

***PAN AM SOUTHERN LLC
MISCELLANEOUS CHARGES TARIFF
PAS 12000***

**MISCELLANEOUS CHARGES TARIFF
FOR
RAIL TRANSPORTATION OF COMMODITIES
MOVING IN INTERSTATE AND INTRASTATE
COMMERCE
VIA
PAN AM SOUTHERN LLC**

ISSUED: August 1, 2023 EFFECTIVE: September 1, 2023*

**This tariff supersedes and replaces in its entirety the prior PAS Circular No. 2 series.*

* Or such later date on which Berkshire & Eastern Railroad commences operations as the contract operator of the rail lines owned, leased, or controlled by Pan Am Southern LLC.

*Issued by and on behalf of the Subscribing Carrier referenced herein:
Commercial Support Department
Genesee & Wyoming Railroad Services, Inc.
13901 Sutton Park Drive South
Jacksonville, FL 32224*

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SECTION I - SECONDARY SWITCH:

<u>ITEM 1005</u> -MOVING A CAR BETWEEN ANY TWO POINTS WITHIN THE SAME PLANT. This includes moving from one track to another or a different point on the same track.	\$200 Per Car
<u>ITEM 1010</u> -A CAR ORDERED SWITCHED FROM A PRIVATE SIDING AND HELD FOR ORDERS AT SERVING YARD	\$250 Per Car
<u>ITEM 1015</u> -PRIMARY SWITCHING NON-HAZARDOUS MATERIAL	\$600 Per Car
<u>ITEM 1020</u> -PRIMARY SWITCHING HAZARDOUS MATERIAL All freight moved between any two locations within PAS switching limits. This includes but is not limited to: <ul style="list-style-type: none">• A car moving to a local PAS served facility• An empty car furnished but not used• A car within a PAS yard that requires additional switching	\$1,200 Per Car
<u>ITEM 1025</u> -TURNING OF CARS TO PERMIT LOADING OR UNLOADING All cars whether or not placarded <ul style="list-style-type: none">• Turned at WYE• Turned at WYE outside switching district and the roundtrip distance to the WYE is:<ul style="list-style-type: none">▪ Up to and including 100 miles▪ Over 100 miles	\$300 Per Car \$500 Per Car \$1000 Per Car
<u>ITEM 1030</u> -EMPTY CARS ORDERED BUT NOT LOADED Fee is assessed to person, firm or company that ordered the empty car placed. <ul style="list-style-type: none">▪ An empty car ordered through PAS but not loaded and released back to PAS empty. Waived if rejected within 48 hours of placement.▪ An empty car rejected for loading and a subsequent inspection done by PAS deemed the car fit for use.▪ An empty car ordered through PAS which is then loaded and the shipment is not routed through PAS.	\$300 Per Car \$1,500 Per Car \$1,500 Per Car
<u>ITEM 1035</u> -OPEN SWITCH CUSTOMER REQUESTING SPECIAL SWITCHING A customer that has declared themselves an “open switch” customer but is asking for specific cars or cars to be placed at a specific time or position.	\$200 Per Car

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SECTION II - SPECIAL CHARGES:

ITEM 2005-SPECIAL SWITCHING SERVICE

Any switching requested outside your regular switching schedule.

- | | |
|--|----------------|
| ▪ Up to 4 hours | \$2,000 |
| ▪ Between 4 - 8 hours | \$4,000 |
| ▪ Each additional hour, not to exceed 12 hours | \$500 Per Hour |

ITEM 2010-SPECIAL FREIGHT TRAIN SERVICE

A direct train service subject to availability

\$90 Per Train Mile
Subject to a minimum charge of \$9000

ITEM 2015-CHARGE FOR MAINTENANCE OF INDUSTRIAL SWITCH CONNECTION

Where PAS maintains an industrial switch connection on PAS property for access to privately-owned sidetracks. Where more than one privately-owned sidetrack is served by a single industrial switch connection, each of the individual owners of the private sidetracks will be liable for an equal share of the charge

\$1,250 per year

ITEM 2020-INCORRECT BILLING AT INTERCHANGE

Charge on a car received at an interchange point with either no billing or incorrect billing

\$250 Per Car

A charge of \$105 per 24 hours will be applied until proper direction is given.

ITEM 2025-REQUEST TO INSPECT LADING

Request for railroad to inspect lading

\$200 Per Car

ITEM 2030-OVERWEIGHT CLEARANCE

Review of any car routed on PAS and weighing in excess of published limits to establish terms and conditions of movement or non-movement.

\$400 Per Car

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SECTION III – MECHANICAL DIFFICULTIES:

ITEM 3005-IMPROPERLY LOADED CARS - PENALTY CHARGE \$2,000 Per Car

Creating an unsafe car to travel or handle; some examples include:

- An overloaded car
- A car with a shifted load
- A car spilling or leaking
- A hazmat car not identified under proper shipping instructions and documentation

ITEM 3010-MINOR CAR ADJUSTMENT \$275 Per Car

A service that is easily taken care of by the shipper, but is instead provided by PAS including, but not limited to:

- Closing a door or hatch
- Applying a seal

ITEM 3015-MAJOR CAR ADJUSTMENT Cost +25%

Providing a large task in order to make the car safe to continue to destination or interchange. This includes, but not limited to:

- Reducing the weight of a car
- Shifting an unsafe load

Minimum charge of \$500

ITEM 3020-WEIGHING A CAR \$450 Per Car

The customer has the right to request PAS to weigh their car at customer's expense

If scale is not in route it is an additional \$1.00 per out of route mile.

ITEM 3025-CAR CAN NOT CONTINUE \$500 Per Car

When situations arise beyond our control and PAS cannot continue a car to destination or interchange, a charge will be assessed. This includes, but not limited to:

Note that switching charges may also apply depending on the situation.

- A car without proper shipping instructions prior to or at time of car release
- Car is rejected at interchange by another railroad
- The car must be removed from a train consist

SECTION IV: DEMURRAGE:

All demurrage charges subject to PAS Tariff 16004, which can be found at www.panamsouthern.com

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SECTION V – MISCELLANEOUS:

ITEM	NOTICE	CHARGE
ITEM 5005	<p>NOT ABLE TO ACCESS YOUR FACILITY If the regularly scheduled PAS train cannot access your facility for whatever reason. An example of this would be a plant shutdown without notifying PAS to not deliver or pickup.</p>	<p>\$300 Per Car \$300 Per Hazardous Car \$1500 per TIH-PIH Car</p>
ITEM 5010	<p>NOT ABLE TO PERFORM SERVICE REQUESTED When a service is requested, such as picking up a recently loaded or unloaded car, and it cannot be performed because of the shipper or consignee, a fee will be enforced</p>	<p>\$300 Per Car</p>
ITEM 5015	<p>DIVERSION / DOCUMENTATION A diversion is any change in how we handle your shipment, whether load or empty, while on PAS. An example of this would be changing the destination while Enroute. If a car is to go back the way it already travelled, the car will be set off at the next appropriate terminal. Items also covered by this fee include:</p> <ol style="list-style-type: none"> 1 Any instructions submitted to PAS not through EDI or EBOL (ShipperConnect - Electronic Bill Of Lading) 2 Rejected instructions due to missing information or information accuracy 3 Any change or correction to the original shipping instructions before the car moves 4 Canceling the instructions already submitted before the car has moved 5 Switching and holding charges on cars held for forwarding instructions. 	<p>\$175 Per Car</p>
ITEM 5020	<p>ERROR DELIVERY FEE</p>	<p>\$450 Per Car</p>
ITEM 5025	<p>DERAILMENT DOCUMENTATION FEE This charge will be assessed for any derailment that occurs on privately owned sidetrack where PAS is required to record the details of the incident in Form FRA F 6180.97 (Initial Rail Equipment Accident/Incident Record) in accordance with CFR 49 225.25</p>	<p>\$500 Per Incident</p>

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ITEM 5030 – STEP-BY-STEP PROCESS FOR SHIPPING DIMENSIONAL LOADS:

A dimensional load is defined as a load with one or more of the following characteristics:

- Width greater than 10' 8"
- Height greater than 17' 0" above the top of rail
- Loads that overhang the ends or sides of car
- Loads weighing more than 263,000 lbs. or require more than four axles

Step 1: Request Clearance

All the above types of loads must be cleared by Pan Am Southern prior to moving.

The shipper must receive clearance from the originating railroad. If the origin is located on a Short Line or handling carrier, the first line haul carrier should be contacted. All clearance proposals originating on PAS should use the attached standard clearance form. (Appendix 1)

The following information is required in order to submit the request.

- Requesting Party's Name, Company & Address
- Proposed Ship Date
- Origin & Destination
- Shipper & Receiver
- Commodity
- Shape, Dimension & Weight (Include Diagram)
- Load Type (Bolster, Overhang, Schnabel, etc.)
- Equipment being used if available.

Send clearance request to Transportation Services at clearances@tecassoc.com. PAS will review the Clearance Proposal to determine if operating resources are available to handle the dimensional shipment.

Step 2: Obtain a Freight Rate

Contact PAS Marketing Department at email address: paspricing@gwrr.com

Step 3: Industrial Track Agreement (If using siding other than own)

An Industrial Track Agreement is a contract between PAS and the customer for rights to utilize a PAS track, private track, or to lease track from PAS.

An Industrial Track Agreement must be in effect before a car can be ordered or shipped.

Note: Industrial Development should be contacted at paspricing@gwrr.com for the following:

- Locating a potential rail-served facility
- Using a track you plan to purchase or already have purchased.
- Using an "out of service" track.
- Finding a track to lease.
- Leasing a track you have found.
- Finding or using a team track

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Step 4: Loading & Securement

The shipper is responsible for the tie-down and securement of the load to the rail car. Prior to movement, shipper is responsible for providing center of gravity measurements on all loads. Lateral and longitudinal centers of gravity must be on center of car in accordance with AAR Rules for Open Top Loading. Final drawings depicting loading arrangement, including center of gravity in all three dimensions, must be faxed to:

PAS-CS@gwrr.com with a copy of the PAS Clearance Request Form.

Step 5: Order a Freight Car

The shipper must order cars from the originating railroad. If the origin is located on a Short Line or handling carrier, the first line haul carrier should be contacted. You can order cars by contacting the PAS at PAS-CS@gwrr.com.

Note: A railcar order cannot be placed until movement is cleared by all railroads in the route and a freight rate is obtained.

Step 6: Mechanical Inspection

All loaded dimensional shipments must be inspected, measured and approved for movement by PAS mechanical personnel prior to shipment. PAS will not accept shipping instructions until this is accomplished.

Step 7: Billing Instructions

The Bill of Lading can be submitted in EDI format or can be emailed to the Billing Desk at PAS-CS@gwrr.com.

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PAN AM SOUTHERN CLEARANCE REQUEST

SHIPPING INFORMATION:

Current Date: _____

Shipper: _____

Origin: _____

Proposed Route: _____

Job Code: _____

Proposed Ship Date: _____

Phone Number: _____

Destination: _____

LADING INFORMATION: *Please provide sketch of proposed load.*

Load Description: _____

Load Width: _____

Load Height: _____

Load Length: _____

Load Weight: _____

LOAD SECUREMENT:

Provide a description of proposed load securement. Provide dimensions of any material which may be used to secure the load and reduce clearances.

____ Cribbing (Bottom): _____ Cribbing (Top): _____

RAILROAD CAR INFORMATION: *Please provide diagram of railroad car.*

Car Manufacturer: _____

Axle Count: _____

Length of Car (Inside): _____

Height of Deck (Above top Rail): _____

Car Number: _____

Load Limit (Lbs.): _____

Width of Car (Outside): _____

Truck Center: _____

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PAS DIMENSIONAL LOAD CHECKLIST

- Acquire an approved clearance file number.
- Obtain freight rate.
- Acquire an approved industrial track agreement. (if necessary)
- Acquire approved loading pattern and equipment requirement.
- Order / Acquire freight car.
- Load car.
- Have PAS Mechanical department inspect and approve car for movement.
- Transmit billing information to Pan Am Southern.