(replaces FT EWR 8999-N)

ELKHART & WESTERN RAILROAD CO. FREIGHT TARIFF EWR 8999-O

MISCELLANEOUS RULES AND CHARGES APPLYING AT AND BETWEEN STATIONS ON THE ELKHART & WESTERN RAILROAD CO.

The EWR will handle traffic to/from stations and customers on their line (Elkhart subdivision) and the connection with the Norfolk Southern Railway at Elkhart, IN and to/ from stations and customers on their line and the connection with the Norfolk Southern Railway at Argos, IN - at the following charges:

THE FOLLOWING CHARGES ARE APPLICABLE IN CONNECTION WITH TRAFFIC TO/FROM CUSTOMERS ON EWR OR TRAFFIC TO/FROM THE NORFOLK SOUTHERN INTERCHANGE(S) AT ELKHART AND ARGOS, IN.

ALL CHARGES ARE PER CAR UNLESS OTHERWISE SPECIFIED.		
(Any rates covered under agreement take precedence over rates listed)		
Correction of or Change in Bill of Lading Instructions (per car)	\$	95.00
Car turning at request of customer (where applicable)	\$	300.00
Cars received in interchange in error	\$	350.00
shown above. Delivering carrier will give written notice to EWR acknowledging		
"delivered in error" noting car number(s) prior to return of the cars to interchange. This charge		
will be assessed against the carrier interchanging the car(s) to EWR).		
Set back charge	\$	150.00 each
Once cars loaded/unloaded at any facility on the EWR are moved there from		(n/e 50miles
and are requested to be set-back for any reason for which carrier is not responsible, a charge per car, as noted, will apply in each direction, for such switching service. If car(s) are subject to demurrage rules/charges, original billing/release of rail car(s) will be broken and the	\$	225.00 each (> 50 miles)
demurrage clock will continue from original placement/constructive placement of the car until car		
is again released/billed and able to move to interchange. Car must still be physically located on the		
EWR for such charge to apply. This charge is in addition to any/all other applicable charges that may apply.		
Cars ordered by customer and not used	\$	250.00
If car(s) ordered by the industry are refused for any reason other than "improper condition to load", charge will be assessed against the party ordering the equipment. If car is refused by customer account of not being in proper condition to load, this charge will be assessed against the Railroad/party furnishing the car.		(see details)
Empty Cars received for loading and not billed out loaded within 30 days (bill online customer)	\$	250.00/car
	see 6	explanation)
## Loaded cars moved with no applicable rate(does not apply on hi/wide, hvy. wt., or any		
dimensional traffic)	\$	1,500.00
Switching of cars to hold and/or storage track(s) – per car	\$	150.00
In the absence of specific provisions to the contrary, the following charges apply:		
When any car (private/RR) is unable to be spotted at a customer's facility for loading/unloading		
upon receipt - due to lack of space, customer's request, etc., car(s) will be switched to hold track(s)		
on the EWR with switch charge of \$150.00/ car being assessed for the move. Car(s) first placed on any customer owned track(s) which then requires additional switching by EWR in order to spot		
the car(s) for loading/unloading will be subject to an intra-plant switch charge at time of		
movement (see below). These charges are in addition to any other applicable charges (storage,		
demurrage, line-haul, switching, etc.) that may apply.		
While cars are on any hold track (and not being moved) such cars shall be in the possession of		
the customer, and EWR shall not be liable for any lading damage caused, in whole or in part,		
by weather, natural disasters of any kind, vandalism, terrorism, criminal or negligent acts of		
third parties, including, but not limited to, governmental actions of any kind (police, fire departmental actions)	ıt, e	tc.)
Error charges for Handling of railcars billed/shipped as empties but are actually under load	\$	500.00
Movement of Overloaded/overweight cars	\$	500.00

moved at the discretion of EWR)

FREIGHT TARIFF EWR 8999-O (continued)

Extra/special switching requested in excess of regularly scheduled service using one locomotive ...

(Note: Charges "Per Event" with a four (4) hours maximum time on duty. Each hour or portion thereof exceeding four hours will be billed at the rate of \$250.00/hr. for each additional hour or portion thereof not to exceed twelve (12) hours.)

Use of each additional required locomotive will be at the rate of \$250/hr. or portion thereof with a 4-hour minimum.

Upon request, extra/special switching service outside of regular service/normal business hours will be provided with reasonable advance notice to EWR and only when EWR determines that sufficient locomotives and crews are available to provide such service. A written request must be submitted via Fax or e-mail to EWR for this service. These charges do not include and are in addition to any applicable storage charges, demurrage charges, detention charges, line-haul or other switch charges, etc. that may apply.

The time used for computing "Extra/Special Switching" shall be from the time the crew goes on duty to perform such service until crew goes off duty from performing such service.

- a) Cars with extreme width of load (over 13'2")
- b) Cars with extreme length of load (over 135 ft. 00")
- c) Loads which cannot be handled in conjunction with other cars (safety factors, etc.)
- d) Cars of excessive weight and/or any cars requiring special movement procedures to ensure safe Handling at the discretion of EWR
- e) Speed restricted cars
- f) Cars requiring multiple speed or stop & walk restrictions.
- g) Any cars with restrictions placed on shipments limiting movement in the Course of regular operations
- h) Any car(s)/movement(s) which carrier deems special train service is required for safety purposes

Note: This \$3,750.00 charge applies on movements requiring no more than four hours' time, with time computed from on-duty or start to off-duty or finish. Each additional hour, or portion thereof, in excess of four hours, will be at the rate of \$850.00 per hour.

Any additional locomotives required in the service will be at the rate of \$250/hr. - 4 hr. minimum

Upon request, special train service will be provided with reasonable advance notice to EWR and only when EWR determines that sufficient locomotives and crews are available to provide such service. A written request must be submitted via fax or E-mail to EWR for this service. These charges do not include and are in addition to any applicable storage charges, demurrage charges, detention charges, line-haul or other switch charges, etc. that may apply. The time used for computing "Special Train Service" shall be from the time the crew goes on duty to perform such service until crew goes off duty from performing such service.

Intra-plant switching	-	150.00
(applies when cars, once spotted on customer's track, are switched therefrom to any different track spot at sam	ie fa	cility)
Intra-terminal switching	\$	300.00
caboose cars, locomotives, or passenger cars, dimensional loads - See charges below. Rate is per car)		
Inter-terminal switching	\$	350.00
(applies when between customers/tracks on same rail line/branch > 100 miles but at different stations)	\$	450.00
Movement of Caboose Cars(includes inbound and outbound move—per car)	\$2	2,500.00
Movement of Locomotives(per locomotive)	\$	2,500.00
Movement of Passenger Cars (per car)	\$2	2,500.00
Movement of Scale Test Cars (includes inbound and outbound move)	\$	750.00

FREIGHT TARIFF EWR 8999-O (continued) ** Movement of Idler/Buffer Cars (when empty).....per car.... \$ 500.00 \$1,000.00 ** Movement of Idler/Buffer Cars (when loaded).....per car.... Weighing of cars, where applicable, per car..... \$ 250.00 ** Changes in Ownership of Cars, while on the EWR......Charges are per car..... \$ 300.00 (When cars change ownership while on the EWR, an administrative per car charge will apply and will be charged to the new car owner at the time EWR is so notified of the change. This charge is separate and in addition to all other applicable fees and charges.) Switching of cars to repair track.....5 miles or less \$ 150.00 ...more than 5 miles..... \$ 250.00 Switching/holding of bad ordered car(s) awaiting disposition.....(Rate is per car)...... \$ 150.00 (Car owner will be allowed four (4) hours free time once notified by EWR that car is bad ordered and (see add'l disposition is required. Thereafter, a charge of \$10.00 per car per 24-hour period or portion thereof will holding charges be charged to car owner. Charges will stop upon receipt by EWR of written disposition order(s). as outlined) All monies are due and payable to EWR prior to the cars moving off line.) Switching/holding of bad ordered rail cars w/FRA/AAR defects......(Rate is per car)..... \$ 150.00 (When cars are unable to move offline account of FRA/AAR defects and car owner refuses to pay EWR to (see add'l make these repairs, cars will be switched to a hold track awaiting repairs by car owner or his holding charges designated contractor. An additional holding charge of \$10.00 per car per 24-hr. period will be as outlined) billed the car owner from time car is switched to hold track until repairs have been completed and car(s) are able to move in interchange service AND EWR has received written notification of same.

NOTE: This tariff does not give the car owner/designated contractor the right of entry. Right of entry must be applied for and obtained in writing PRIOR to entry on EWR property. Car owner/contractor will additionally provide insurance coverage per EWR specifications.

For right of entry and EWR insurance requirements, please contact: Elkhart & Western Railroad eCo., 1318 So. Johanson Rd., Peoria, IL 61607, Ph: (309) 697-1400.

Above rates/charges do not include any charges of any connecting carrier unless specifically noted. These charges (when/if applicable) are in addition to above and will be responsibility of shipper.

Above charges do not apply on any cars/shipments which are hi/wide/hvy. wt./dimensional, unless specifically so noted.

Special charges published in this tariff will be in addition to line haul transportation charges or charges on

Regulated traffic published in tariffs or other instruments whatsoever, as well as deregulated traffic, having application from or to stations on the EWR as shown in the paragraph above.

The special payments shown above are payable by the rail user (i.e. shipper or consignor on outbound shipments and the receiver or consignee on inbound shipments) on shipments originating or termination at EWR stations. These special payments are to be collected by and accrue solely to the EWR.

Tariff Applies on Intrastate and Interstate Traffic Tariff issued under authority of 49 U.S.C. Section 10702

ISSUED: April 10, 2015 EFFECTIVE: May 1, 2015

Denotes and increase in Rate

** Denotes New Item or Change in Item Wording

All monies are due and payable to EWR prior to cars moving off line.)

ISSUED BY:

CATHERINE BUSCH, VICE PRESIDENT OF MARKETING ELKHART & WESTERN RAILROAD CO. 1318 SOUTH JOHANSON ROAD PEORIA, ILLINOIS 61607