

PENINSULA TERMINAL COMPANY

**FREIGHT & DEMMURAGE TARIFF
PT 6004-F**

(CANCELS FREIGHT TARIFF PT 6004-E)

**NAMING
DEMURRAGE RULES
AND
OTHER CHARGES
APPLYING
AT
STATIONS ON THE
PENINSULA TERMINAL COMPANY
AT NORTH PORTLAND, OREGON**

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: JAN 16, 2017

EFFECTIVE: FEB 1, 2017

DARYL NESS, CHIEF OPERATING OFFICER

**PENINSULA TERMINAL COMPANY
11645 N. FORCE AVENUE
PORTLAND, OREGON 97217**

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**RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS**

ITEM 10 REFERENCES 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 successive issues of such tariffs and reissues of such items, notes, rules, etc.

ITEM 20 METHOD OF CANCELING ITEMS

As this tariff is supplemented, numbered items with letter suffices cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffices will be used to alphabetical sequence starting with A. Example: Item 445-A, and item 365-A, in a prior supplement, which in turn cancelled item 365.

ITEM 30 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.

CAR DEMURRAGE RULES AND CHARGES

ITEM 40 APPLICATION

Except where provided to the contrary, Demurrage Rules and Charges contained herein apply to all railroad and privately owned cars held for or by consignees for any purpose.

ITEM 50 HOLIDAYS

Wherever reference is made to holidays it shall include only those holidays listed below:

**New Year's (See Note 1)
Presidents Day
Good Friday
Memorial Day
Independence Day
Labor Day**

**Thanksgiving Day
Day After Thanksgiving
Christmas Eve
Christmas Day (See Note 1)
New Year's Eve**

Note 1 — When this date occurs on a Sunday the following Monday will be observed as the holiday.

ITEM 60 ACTUAL PLACEMENT

Actual placement occurs when a railcar is placed in an accessible position for loading or unloading or at a point previously designated by the consignor or consignee.

ITEM 70 CONSTRUCTIVE PLACEMENT

When a car consigned or ordered to a private track or other-than-public-delivery track cannot be actually placed because of a condition attributable to the consignor or consignee, such car will be held at available hold point and notice shall be sent or given the consignor or consignee that the car is being held and that this railroad is unable to effect placement; if car is placed on private track or other-than-public delivery track serving the consignor or consignee, the car will be considered constructively placed without notice.

ITEM 80 FREE TIME

Free time as follows will be allowed for each car: Forty-Eight (48) hours to complete unloading, Twenty four (24) hours to complete loading. Free time will be computed from the first 7:00 A.M. after placement, or after notification has been sent or given where required. For the purpose of comparing free time, Saturday, Sundays, and holidays will be excluded.

ITEM 90 DEMURRAGE CHARGES

After expiration of free time allowed the following charges per car per day, or fraction of a day, will be made until car is released.

\$75.00 for each of the chargeable days.

The applicable charge will accrue on all Saturdays, Sundays, and Holidays subsequent to the first chargeable day, including a Saturday, Sunday or Holiday immediately following the day on which the first chargeable day begins to run.

Note 1: Not applicable on privately owned cars on private tracks.

Note 2: Loaded privately-owned cars consigned or ordered for delivery to private tracks which are first held on railroad tracks under constructive placement will be subject to demurrage charges provided for herein after expiration of free time (see Item 80) until such time car or cars are placed on private tracks to which consigned or ordered.

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RULES AND REGULATIONS**ITEM APPLICATION****ITEM 100 APPLICATION OF TARIFF**

Rates do not include wharf age, unloading, or other terminal expenses and apply only on freight loaded and unloaded by consignor or consignee. For the purpose of the application of rates in this tariff the terms "intra-plant" and "intra-terminal" switching are defined as follows:

Intra-Plant Switching: A switching movement from one track to another or from one location to another one the same track within the same plant or industry.

Intra-Terminal Switching: A switching movement (other than intra-plant switching) from one track to another of the same road or from one location to another location on the same track within the switching limits of one station or industrial switching district.

ITEM 110 DEFINITION OF PENINSULA TERMINAL COMPANY

(1) The Peninsula Terminal Company is a switching line only, and does not issue any billing nor furnish any cars for the transportation of freight. Shippers desiring to load freight on the tracks of this company must make all necessary arrangements with connecting lines for cars, and for the transportation beyond the lines of this company.

(2) This Company will not handle in any way, freight charges of other railroads. All charges for switching must be paid by the carrier or industry for which the service was performed.

ITEM 120 CROSS REFERENCE TO TARIFF'S ETC.

When reference is made in tariff or as amended tariff, item, note, or rule, such reference is continuous, and therefore, will include any supplemental charges or successive issues of said tariff, item, rule, or note.

ITEM 130 HOURS OF OPERATION

The Peninsula Terminal Company works an eight (8) hour day, 7 A.M. to 3 P.M. , excluding Saturdays, Sundays and Holidays.

ITEM 140 SWITCH CONNECTIONS

Union Pacific Railroad Company (UP) at Barnes Yard, Oregon BNSF Railway Company (BNSF) at North Portland, Oregon

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PENINSULA TERMINAL COMPANY

RATES AND CHARGES

ITEM APPLICATION

ITEM 150 LINE HAUL SWITCHING

On switching from or to connecting lines, preceded by or subsequent to line haul movements, a charge of (1) \$445.00 per car will be assessed.

ITEM 160 SETBACK CHARGES — CARS RECEIVED IN ERROR

On any cars received from a connecting railroad (UP or BNSF) in error, a charge of (1) \$445.00 per car will be assessed for the purpose of switching and setting the car or cars into the proper interchange track for the return move to said railroad.

ITEM 170 LOCAL SWITCHING

A charge of (1) \$149.00 per car will be assessed for each movement of a loaded, or partially loaded, car of freight in INTRA-TERMINAL or INTRA-PLANT service.

ITEM 180 PRIVATE OR LEASED CARS HELD OR STORED ON RAILROAD'S TRACKS

Loaded or empty private or leased cars while held on railroad's track will be subject to the applicable rules and charges of this tariff

No free time will be allowed on cars subject to this item, but they will be subject to a storage charge of \$75.00 per car per day, to be computed from the first 7:00 A.M., exclusive of Saturdays, Sundays, and Holidays following the sending or giving of Notice.

Once storage charges commence to run, all Saturdays, Sundays and Holidays are chargeable days, with charges continuing until actual placement on orders of, or appropriation of cars by assignee.

DEFINITIONS

Giving of Notice: The generally accepted method of giving notice is by email with a PDF attachment, with the railroad giving the assignee the initials and number of the car upon arrival at the interchange yard.

Private car: A private or leased car is a car bearing other than railroad reporting marks and which not a railroad-controlled car is. A railroad-controlled car is a car provided to a railroad directly by car companies or others; for the indiscriminate use by the railroads serving any of its customers; the control of the use and further use of such cars is in the hands of the railroad.

ITEM 190 HANDLING EMPTY CARS

On empty cars that are received in interchange and not loaded but returned to the railroad empty; a switch charge of (1) \$445.00 per car will be assessed for this service and collected from the person, firm, or corporation ordering such cars.

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PENINSULA TERMINAL COMPANY

RATES AND CHARGES

ITEM APPLICATION

ITEM 200 SPECIAL SWITCHING

Rates named herein and in other tariffs lawfully on file include only the performance of normal switching service during the hours specified in Item 25, at the ordinary operating convenience of the carrier (Note 1). If requested by an industry that special switching services be performed at hours other than those described in Item 25, the following shall apply:

- (1) If Industry requests that carrier on premises for the performance of switching service, beyond the hours specified in Item 25, Monday through Friday (excluding Holidays) as a continuation of its regular service being provided at that time, a charge of \$130.00 per hour, or fraction thereof, shall be assessed until such time as Industry releases switch crew from duty (Note 2).
- (2) If Industry requests that carrier initiate switching the performance of switching service before or after the hours described in Item 25, Monday through Friday (excluding Holidays), a charge of \$130.00 per hour, or fraction thereof, subject to a minimum charge of \$520.00, shall be assessed until such time as Industry releases crew from duty (Note 2).
- (3) If Industry requests that carrier continue or initiate the performance of switching service on a Saturday, Sunday or Holiday (See Item 30), a charge of \$130.00 per hour, or fraction thereof, subject to a minimum charge of \$1040.00, shall be assessed until such time as Industry releases crew from duty (Note 2).

If more than one Industry requests continuous service, each Industry shall pay their proportionate shall to be determined by the time spent with each Industry.

Industry requesting such service must notify the Peninsula Terminal Company no later than 2:00 P.M. local time, Monday through Friday (excluding Holidays).

Note 1: "Ordinary operating convenience" means the time selected by the carrier when it is most advantageous to the carrier, in relation to its coordinated and harmonious switching activities in a particular switching zone, when the terminal services are performed by switching locomotives. Ordinarily it contemplates only one switch a day except when additional switches are made by the carrier in its own or in the public's interest, as distinguished from the Industry's interest, to secure the prompt release of equipment or facilities, or when necessitated by the volume of traffic. Movement to, from or within the plant site at other times at the request of the Industry' or to meet the requirements of industrial operations are not at the carrier's ordinary operating convenience.

Note 2: For the purposes of this item, rates in Paragraph (2) will be assessed for all Saturday, Sunday and Holiday Service. The time for which such service shall be charged, will commence the first 9:00 A.M. of the given Saturday, Sunday or Holiday, and shall terminate the first 9:00 A.M. that is not a Saturday, Sunday or Holiday.

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