WICHITA, TILLMAN & JACKSON RAILWAY COMPANY



FREIGHT TARIFF WTJR 6000-E

(For cancellations, see Item 1 of this tariff)

SWITCHING, DEMURRAGE, STORAGE,

AND

MISCELLANEOUS RULES AND CHARGES

APPLYING ON THE

WICHITA, TILLMAN & JACKSON RAILWAY COMPANY

LOCAL TARIFF

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

ISSUED: April 15, 2022 EFFECTIVE: May 15, 2022

ISSUED BY:

WICHITA, TILLMAN & JACKSON RAILWAY COMPANY 6100 SOUTHWEST BLVD. SUITE 320 FORT WORTH, TEXAS 76109

FT WTJR 6000-E

ITEM 1

CANCELLATION NOTICE

FT WTJR 6000-E cancels FT WTJR 6000-D in its entirety.

Provisions formerly shown in FT WTJR 6000-D and not brought forward in FT WTJR 6000-E are hereby canceled.

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RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS

ITEM 5

SUPPLEMENTS AND REISSUES

When reference is made in this tariff, or supplements, to other publications for rates or other information, it includes "Supplements thereto or successive issues thereof."

Where reference is made in this tariff to items, it includes "reissues" of such items.

ITEM 10

REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

When reference is made in this tariff to another tariff, such reference applies also to such tariff as it may be applicable on intrastate traffic, or traffic within USA.

ITEM 15

METHOD OF CANCELING 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. Example: item 1000-A cancels Item 1000 and Item 3000-B cancels Item 3000-A in a subsequent supplement, which, in turn, canceled Item 3000.

SECTION 100 DEFINITIONS

ITEM 100

DEFINITION OF TERM "WTJR"

The term "WTJR" as used in this tariff, means "Wichita, Tillman & Jackson Railway Company", a wholly owned subsidiary of Rio Grande Pacific Corporation.

ITEM 105

CONNECTING LINES AND JUNCTION POINT

		RAILROAD	<u>JUNCTION</u>
BNSF	-	BNSF Railway Company	Altus, OK
BNSF	-	BNSF Railway Company	Wichita Falls, TX
SLWC	-	Stillwater Central Railroad	Altus, OK
FMRC	-	Farmrail Corporation	Altus, OK
GNBC	-	Grainbelt Corporation	Altus, OK
GNBC UP		Grainbelt Corporation Union Pacific Railroad Co.	Frederick, OK Wichita Falls, TX

ITEM 110

PAYMENT OF CHARGES

Customer shall be liable for payments of the transportation charges accruing on a shipment and nothing herein shall limit the right of the WTJR to require at time of movement, shipment or delivery the prepayment or guarantee of charges, unless Customer has entered into an agreement for credit with the WTJR. Customer will pay WTJR immediately upon presentation of a bill therefor by WTJR. If charges have not been prepaid, or customer has not entered into an agreement for credit with WTJR, the WTJR will not accept shipment from customer, make delivery of shipment to customer or accept request for any other movement of car without payment or guarantee of all outstanding or current charges.

Acceptance of shipment by Customer shall be deemed acceptance of responsibility for payment of all charges accruing on the shipment, including, but not limited to demurrage, switching and all other charges that may be applicable. Such payment shall be in U.S. money and cannot be reduced to offset claims, damages to property, or for any other reasons.

FINANCE CHARGES: The WTJR will assess a finance charge of 1% per month (12% per annum) unpaid bills thirty (30) days past due, including, without limitation, demurrage, switching and all other charges which are not paid within credit period. The finance charge continues to accrue daily until payment is received by WTJR.

(Continued in next Column)

SECTION 100 DEFINITIONS

ITEM 110 (Cont'd)

PAYMENT TERMS

If WTJR, at its sole discretion, uses a collection agency or attorneys to collect delinquent bills for freight or other charges and WTJR is successful in collecting such charges, Customers shall reimburse WTJR for all reasonable collection costs, including reasonable collection agency fees and reasonable attorneys' fees.

ITEM 115

DEMURRAGE LIABILITY

Any person or entity receiving rail cars from a rail carrier for loading or unloading who detains the cars beyond the period of free time set forth in the governing demurrage tariff will be held liable for any applicable demurrage if the carrier has provided that person or entity with actual notice of the demurrage tariff providing for such liability prior to the placement of rail cars. The notice required by this section shall be in written or electronic form.

ITEM 120

INTRA-PLANT AND INTRA-TERMINAL SWITCHING DEFINED

Intra-Plant Switching - A switching movement from one point to another on the same track, or from one track to another within the confines of the same plant or industry without leaving tracks of industry.

Intra-Terminal Switching -The movement of cars, loaded or empty, from one station or point beyond the confines of one industry/plant on the WTJR to another station or point on the WTJR.

Note: The industry or firm providing switching instructions to WTJR is responsible for the payment of intra-plant and intra-terminal switching charges.

SECTION 100 DEFINITIONS

ITEM 130

TEAM TRACK DEFINED

A Team Track provides rail service for loading and unloading non-hazardous commodities for customers which have no named track of their own.

ITEM 140

MILEAGE ON RAILCARS

No mileage payment on private cars will be allowed by the WTJR.

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 210

[C]

CARS HELD AWAITING DISPOSITION - SWITCHING CHARGE

		CHARGE		
BETWEEN	AND	Col. A	Col. B	
		(See Note 1)		
Industry or Team Track Loading location on WTJR	Any track on WTJR where loaded cars may be held for disposition	[R] \$300.00 Per Car	\$400.00 Per Car	

Column A - Applies on all cars, except as provided for in Column B below.

Column B - Applies on Hazardous Material cars.

Note 1: For list of Holidays, See Item 500, this tariff.

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 215

CARS, HEAVY-DUTY, IN SWITCHING SERVICE -CHARGES ON

An ancillary charge of \$610.00 per car used, in addition to the regular local switching rates named herein, will be made for each car used originating or terminating on the WTJR for the movement of flat cars bearing Mechanical Designation "FG" or "FW" of any capacity and cars of Designation "FM" of 200,000 pounds and over nominal capacity: and a charge of \$1,850.00 per car used on flat cars bearing Mechanical Designation "FD", as named in Rule 21 of The Official Railway Equipment Register, RER Publishing Corporation, Agent.

ITEM 220

TWIN AND TRIPLE LOADS

Where it is necessary to prepare cars for twin or triple loads by blocking draw bars, removing brake staffs or otherwise specifically equipping such cars, the following additional charges will be assessed for material or labor incident to such service:

Twin Loads	\$170.00
Triple Loads	\$400.00
Each Additional Load	\$230.00

ITEM 222

[C]

SWITCHING – TURNING OF CARS TO PERMIT UNLOADING

(Applicable only for account of WTJR)

TURNING OF CARS TO PERMIT UNLOADING

	то	CHARGE	
FROM		Col. A	Col. B
Industry, Team, Warehouse, Wharf or Other Track.	Turning Track at Frederick and Altus, OK and return to same tracks.	[I] \$525.00 Per Car	\$225.00 Per Car

Column A. - Charge applies when notification of need to

turn car is received after departure from Union Pacific interchange tracks.

Column B - Charge applies if turn car is identified by customer prior to departure from Union Pacific interchange tracks.

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 225

[l]

DEMURRAGE CHARGES ON EMPTY AND LOADED PRIVATE CARS AND EITHER LOADED OR EMPTY RAILROAD CONTROLLED CARS

Loaded and empty cars destined to or received from WTJR facilities will be subject to the following demurrage charges (See Notes 1 to 8):

APPLICATION	CHARGE (Per Car, Per Day)
Railroad controlled cars, except cars with Mechanical Designation "FM"	\$85.00
Railroad controlled cars with Mechanical Designation "FM"	\$350.00
Private Cars, except Hazardous Material cars	\$85.00
Hazardous Material cars	\$160.00

Demurrage charges are the responsibility of the party/person who detains such cars beyond the allotted free time allowed until released and available for movement as provided for herein (See Item 115). Charges will be assessed monthly. Bills not contested in writing with supporting documentation of items contested within 25 days of bill date will be due in full.

- Note 1: Loaded and Empty Railroad controlled cars, except cars with Mechanical Designation "FM" (See Note 2) in bound traffic charges begin 4th 7 a.m. following constructive placement or actual placement, charges continue until released and available for movement.
- Note 1A: Loaded Private cars inbound traffic charges begin 4th 7 a.m. following constructive placement, charges continue until car is ordered.
- Note 2: Loaded and Empty Railroad controlled cars with Mechanical Designation "FM" in bound traffic charges begin 1st 7 a.m. following constructive placement or actual placement, charges continue until released and available for movement.
- Note 3: Loaded Private cars inbound traffic charges will cease after spotting instructions are received; however if car(s) is not spotted for any reason attributable to receiving facility, charges will continue until actual placement.

(Continued in next column)

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 225 (Cont'd)

DEMURRAGE CHARGES ON EMPTY AND LOADED PRIVATE CARS AND EITHER LOADED OR EMPTY RAILROAD CONTROLLED CARS

- Note 4: Outbound traffic charges begin (1) 3rd a.m. on all cars, except railroad controlled cars with Mechanical Designation "FM" and (2) 1st 7 a.m. on railroad controlled cars with Mechanical Designation "FM", following placement and continue until released with forwarding instructions and available for movement.
- Note 5: No charges will be made for weekends and holidays (see Note 6) prior to first chargeable day.
- Note 6: All applicable switching charges will apply for the cars subject to this item.
- Note 7: The applicable charge will accrue on all Saturdays, Sundays or Holidays (for definition of Holidays see Item 500) subsequent to the first charge day, including a Saturday, Sunday or Holiday immediately following the day on which the first charge begins to accrue.
- Note 8: This item is not applicable to private cars on private tracks or track space leased from WTJR.

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 235

SUPPLEMENTAL HANDLING CHARGE

WTJR will assess a charge of \$95.00 per car handled by WTJR in switching industry lead track(s) in which industry lead track(s) are used as storage for rail cars. (Notes 1 to 4)

- Note 1: Industry lead track(s) are defined as track(s) connecting railroad owned yard or switching facility with industry owned yard or track facilities within its plant site.
- Note 2: Charge will apply when WTJR is required because of congestion to switch private cars from Industry track(s) to WTJR tracks and return to industry and not handled on orders from industry.
- Note 3: Charge will not apply on loaded or empty cars released by industry on specific car orders for outbound movement.
- Note 4: Charge will be billed and assessed on a monthly basis.

ITEM 240

[۱]

CHARGES FOR INTRA-PLANT AND INTRA-TERMINAL SWITCHING ON WTJR (FOR DEFINITIONS SEE ITEM 120)

PART 1: INTRA-PLANT MOVEMENTS:

For the movement of loaded or empty cars, the charge will be \$525.00 per car. (Note 1)

PART 2: INTRA-TERMINAL MOVEMENTS:

The charge for an Intra-Terminal switch is \$625.00 per car. This charge shall also apply to any empty car received in interchange wherein WTJR will not be party to the outbound billing on the subsequent outbound rail movement.

Note 1: WTJR will not be required to perform Intra-Plant service, except if crews or locomotive power are available.

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 245

CHARGE FOR MOVEMENTS TO OR FROM RAILWAY CAR REPAIR OR CLEANING FACILITIES

WTJR will assess a charge of \$525.00 per car on empty, private cars, to <u>and</u> from railway car repair or cleaning facilities, switched in other than Intra-plant service. Charge will be made for each movement, both going and returning. Industry or firm providing switching instructions to WTJR is responsible for payment of switching fee.

ITEM 250

[C]

EXCEPTIONS TO ITEM 240 CHARGES FOR INTRA-PLANT AND INTRA-TERMINAL SWITCHING ON WTJR

- (A) WTJR will assess the Intra-Plant switching charge (See Item 240), when a loaded or empty, railroad owned or private car is ordered to a new spot location within the plant and the car movement order cannot be completed because of the new spot location is occupied.
- (B) WTJR will assess the Intra-Terminal switching charge (See Item 240) when a loaded or empty railroad owned or private car is ordered from a WTJR track to an industry location and the car movement order cannot be completed because the industry location is occupied.

ITEM 255

CARS ORDERED BUT NOT USED

WTJR will assess the applicable Intra-Terminal fee if any private or railroad owned car is ordered but not used. [C]

- Note 1: No charge will be made under the following conditions:
 - (a) If change or cancellation of car order is made before car has been moved.
 - (b) If car can be placed at alternative location within the plant before uncoupling at original car order location.

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 260

[1]

SPECIAL SWITCHING SERVICE

- (A) WTJR will assess a charge of \$850.00 per hour (or fraction thereof) for motive power and crew whenever on request of industry, regular switch crew is required to be held at plant site for additional switching service. (Notes 1 and 2)
- (B) WTJR will assess a charge of \$850.00 per hour (or fraction thereof) for motive power and crew whenever a regularly assigned on duty switch crew is requested by the industry to perform special switching. (Notes 1 and 2)
- (C) WTJR will assess a charge of \$295.00 per car whenever it is necessary to hold, switch, or move cars from, to, or on a private track shared by multiple named rail customers. (Note 3)
- Note 1: Additional or Special Switching service is defined as switching other than required by ordinary operating convenience. Ordinary operating convenience contemplates only one switch per day and only on those days when the WTJR has regularly scheduled switching service at the plant site or industry siding, except that the WTJR may at its discretion only, make additional switches when necessitated by the volume of traffic to secure the prompt release of equipment or facilities.
- Note 2: Special switching service will be provided subject to the availability of motive power and crews and will be provided at the sole discretion and option of the WTJR.
- Note 3: For example, Customer A and Customer B share a track owned or leased by Customer B (or C). Customer A's cars will not fit onto the joint track for loading/unloading and must be held outside and switched into place later.

SECTION 200 FREIGHT, DEMURRAGE AND STORAGE CHARGES

ITEM 265

[C]

SPECIAL TRAIN SERVICE

WTJR will assess a charge of [I] \$5,900.00 for motive power and crew whenever an industry requests an engine and crew for its exclusive use. (Notes 1 to 5)

- Note 1. Charge will apply for a minimum of eight (8) hours or fraction thereof.
- Note 2. An additional charge of \$995.00 per hour or fraction thereof will apply for assignment of engine and crew beyond eight (8) hours, with a maximum of twelve (12) hours for each assignment.
- Note 3. Charge will be computed from the time crew starts duty at its home terminal until the crew returns to its home terminal.
- Note 4. Special train service will be provided subject to the availability of motive power and crews and will be provided at the sole discretion and option of the WTJR.
- Note 5. This charge will be in addition to any freight or switching charges due the WTJR.

SECTION 300 SPECIAL CHARGES

ITEM 350

DIVERSION/ RECONSIGNMENT

Orders for diversion/reconsignment will be accepted from:

- a. Freight payor;
- b. Authorized representative/agent of the freight payor;
- c. Consignee
- d. Car owner or lessee of empty private equipment.

Charges for diversion/reconsignment are assessed if notification is received after car is delivered to WTJR; rate is \$275.00 for both loaded cars and empty equipment.

Note 1: Diversion/Reconsignment means any request to change the consignee or care of party for cars handled by the WTJR. This includes the movement of tank cars delivered to WTJR empty and subsequently ordered delivered to connecting line empty.

ITEM 355

TEAM TRACK USAGE FEE

The fee to place a car on an WTJR team track is \$275.00 per car.

ITEM 360

[C]

CARS WITHOUT PROPER FORWARDING INSTRUCTIONS

When on Shipper's instructions loaded or empty cars, are removed from industry, shop or team tracks and are held by WTJR on WTJR tracks awaiting forwarding instructions a charge of [I] \$475.00 per car will be assessed against the industry on the WTJR the car was pulled from.

This charge will be in addition to detention/storage charge of [R] \$85.00 per day for loaded and empty cars, and there will be no free time for cars so held.

- Note 1: For movement on the WTJR proper forwarding instructions are defined as containing, but not limited to: Shipper, Origin City and State; Consignee, Destination City and State; Whether Prepaid or Collect, Railroad Route, Weighing Instructions; Commodity (including Hazardous materials Requirements); Customs Broker Name and Address for Export Shipments.
- Note 2: For movement to connecting lines (UP, and in some cases, BNSF, FMRC, GNBC & SLWC) the above information must be received electronically by the connecting line, without errors. Connecting line will forward movement instructions to the WTJR.

SECTION 300 SPECIAL CHARGES

ITEM 370

OVERLOAD CARS - APPLICATION OF RULES AND CHARGES (SEE ITEMS 375 - 380)

The charges in Item 380 are published as a deterrent to the unsafe practice of overloading rail cars and are not connected in any way with the line-haul transportation charges. Overloaded charges will apply for the movement of cars over the tracks of the WTJR. Charges by other carriers will be in addition to the charges named in this tariff. Overload charges are in U.S. Dollars Per Car. Overload charges are the liability of the shipper and paid by the shipper.

ITEM 375

OVERLOADED CARS - GENERAL RULE

Carload freight must be loaded in conformity with railroad rules and must not be loaded in excess of the load limit stenciled on the cars.

Cars stenciled with a gross weight of 263,000 pounds or 286,000 pounds must not be loaded in excess of the load limit stenciled on the cars. Cars exceeding the load limit will be assessed the overload charges..

When an overloaded car is identified, the shipper will be notified via telephone or fax or by an electronic means and required to unload the excess at the operating convenience of the WTJR. If the shipper fails or refuses to reduce the weight within 48 hours of notification, WTJR may, at is discretion, remove and dispose of the excess to allow the car to continue safely to the destination. The shipper will pay actual cost of removal and disposal.

Demurrage charges as provided in this tariff will be assessed for each day a car is held for weight reduction, beginning with the first 12:00 midnight after the car is placed into a hold for overload status. No free time will be allowed.

If a connecting line switch is required to place the car in a position for unloading, the shipper will pay switching charges assessed by the connecting line.

The shipper will pay all excess line-haul and switching charges incurred by the WTJR in order to move the overloaded car to a spot for reduction.

After the overloaded car is reduced and the WTJR is notified of the reduction, WTJR, at its discretion, will reweigh the car at charges provided in Item 380, which are to be paid by the shipper.

FT WTJR 6000-E

SECTION 300	SECTION 4
SECTION 300 SPECIAL CHARGES	
ITEM 380	
OVERLOAD AND REWEIGHING CHARGES	(This Section intentionally left blank)
Overloaded Freight Cars\$1,000.00	,
Reweighing of Overloaded Freight Car\$200.00	
<u>ITEM 395</u> [I]	
CHARGE FOR INTERCHANGE IN ERROR SET BACK	
WTJR charge for setting a delivered in error railcar back to the delivering railroad is \$525.00 per car.	
For explanation of abbreviations and reference marks not explain	ned herein, see last page of tariff.

FT WTJR 6000-E

SECTION 500 EXPLANATION OF ABBREVIATIONS AND HOLIDAYS REFERENCE MARKS ITEM 500 BNSF - BNSF Railway Company FMRC - Farmrail Corporation FT - Freight Tariff GNBC - Grainbelt Corporation **HOLIDAYS** SLWC - Stillwater Central Railroad Company Inc. - Union Pacific Railroad Company Whenever reference is made to "Holidays", it shall mean UP WTJR - Wichita, Tillman & Jackson Railway Company only these days listed below: NEW YEAR'S DAY - January 1(See Notes 1 and 2, this [A] [C] - Addition/New - Change item) - Increase GOOD FRIDAY - Friday before Easter Sunday. [NC] Brought forward without change, except as MEMORIAL DAY - Last Monday of May. otherwise noted. - Reduction [R] INDEPENDENCE DAY - July 4 (See Notes 1 and 2, this item) (Underscored portion denotes change/addition.) LABOR DAY - First Monday of September. THANKSGIVING DAY - Fourth Thursday in November. FRIDAY AFTER THANKSGIVING CHRISTMAS EVE - December 24 (See Notes 1 and 2, this CHRISTMAS DAY - December 25 (See Notes 1 and 2, this item) NEW YEAR'S EVE - December 31(See Notes 1 and 2, this item) Note 1: When this date occurs on a Saturday, the preceding Friday will be observed as the Holiday. Note 2: When this date occurs on a Sunday, the following Monday will be observed as the Holiday.