

Freight Tariff NS 9037-I

(See Cancellation Notice on Page 1)

IL CC 39-A
ICC NS 9037-I
WV PSC 9037-I
MIDT NS 9037-I
NY DT NS 9037-I
VA SCC NS 9037-I
PA PUC NS 9037-I
MD PSC NS 9037-I

**Contains Supplement 4
And All Changes**

Cancels Supplements 1,2, & 3



NORFOLK SOUTHERN

COAL
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**Publishing Rules and Charges for Diversion and
Reconsignment of Coal, Coke, And Iron Ore
(as described in Condition 5 in the Coal of Conditions
of Carriage #2 Series)**

**In Carloads at Stations on
Norfolk Southern Railway Company**

This tariff also applies on interstate traffic

**Supplement Effective: June 9, 2011
Original Effective: January 26, 1992**

**Supplement Issues: May 20, 2011
Original Issued: January 14, 1992**

**130-MWC 3301L 21-RCCR
Filed AL, IA, KY, MO, and TN**

Norfolk Southern Corporation
3 Commercial Place
Norfolk, Virginia 23510
www.nscorp.com

NO CHANGE IN CHARGES

(Former Item 8 not brought forward; the charges in this tariff are not subject to Rail Carrier Cost Recovery Tariffs).

Cancellation Notice

This tariff cancels the following as indicated below:

Issuing Carrier	Tariff	ICC	IL CC	MD PSC	MIDT	NY DT	PA PUC	VA SCC	PSC WV	To Extent Indicated
NS	NS 9037 -H	9037 -H	36 -A	NS 9037 -H	In Full					

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Rules and Other Governing Provisions

General Rules and Regulations

Item	Subject	Application
10 Z	Station Lists and Conditions	The NS Conditions of Carriage #2 Series, including all of the tariffs and other publications incorporated therein shall apply to movements under this tariff except to the extent inconsistent with the terms of this tariff. This Tariff is also governed by the Official List of Open and Prepay Stations ICC OPSP 6000 Series, Station List Publishing Company, Agent.
20 Z	Reference to Tariffs, Items, Notes, Rules, etc.	Where reference is made in this Tariff to tariffs to items, etc., such references are continuous and include supplements to and successive issues of such tariffs and reissues of such items, etc.
40	Consecutive Numbers	Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen they will be understood to include both of the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last numbers.
45 Z	Capacities and Dimensions of Cars	For marked capacities, lengths, dimensions and cubical capacities of cars, see the Official Railway Equipment Register R.E.R. Publishing corporation, Agent, ICC RER 6411 Series.
60 ©	National Service Order Tariff	Canceled
75	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 445A cancels Item 445, and Item 305B cancels Item 305A in a supplement, which, in turn, cancelled Item 305.
100	Method of Denoting Reissued Matter In Supplements	Matter brought forward without change from one supplement to another will be designated as "Reissued" by a reference mark in the form of a square enclosing a number, the number being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine its original effective date, consult the supplement in which the reissued matter first became effective.



Special Rules and Regulations

Item	Subject	Application
120 Z	Per Car Minimum Weight	For Minimum weight to apply please see the NS Coal Conditions of Carriage #2 Series. In the absence of a minimum weight provision in the NS Condition of Carriage #2 series then the minimum weight will be marked capacity of car except when car is loaded to full visible or cubical capacity and shipper so certifies on shipping order or bill of lading that car is so loaded, actual weight will apply.

Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application
200	Definition of Reconsignment or Diversion	The term "Diversion" or "Reconsignment" (used interchangeably in this tariff) means any change requested by consignor, consignee or owner which requires a change in billing or an additional movement of the car, or both, including stopping a car in transit. The term "in transit", as used in this Tariff, means prior to actual or constructive placement for unloading by the billed consignee. Actual placement is made when the car is placed on the track of the consignee. Constructive placement applies when actual placement is prevented by any cause attributable to consignee.
205 B	Conditions	<ol style="list-style-type: none"> 1. N- A party requesting reconsignment represents that it is the owner of the coal or is authorized by the owner to request reconsignment. If the party requesting reconsignment is neither the owner of the coal nor authorized by the owner to request reconsignment, the party requesting reconsignment shall indemnify Carrier for any and all liabilities it incurs as a result of Carrier granting such request. 2. A shipment which has "broken bulk", i.e., has been partially unloaded, at the original destination, cannot be reconsigned. 3. An order for reconsignment cannot specify a particular time for execution. 4. If a request is made for a reconsignment, Carrier will make a diligent effort to locate the shipment and effect the reconsignment, but will not be responsible for failure to do so unless such failure is due to the negligence of its employees. 5. Orders for reconsignment must be made or confirmed in writing. 6. Carrier will only agree to reconsign a car which has not been delivered to another railroad.
210	Stopping in Transit	<ol style="list-style-type: none"> 1. When a car is ordered stopped in transit and is later ordered to continue under its initial billing, the charge in Item 230 A. (1), A. (2), B. (1), B. (2), C (1) or C (2), as appropriate, will be assessed. 2. When a car is ordered stopped in transit and is later reconsigned, the charge in Item 230 A. (1) and A. (2), or B. (1) and B. (2), or C. (1) and C. (2), as appropriate, will both be assessed.



Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application
215	Freight Rate Applicable	The through rate to the new destination is the rate from original point of origin to that destination applicable via the reconsigning point. If the through rate from origin to the new destination does not apply via the reconsigning point, then an out-of-route charge in Item 250 will be assessed to a point intermediate from origin to the new destination.
220	Level of Rates and Charges	The level of the reconsigning charges in Item 230 and the charges in Item 250 will be determined as of the date of the reconsigning order. The level of the through rate from origin to the new destination will be determined as of the date of shipment from the origin.
221 Z	Application Of Charges	All reconsignment and/or out-of-route charges applicable herein shall be in addition to the freight charges which are due on a reconsigned shipment based upon the applicable through rate between the origin and new destination, to which the shipment has been reconsigned.
225	Demurrage	<p>Cars reconsigned to a new destination are subject to the demurrage rules that would normally apply at that destination. In addition:</p> <ol style="list-style-type: none"> 1. Cars ordered stopped or held in transit will be subject to detention charges after 24 hours free time. Detention time begins with the time the car arrives, except that when the car arrives prior to receipt of the order to hold the car, detention time will begin with the time the order is received. Detention time ends at the time the reconsignment order, or an order to release the car from being held, is received. (See Exception) 2. Cars reconsigned after actual or constructive placement for unloading by the billed consignee will be subject to detention charges after 24 hours free time. Detention time begins with the time of actual or constructive placement and ends at the time the reconsignment order is received. Cars so reconsigned shall not be subject to demurrage rules and charges applicable to that consignee and destination. <p>Cars held in excess of the free time provided in this Item will be assessed the following charges per car per day, or fraction of a day, until the car is released:</p> <ul style="list-style-type: none"> \$20.00 for each of the first 4 chargeable days; \$30.00 for each of the next 4 days; \$60.00 for each subsequent day. <p>Payment of such charges is the responsibility of the party ordering the reconsignment or stopping in transit.</p> <p>Exception: Cars reconsigned at Lamberts Point, VA under the provisions of the exception to Item 245 2. or at Sandusky Dock, Ohio under the provisions of Item 240 4. are subject to demurrage rules published in NS Tariff 9209 Series or NS Tariff 4008 Series, respectively.</p>



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Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application														
230 Z	Reconsigning Charges	<p>When a car is reconsigned and/or is stopped in transit, apply the following charges (in addition to applicable demurrage charges in Item 225 and out-of-route charges in Item 250, if applicable):</p> <p>A. For individual cars or not more than twenty five (25) cars moving in a block:</p> <table style="margin-left: 40px;"> <tr> <td></td> <td style="text-align: right;"><u>Per Car</u></td> </tr> <tr> <td>(1) prior to actual or constructive placement for unloading by the billed consignee</td> <td style="text-align: right;">\$205.00</td> </tr> <tr> <td>(2) after actual or constructive placement for unloading by the billed consignee</td> <td style="text-align: right;">\$293.00</td> </tr> </table> <p>B. For more than twenty five (25) cars but less than seventy five (75) cars moving in a block, on one waybill:</p> <table style="margin-left: 40px;"> <tr> <td>(1) prior to actual or constructive placement for unloading by the billed consignee</td> <td style="text-align: right;">\$104.00</td> </tr> <tr> <td>(2) after actual or constructive placement for unloading by the billed consignee</td> <td style="text-align: right;">\$149.00</td> </tr> </table> <p>C. For seventy five (75) or more cars moving in a block, on one waybill:</p> <table style="margin-left: 40px;"> <tr> <td>(1) prior to actual or constructive placement for unloading by the billed consignee</td> <td style="text-align: right;">\$52.00</td> </tr> <tr> <td>(2) after actual or constructive placement for unloading by the billed consignee</td> <td style="text-align: right;">\$ 79.00</td> </tr> </table>		<u>Per Car</u>	(1) prior to actual or constructive placement for unloading by the billed consignee	\$205.00	(2) after actual or constructive placement for unloading by the billed consignee	\$293.00	(1) prior to actual or constructive placement for unloading by the billed consignee	\$104.00	(2) after actual or constructive placement for unloading by the billed consignee	\$149.00	(1) prior to actual or constructive placement for unloading by the billed consignee	\$52.00	(2) after actual or constructive placement for unloading by the billed consignee	\$ 79.00
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235	Other Switching Charges Not Applicable	The charges in Item 230 cover all switching of stopped or reconsigned cars at the hold point. Switching charges at the hold point published in other tariffs are not applicable to cars subject to charges in Item 230.														
240	Coal to Sandusky Dock, OH for Lake Movement	<ol style="list-style-type: none"> 1. If the reconsignment only involves a change in consignee or consignment name, then the charge in Item 230 A. (1) or B. (1), as appropriate, will apply. 2. If coal initially consigned to another destination is reconsigned to Sandusky Dock, OH, then the appropriate charge(s) in Item 230 will apply. 3. Except as shown in Section 4. of this Item, if coal initially consigned to Sandusky Dock, OH is reconsigned to another destination, then the appropriate charge(s) in Item 230 will apply. 4. Coal left over or in transit after the last vessel is loaded by a consignee who discontinues any specific consignment or his lake coal business may be reconsigned to another destination. The charge(s) in Item 230 A. (3) or B. (3), as appropriate, are to apply, except that no back haul charge will be assessed for movement from Sandusky Dock, OH to Bellevue, OH. <p><u>Exception:</u> Where cars miss the last vessel due to actions of NS or for NS' convenience or cars are simply diverted to consignee's own ground storage account, no reconsigning charges will apply.</p>														



Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application
245 Z	Coal to Lamberts Point, VA for Vessel Movement	<p>1. If the reconsignment only involves a change in classification name, then the charge in Item 230 A. (1) B. (1), or C. (1) appropriate, will apply. The reconsignment will be made by Carrier only when the car arrives at Lamberts Point, VA</p> <p>2. If coal initially consigned to Lamberts Point, VA is reconsigned to another destination, reconsignment will be permitted only if the reconsignment order is received before the car arrives at Bluefield or Elmore, WV and if the car has not been placed in a through train destined to Lamberts Point, VA.</p> <p>Exception: Cars refused by the original consignee at Lamberts Point, VA may be reconsigned to another destination. The charge in Item 230 A. (3), B. (3) or C. (3) as appropriate, and Item 250 will apply.</p> <p>3. Coal initially consigned to another destination may be reconsigned to Lamberts Point, VA only if reconsignment is to a movement for which a valid permit issued by the Carrier under the provisions of Item 112 of Tariff NS 4007 Series, or under an existing contract, has not been fulfilled by another coal. The appropriate charge(s) in Item 230 will apply.</p>
		<p>With the exception shown in Paragraph 4. of Item 240, when the reconsignment involves movement out of route, charge shown below will be assessed for the distance car must be handled from the point of reconsignment to the nearest point which lies intermediate from the initial origin to the new destination. Such charge will be in addition to the reconsignment charge in Item 230 and any demurrage charges in Item 225.</p>



Rules and Charges Governing Diversion and Reconsignment

Item	Subject	Application	
		GOVERNED BY ICC RPS 6301 SERIES	COAL, COKE (The direct products of Coal), CARLOADS
			RATE
		MILES (Not Over)	(Per Car)
250 Z	Charges for Out-of-Route Movement	15	\$327
		25	\$384
		50	\$533
		75	\$730
		100	\$888
		125	\$1,005
		150	\$1,084
		175	\$1,122
		200	\$1,160
		225	\$1,192
		250	\$1,233
		275	\$1,256
		300	\$1,302
		325	\$1,324
		350	\$1,358
		375	\$1,436
		400	\$1,509
425	\$1,580		
450	\$1,648		
475	\$1,712		
500	\$1,774		

(Note 1):
With the exception shown in Paragraph 4 of Item 240, when the reconsignment involves movement out of route, charge shown above will be assessed for the distance car must be handled from the point of reconsignment to the nearest point which lies intermediate from the initial origin to the new destination. Such charge will be in addition to the reconsignment charge in Item 230 and any demurrage charges in Item 225.

Reference Marks

Abbreviation	Explanation
◆	Increase
B	Brought Forward with changes
N	New Item that does not result in an increase or a decrease
Z	Brought forward with no changes
©	Cancelled



Explanation of Abbreviations

Abbreviation	Application
ILCC	Illinois Commerce Commission.
MD PSC	Public Service Commission of Maryland
MIDT	Michigan Department of Transportation
NSO	National Service Order (Western Trunk Line Committee, Agent)
NY DT	New York Department of Transportation
OPSL	Official List of Open and Prepay Stations (Station List Publishing Company, Agent).
PA PUC	Pennsylvania Public Utility Commission
RER	Official Railway Equipment Register, The (National Railway Publication Company, Agent).
RPS	Railroad Publication Services, Agent.
VA SCC	Virginia State Corporation Commission
WV PSC	Public Service Commission of West Virginia



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