
20	- Reference to Tariffs or Items, etc.	
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125	- Definition of TON	If provisions in other lawful tariffs to which the PAL is a party contain provisions which conflict with the provisions of this tariff, this tariff shall supersede and govern when the commodity is coal, bituminous.
145	- Cars furnished by Consignor or Consignee	
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		ITEM 10
		STATION LISTS AND CONDITIONS
		This tariff is governed by the Official Railroad Station List, OPSL 6000-series, Railinc, Agent, to the extent shown below:
		PREPAY REQUIREMENTS AND STATION CONDITIONS
		(a) 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.
		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.
		GEOGRAPHICAL LIST OF STATIONS
		(b) For geographical locations of stations referred to in this tariff by station numbers.
		STATION NUMBERS
		(c) For the identification of stations when stations are shown or referred to by numbers in this tariff.
		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, and reissues of such items, notes, rules, etc.

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ITEM 40	CONSECUTIVE NUMBERS	ITEM 155	EMPTY MOVEMENT
Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word to, they will be understood to include all of the numbers between; also both of the number shown.		Except as otherwise provided, charges in this tariff, applicable in cars furnished by the consignor or consignee, include the return movement of empty cars from destination to points or origin shown in this tariff.	
ITEM 45	CAPACITIES AND DIMENSIONS OF CARS	ITEM 160	[C] PULL THROUGH SERVICE FOR LOADING UNIT TRAINS
For marked capacities, lengths, dimensions and cubical capacities of cars, see Official Railway Equipment Register, RER 6413-series.		The PAL provides pull through service for loading at all mines, moving cars through the facility at a controlled speed under the loading spouts, subject to the following rules and charges.	
ITEM 75	METHOD OF CANCELING ITEMS		
As this tariff is supplemented, numbered items with letter suffixes cancel corresponding numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 25-A cancels item 25 and item 50-B cancels item 50-A in a prior supplement which in turn canceled item 50.		1. For trains consigned to the stations of Kosmosdale KY or Louisville KY: \$60 per each 15 minute increment, or fraction thereof, subject to a minimum pull through charge of \$480. 2. For trains transported to interchange points with connecting carriers or to stations on PAL other than Kosmosdale KY or Louisville KY: No charge for the first four hours, then additional pull through time will be assessed at \$100 per 15 minute increment, or fraction thereof.	
ITEM 105	INTRASTATE APPLICATION	Pull through time starts when the first car in the train enters the loading facility and ends when the last car in the train has been loaded and forwarding instructions tendered electronically or in writing to PAL. If in the circumstance that carrier's crew and train are in transit to the facility and are held out of the facility by any cause attributable to the consignor, such hold time will be included in the pull through time.	
ITEM 125	DEFINITION OF TON	Additionally, demurrage charges will accrue when PAL is asked to hold a unit train (empty cars and locomotives) received in interchange from another railroad for loading at a PAL station. The fee for this his service is \$50 per each fifteen minute increment, or fraction thereof. Constructive placement begins when the train set is placed in a "hold" status and ends when the train is ordered for placement to the loading point.	
ITEM 145	CARS FURNISHED BY CONSIGNOR OR CONSIGNEE	If locomotive power is released prior to completion without a train of loaded cars being tendered for any cause attributable to the consignor, a charge of \$2000 per consignment will be made upon recall of the locomotive and crew. This charge will not apply if locomotive and/or crews were released due to any cause attributable to the carrier, including but not limited to strikes, derailments, or equipment failure.	
For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.			

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<p>ITEM 170 [C]</p> <p style="text-align: center;">PULL THROUGH SERVICE FOR UNLOADING UNIT TRAINS</p> <p>When PAL provides pull through service for unloading at any station, cars will be moved through the facility at a controlled speed through the point of discharge, for a fee of \$30 per each 15 minute increment, or fraction thereof, subject to a minimum charge of \$480.</p> <p>Pull through time starts when the first car in the train enters the unloading facility and ends when the last car in the train has been unloaded. If in the circumstance that carrier's crew and train are in transit to the facility and are held out of the facility by any cause attributable to the consignor, such hold time will be included in the pull through time.</p> <p>Additionally, demurrage charges will accrue when PAL is asked to hold a unit train (loaded cars and locomotives) received in interchange from another railroad or loaded on PAL when the train cannot be placed due to a cause attributable to the consignee. The fee for this his service is \$50 per each fifteen minute increment, or fraction thereof. Constructive placement begins when the train set is placed in a "hold" status and ends when the train is ordered for placement to the unloading point.</p> <p>If locomotive power is released prior to completion of unloading for any cause attributable to the consignee, a charge of \$2000 per consignment will be made upon recall of the locomotive and crew. This charge will not apply if locomotive and/or crews were released due to any cause attributable to the carrier, including but not limited to strikes, derailments, or equipment failure.</p>	<p>ITEM 180 [C]</p> <p style="text-align: center;">DEMURRAGE RULES AND CHARGES FOR UNIT TRAINS</p> <p>Demurrage time applicable to unit trains where PAL does not perform pull through unloading includes the total time the cars and locomotives are at the facility, beginning with the time of actual placement and ending when PAL has been notified through written or electronic communication that the train set is completely unloaded, and in addition, any time train sets are held under constructive placement. Actual placement is defined as when the unit train is placed in an accessible area for unloading. Constructive placement occurs when actual placement is prevented due to any cause attributable to consignee or consignor. Free time is the amount of time allowed for unloading for which no demurrage charges will accrue. Free time will be allowed according to the following schedule:</p> <p>Trains up to 97 cars – 5 hours Trains of 98 cars but not more than 114 cars – 6 hours Trains of 115 cars but not more than 129 cars – 7 hours Trains of 130 or more cars – 8 hours</p> <p>Demurrage will be computed from the time of actual or constructive placement until the train is released by written or electronic notification to PAL. If a train is constructively placed, the minutes between the times the train was ordered for placement to the actual placement will be deducted from the demurrage time. After expiration of free time, demurrage will be billed at the rate of \$50 per each fifteen minute increment, or fraction thereof.</p>
	<p>ITEM 185 [C]</p> <p style="text-align: center;">RECONSIGNMENT AND DIVERSION</p> <p>PAL will allow the reconsignment or diversion of Coal shipments, subject to the procedures and charges outlined in Tariff PAL 8001-series with the following exceptions:</p> <ol style="list-style-type: none">1. Carload shipments from any mine serviced by PAL may be reconsigned at no charge to either the Cane Run Plant of Louisville Gas & Electric Company, Louisville, KY, or the Mill Creek Plant of Louisville Gas & Electric Company, Kosmosdale, KY, at the through rate from original point of shipment to the final destination. This provision will not apply if reconsignement is requested for a train which has already moved beyond Cecilia, KY.2. Carload shipments when destined Calvert, KY, Jessup, KY or Grand Rivers, KY, may be reconsigned from one location, at either station, to another location at the other station at no charge, provided that the reconsignment occurs prior to placement to the terminal to which the train was previously consigned or dispatched.
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ITEM 190 [C] <p style="text-align: center;">CARS LOADED IMPROPERLY OR IN EXCESS OF MAXIMUM LOAD LIMIT</p> <p>When cars are discovered to be improperly loaded or in excess of maximum load limit at origin or beyond the origin switching limits, it will be responsibility of the shipper to transfer the excess weight to another car or to transfer the entire contents of the car to a car of greater capacity. (See Note 1)</p> <p>FORWARDING TO ORIGINAL DESTINATION:</p> <p>When the excess from an overloaded car (or the entire contents) is forwarded to the original billed destination in another car, such excess will be charged for at the carload rates in applicable from the original origin to the original destination.</p> <p>DISPOSITION AT POINT OF UNLOADING:</p> <p>When the excess from an overloaded car is disposed of by shipper at point of unloading, freight charge will be assessed at the applicable carload rate from original point of origin to unloading point.</p> <p>RETURN TO SHIPPING POINT:</p> <p>When the excess from an overloaded car is returned to original point of origin in another car, a freight charge of \$900.00 per car will be assessed from point of unloading to original point of origin.</p> <p>Note 1: Shipper will also be assessed a switching charge of \$300.00 per car. Forty Eight (48 Hours) free time, computed from first 12:01 a.m. after notification to shipper of arrival of car at hold point, will be allowed on overloaded car held for instruction from shipper. After expiration of free time, car will be subject to demurrage charges of \$30.00 per day, or fraction thereof. Any excess portion unloaded from overloaded car into a separate car will be subjected to the same free time and charges.</p> <p>If within 48 hours after notice is given the shipper fails or refuses to give the instructions contemplated by these rules, the railroad will adjust the lading so that it may be safely moved to destination charges contained in this item as well as charges incurred by PAL for unloading, reloading, storage, etc., will follow the shipment as advance charges.</p>	ITEM 200 [C] <p style="text-align: center;">WEIGHING</p> <p>The PAL will not perform the service of weighing of cars handled for the assessment of freight charges.</p> <p>Weighing for billing will be determined by consignor at origin, by the use of consignors weighing facilities or by consignee at destination, by use of consignees weighing facilities.</p> <p>Freight charges will be assessed on weights so determined, but not less than the minimum weight per shipment. Consignor/consignee weighing facilities must conform to the requirements of the AAR Scale Handbook.</p> <p>ITEM 230</p> <p style="text-align: center;">SWITCHING CHARGES ON LOADED CARS HELD FOR INSTRUCTIONS</p> <p>When on consignor's order, loaded cars are removed from industry or team track and held by this railroad awaiting instructions, a switching charge of \$300.00 per car will be assessed for the movement; such charge will be in addition to all other charges applicable and will not be absorbed.</p> <p>When loaded cars are removed from industry or team track and held awaiting instructions and are under continuous demurrage (see Item 170), no charge for such switching will be made.</p> <p>When on consignor's order loaded cars are removed by this railroad from industry or team track and prior to departure from origin station are subsequently ordered back to the original industry or team track, a switching charge of \$300.00 per car, will be assessed for the movement of the car in each direction and the car will remain on continuous demurrage account of the party in whose name the car was ordered for loading.</p>
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ITEM 240 [A] PRIVATE CAR STORAGE Empty privately owned or leased cars, held on PAL tracks, will be subject to storage charges when held 24 hours beyond time of notification to the car owner or lessor that the status of the car is changed from "in transit" to "stored." The storage fee is \$25 per car per day, or fraction thereof. Publication of this storage rate does not guarantee that PAL can offer storage service when needed, and capacity made available for storage is done solely at the discretion of PAL management.		ITEM 300 [C] CHARGES FOR HANDLING EMPTY COAL CARS OF PRIVATE OWNERSHIP IN COAL UNIT TRAIN SERVICE TO OR FROM FACILITIES FOR MAINTENANCE MODIFICATION OR REPAIR Except as otherwise provided for in this item empty cars of private ownership having been loaded in coal unit train service, at rates not subject to the provisions of Tariff ASLG 6007-Series (or which otherwise specify that the PAL shall not pay mileage allowance), will be moved to and from PAL interchange points with other railroads at a charge of \$2.25 per mile per car, subject to a minimum charge of \$325.00 per car when moved in manifest service. If cars are moved as a single unit train of not less than 50 cars, the charge will be \$1.25 per mile per car, subject to a minimum charge of \$165.00 per car. Revenue resulting from rates in this item shall accrue wholly to the PAL. EXCEPTION: This item will not apply on cars involved and damaged in derailments and sent to repair facilities for repair.
ITEM 250 [A] TURNING OF PRIVATE OR RAILROAD MARKED CARS OR LOCOMOTIVES Upon request of the car owner or lessee, consignor or consignee, or connecting railroad, cars or locomotives used for the transportation of coal in unit train service will be turned in the opposite direction by PAL. The fee for this service is \$350 per car or locomotive.		
ITEM 260 [A] FREEZE PROOFING PAL requires that an environmentally acceptable freeze conditioning agent be applied to the lading and the inside of rail cars shipped to or from PAL served stations when weather conditions exist that may result in coal being frozen upon arrival at destination thereby delaying the unloading process. If coal is frozen on arrival at destination and the unloading process is delayed in excess of the free time allowed, consignee/freight payer will be responsible for the cost of unloading and will be charged extended asset use charges beyond the free time allowances, and recrewing costs associated with the delay, per items 170 and 180.		
ITEM 270 [A] FORCE MAJEURE If by reason of (1) an act of God, (2) strikes, lockouts, labor disputes, (3) enforcement of Federal or State Laws, rules or regulations, actual or threatened terrorist activity, (4) mechanical breakdowns of locomotives or derailments, the Mine Origin is unable to release to the carrier all cars placed at origin for inclusion in a trainload/unit train shipment, cars not loaded due to such disability shall not be subject to demurrage or pull through charges, and/or the additional force majeure time will be added to the free time allowance. Likewise at destination, if unloading is delayed due to these force majeure reasons, such time will be added to the free time allowance.		
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EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS	
	PAL - Paducah & Louisville Railway, Inc.
	OPSL - Official Railroad Station List, Railinc, Agent
	RER - Official Railway Equipment Register
	UFC - Uniform Freight Classification (National Railroad Freight Committee, Agent)
[A]	- Addition
[I]	- Increase
[C]	- Change
[D]	- Cancellation
[NC]	- Brought forward without change
[R]	- Reduction/Decrease
<p>(Underlined portion denotes change.)</p>	
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