

CENTRAL MAINE & QUEBEC RAILWAY

FREIGHT TARIFF CMQ 8000-1

LOCAL AND JOINT FREIGHT TARIFF PUBLISHING RULES AND CHARGES ON SWITCHING AND ON ASSERSORIAL CHARGES AT STATIONS ON CENTRAL MAINE & QUEBEC RAILWAY



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ISSUED BY

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PLAN OF TARIFF

THE APPLICATION OF THIS TARIFF WILL BE GOVERNED BY THE PRECISE TERMS AND CONDITIONS STATED ELSEWHERE HEREIN AND NOT BY THIS “PLAN OF TARIFF”

Cancellation Notice

This tariff cancels:

Explanation of Abbreviations

ABBREVIATION	EXPLANATION
CMQ	CENTRAL MAINE & QUEBEC RAILWAY
JCT	JUNCTION
ME	MAINE
NSO	NATIONAL SERVICE ORDER
OPSL	OFFICIAL LIST OF OPEN AND PREPAY STATIONS (STATION LIST PUBLISHING COMPANY, AGENT)
RR	RAILROAD
RPS	RAILROAD PUBLICATION SERVICE
UFC	UNIFORM FREIGHT CLASSIFICATION (UNIFORM CLASSIFICATION COMMITTEE, AGENT)

ITEM 1000 DESCRIPTION OF GOVERNING CLASSIFICATION AND EXCEPTIONS

The term “Uniform Freight Classification” when used herein means Freight Tariff UFC 6000 series

ITEM 1010 STATION LISTS AND CONDITIONS

This tariff is governed by OPSL 6000 series to the extent shown below:

- A. For additions and abandonment of stations and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight and changes in station facilities.
- B. When a station is abandoned as of a date specified in the above named tariff, the rates from and to such stations, as published in this tariff, are inapplicable on and after that date.

ITEM 1020 EXPLOSIVES, DANGEROUS ARTICLES

For rules and regulations governing the transportation of explosives and other dangerous articles, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, refer to BOE 6000 series.

ITEM 1030 REFERENCE TO TARIFFS, PRICE AUTHORITIES, ITEMS, NOTES, RULES, ETC.

Where reference is made in this tariff to tariffs, price authorities, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such price authorities and reissues of such items, notes, rules, etc.

ITEM 1040 CONSECUTIVE NUMBERS

- A. 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.
- B. 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.

ITEM 1050 CAPACITIES AND DIMENSIONS OF CARS

For marked capacities, lengths, dimensions and cubic capacities of cars, see Official Railway Equipment Register. (RER 6413 series)

ITEM 1060 NATIONAL SERVICE ORDERS

This tariff is subject to provisions of Tariff NSO 6100 series.

ITEM 1070 REVISION NUMBERS

This tariff will be amended by reprinting the page and showing a revised page number. Revision numbers will be used in consecutive numerical order beginning with the "1ST Revised Page". A revised page cancels any uncanceled revised or original pages that bear the same page number.

ITEM 1080 DEFINITION OF TERMS USED IN CONNECTION WITH CHARGES NAMED HEREIN

CONSTRUCTIVE PLACEMENT- PCON

When, due to some inability on the part of the consignor or consignee, a rail owned or private car cannot be placed for loading or unloading at a point previously designated by the consignor or consignee, and is placed elsewhere, it is considered as being under constructive placement and subject to demurrage rules and charges, the same as if it were actually placed at the designated point.

INDUSTRIAL TRACK

A track serving a particular industry, whether located upon the property of CMQ or upon property owned or leased by the industry.

INTERCHANGE TRACKS

Interchange tracks are tracks on which cars are interchanged between CMQ and connecting lines.

INTERMEDIATE SWITCHING

A switching movement between interchange tracks of one carrier to interchange tracks of another carrier within the switching limits of the same station.

INTERSTATE TRAFFIC

Traffic moving from a point in one state or province to a point in another state or province, or a shipment moving from a point in a state or province to another point in the same state or province but moving outside the state or province while in transit.

INTER-TERMINAL SWITCHING

A switching movement between an industrial track or a team track on the tracks of CMQ and an industrial track or team track on connecting lines of traffic having origin and destination within the switching limits of the same station or industrial switching district. Charges of connecting carriers will be in addition to charges provided herein.

INTRASTATE TRAFFIC

Traffic moving from a point in a state or province to another point in the same state or province that does not move outside of the state or province while in transit.

INTRA - PLANT SWITCHING

A switching movement from one track to another or between two locations on the same track within the confines of the same (single) plant

INTRA-TERMINAL SWITCHING

A switching movement from Railroad property track to Customer Track and the reverse.

STORAGE – STEA

The act of rail owned cars or private cars being placed in storage.

LINE HAUL

Movement between stations that are not located within the switching limits of the same station.

RECIPROCAL SWITCHING

An arrangement between carriers servicing the same station or switching district where the carrier physically serving the industry performs switching service for loading or unloading on behalf of the other carrier on shipments having an immediately preceding or following line-haul movement via the other carrier. For points in Canada subject to Statutory Canadian Transport Agency Zone Switching, service will be performed subject to applicable C.T.A rules and regulations. (See Section 3 of this document)

TEAM TRACK

A track or tracks assigned by CMQ for use of the general public.

ITEM 1090 CHARGES ON LOADED AND EMPTY CARS

CARS ORDERED AND NOT USED

- 1) Except as otherwise provided, the charges published in this tariff include:
 - a) The switching of an empty car to be loaded and the return of the same car loaded.
 - b) The switching of loaded car for unloading and the return of the same car empty.
- 2) Unless otherwise specified, if a car moves fully or partially loaded in each direction, switching charges will be assessed in each direction.
- 3) Except as otherwise provided, if an empty car is ordered and the service of switching and placing it has been performed, and the car is subsequently released back to carrier without being loaded, **\$350** per car, in addition to applicable demurrage and detention charges, will be assessed against the party ordering but not using the equipment. (See Exceptions)

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- 4) For movement of empty cars not covered by Paragraphs 1 and 3 of this item, the charge will be **\$350** per car.

DELINQUENT PAYMENT

1. Central Maine & Quebec Railway reserves the right to place any account that is over 30 days on credit hold and put the account on C.O.D., until payment is received. We also reserve the right to add a finance charge of 1.5% per month on all accounts that are over 30 days past due.
2. We may also require customers make available to CMQ a sum of money or security sufficient to cover charges for cars ordered not used that may reasonably be expected to be levied against each car destined for delivery to customer prior to delivery of that car based on customer's traffic volume and level of delinquency for the previous year. The amount to be required will be determined by a review of previous levels of cars ordered but not used charges billed by CMQ against customer's account.
3. Refusal or failure of customer to enter such a payment security program will result in the issuance of an embargo against acceptance by CMQ of any or all traffic to be handled for customer's account.

Please refer to CMQ's Conditions of Carriage, Item 250, Item 270, and Item 300 for complete description of payment terms

EXCEPTIONS

1. The charge will not apply if release of the empty car results from carrier's failure or inability to place or constructively place the car ordered on the day for which it was requested. Carrier will have fulfilled its obligation of furnishing the car on the day for which ordered if the car is available for loading on the day before or the day after the day for which it was ordered.
2. The charge will not apply if the party ordering the car advises CMQ within twenty-four (24) hours of actual placement, that the car is refused or rejected because it is not in proper condition for loading; was, not the proper type ordered; or the loading of which would be in violation of any outstanding car service orders or loading rules.
3. The charge will not apply on special type flat cars with mechanical designation "FD", "FG", "FW" or "FM" listed in Tariff RPS 6470 series, or other applicable tariffs, for which charges are provided therein.

ITEM 1100 EMPTY CARS RETURNED UNFIT FOR LOADING

When an empty car is received from a connecting carrier for loading by an industry located on the CMQ, and is refused by the industry because the car is not in proper condition to load and must be returned to the connecting carrier, a charge of **\$450.00** per car will be assessed against the connecting carrier. The charge will be made for one direction only.

ITEM 1110 CARS HELD FOR DIVERSION OR RECONSIGNMENT ON CMQ

Except as otherwise provided, cars received from and/or delivered to connections, which are held for diversion or reconsignment on tracks of the CMQ awaiting placement on consignee's private or assigned siding served by CMQ, and which are diverted or reconsigned to destinations on roads other than CMQ beyond the original destination will be subject to reciprocal switching charge, in each direction, between interchange with connections and the original consignee's private or assigned siding. No switching charge will be assessed on the outbound movement when CMQ is accorded the outbound line-haul movement.

ITEM 1120 SWITCHING WITHOUT CHARGE

No charge will be made for the initial switch to or from tracks of private or assigned sidings served by CMQ or interchange tracks of industries connected with CMQ when the switching service immediately precedes or follows a revenue line-haul over CMQ. Additional charges will apply to subsequent switches within industry or switching limits. See item 1210 for "Additional Charges."

ITEM 1130 CAR DEMURRAGE RULES AND REGULATIONS

Except where otherwise provided, all cars handled under the provisions of this tariff will be subject to demurrage and storage rules and charges as provided in Tariff CMQ 6000 series.

ITEM 1140 FREIGHT TRAFFIC RECONSIGNED VIA SWITCHING ROAD

When cars are switched from connections, placed for delivery to consignees, and later reconsigned for line-haul via CMQ, subject to joint through rate from original point of shipment to ultimate destination, the same charge will be made for return of car to terminal yard as for original movement from connecting road, providing specific charge is not already in effect.

ITEM 1150 PREPAYMENT OF CHARGES

1. All charges under this tariff must be prepaid or arrangements made to CMQ satisfaction.
2. No charge of any kind will be advanced on line-haul cars switched to connecting lines nor will line-haul cars bearing advance charges be accepted from connecting lines for handling under the provisions of this tariff.
3. CMQ payment terms are Net 15. Whenever CMQ issues any freight bill or invoice that remains unpaid after a period of 90 days or more from the date of the bill or invoice, CMQ may, on not less than 10 business days' notice, notify the party to whom the charges were assessed that credit privileges are suspended and that a security deposit will be required in order to avoid any interruption in service. The security deposit shall equal the total of all past due invoicing that remains unpaid.
4. During the period in which credit is suspended all services provided by CMQ will require prepayment.

Please refer to CMQ's Conditions of Carriage, Item 250, Item 270, and Item 300 for complete description of payment terms.

ITEM 1160 SHIPMENTS REQUIRING TWO OR MORE CARS

Except as otherwise provided, when shipments are loaded in so called articulated cars (two or more units permanently or temporarily joined together), or when a shipment requires two or more cars for transportation; switching charges will be assessed for each car.

ITEM 1170 SWITCHING SERVICE WHERE NO CHARGES ARE PROVIDED HEREIN

Where no switching charge is provided in this tariff, switching service will not be performed.

ITEM 1180 FIRST PLACEMENT CONSTITUTES DELIVERY

When cars are placed for loading or unloading at or on assigned sidings, leased tracks, warehouses or industries, such placement shall constitute delivery of the car for loading or unloading. Any subsequent switching movement will be subject to an applicable switch charge per car. When a car is constructively

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placed, this shall constitute first placement. A switch charge will be assessed when the car is actually placed.

ITEM 1190 TEMPORARY STORAGE AND SUBSEQUENT SWITCHING

After a private or rail owned car has been placed into Constructive Placement (PCON) or placed into temporary storage (STEA) for customer convenience then a switching charge will be assessed when car is ordered out of PCON or STEA status by customer. Switch fee will be determined based on distance between temporary storage location and customer's plant as follows:

Between .5 miles and 5 miles	\$150 per car
From 5.1 miles to 10 miles	\$250 per car
From 10.1 miles to 20 miles	\$350 per car
In excess of 20 miles	\$450 per car

ITEM 1200 INTRA-PLANT, INTRA-TERMINAL, AND INTER-TERMINAL SWITCHING CHARGES- GENERAL

Except as otherwise provided, CMQ will assess a switch charge as follows:

INTRA-PLANT (A)	\$250 per car
INTRA-TERMINAL	\$400 per car
INTER-TERMINAL	\$400 per car

Note: Unless otherwise indicated all charges in Section 2 of this Tariff are expressed in U.S. Funds only.

ITEM 1210 CHARGE FOR CARS WITH FOUR OR MORE THAN FOUR AXLES

1. Charges for switching service at points on CMQ are restricted to cars having no more than four axles.
2. When cars with more than four axles are switched the charge for such service will be 200% of the charge for the same service applicable on cars with four axles or less.

ITEM 1220 RECIPROCAL SWITCHING CHARGES IN CANADA

NOTE: Reciprocal switching in Canada is conducted in accordance with Canada Transportation Agency Rules and Regulations as promulgated from time to time.

Rates in Canadian funds (CAD) per car

To/from customers	59 or less cars	60 or more cars
In Zone:	per shipment	in single shipment
(See Note 1)		(See Note 2)
1	229.00	\$46.00
2	\$248.00	\$55.00
3	\$284.00	\$65.00
4	\$251.00	\$74.00

EXPLANATION OF NOTE

Note 1 – Zones 1, 2, 3 and 4 include customer’s sidings located wholly or partially within the distances stated below, measured along the line of CMQ tracks from interchange of the connecting carrier for whom the inter-switching is performed:

Zone 1	6.4 kilometers (3.98 miles)
Zone 2	10.0 kilometers (6.21 miles)
Zone 3	12.43 kilometers (12.43 miles)
Zone 4	30.0 kilometers (18.64 miles) See Note 3

Note 2 – Charges apply only when in cuts of not less than sixty (60) cars destined to or originating from a single shipper at a siding.

Note 3 -- When a siding is located wholly or partially within Zone 4 and the point of connection with the siding is more than 40 kilometers (24.86 miles) from the interchange along the line of CMQ tracks, an additional charge of \$3.38 per car, and \$1.20 per car block will be assessed for each car inter-switched. This charge will be computed on the distance from the point located 40 kilometers (24.86 miles) beyond the interchange to the point of connection with the siding on the line of CMQ tracks.

ITEM 1230 NON-APPLICATION

This tariff does not apply when:

1. A terminal carrier has inter-switched traffic to a siding for unloading in accordance with these regulations and transfers the traffic at the request of a shipper or another railway company to another siding.
2. A track is used by a terminal carrier for the transfer of traffic between cars or between a car and a warehouse owned by a terminal carrier.
3. A track serves a reload or distribution compound, a container terminal or any other facility owned by CMQ or its agent or operated for CMQ's own purposes, specifically, inter-switching does not apply to Farnham Transfer, PQ or Farnham, PQ

ITEM 1240 WEIGHING AND REWEIGHING OF EMPTY AND LOADED CARS

A per car charge of **\$500** US Dollars (USD) will be assessed for weighing under the following circumstances:

1. On Private Scales located at the industry
2. When request is made at time of billing (charges billed to the payer of freight)
3. For all other weighing or reweighing

ITEM 1250 RULES GOVERNING OVERLOADED CARS

A car for which either the net weight is in excess of the car's load limit or the gross weight is in excess of the track weight limit at any point along the route of movement is defined as an overloaded car. All charges are in US Dollars (USD)

Charges for each such car will be assessed as follows:

1. **\$5.00** per mile charge subject to a minimum of **\$300** for each move to track where partial unloading may be accomplished.
2. Car reweighing charge as per Item 1240.
3. Full demurrage charges.
4. **\$2,000** per car "overload charge" for each such car that has been determined by CMQ to have been overloaded effective on all commodities.

ITEM 1260 CHARGES FOR SPECIAL FREIGHT TRAIN SERVICE

The charge for special freight train service will be based on the rate of **\$30.00** per train mile or fraction thereof, via route of movement, subject to a minimum of 100 miles, which will be in addition to all other charges associated with the shipment. Advance notification for special train is required.

If and when an Idler car is necessary, an additional charge of **\$750** per car will be assessed.

ITEM 1270 HANDLING PRIVATELY OWNED CARS FROM AND TO REPAIR, STORAGE OR CLEAN OUT FACILITIES OR OTHER.

CMQ will assess a handling charge of **\$400** when privately owned cars, including tank cars are moved between a CMQ classification yards, or interchange track and repair, storage or clean out facilities within the same switching district. This charge will be billed when the car is delivered to the repair or storage facility, and again when the car is removed from the repair or storage facility.

ITEM 1280 SPECIAL TRAIN SERVICE AT TERMINALS

When special movements at terminal stations are required because of excessive dimension, excessive weight, high center of gravity or other conditions not permitting normal operations, a charge will be made in addition to the regular freight charge or switching rates. A charge of **\$2,500.00** will apply when the time consumed is eight (8) consecutive hours or less for the time required to make the movement, and return the engine and crew to the starting point. Time required in excess of eight (8) consecutive hours but no more than twelve (12) hours in the aggregate will be charged at **\$400.00** per hours or fraction thereof.

ITEM 1290 ATTENDANTS ACCOMPANYING FREIGHT SHIPMENTS

If CMQ is unable to provide sufficient space to accommodate attendants accompanying freight shipments in the cab or a locomotive in special freight service, attendants must furnish their own caboose or substitute, and the following charges will apply:

1. Charges for caboose - \$2.00 per mile minimum of \$500.00 per caboose.
2. Charges for attendants accompanying shipments - \$1.00 per actual mile traveled, minimum charge of **\$250** per attendant. Attendants will be required to execute releases from liability satisfactory to CMQ.

ITEM 1300 DIVERSION OR RECONSIGNMENT CHARGES

A diversion charge of **\$300.00** will be assessed against the party requesting diversion including any change to the original shipping document, including but not limited to:

1. A change in the party responsible for payment of transportation charges (freight payer) of a shipment.
2. A change of the shipment from “Prepay” to “Collect” or the reverse
3. A change in the description of the commodity shipped.

ITEM 1310 RULES GOVERNING BORDER CROSSING

On all traffic crossing the Canada-United States border or which Central Maine & Quebec is the importing carrier, CMQ will assess Customs User Fees to the “payer of the freight”. The amount of such fees will be as determined from time to time by the respective government agencies levying such fees.

These charges will be applied to all traffic including Merchandise, Automotive, Intermodal and Bulk traffic. In transit shipments (U.S. through Canada to U.S., or Canada through U.S. to Canada) may be exempt from some charges.

ITEM 1320 U.S. DEPARTMENT OF AGRICULTURE ANIMAL & PLANT HEALTH INSPECTION SERVICE (APHIS)

AGRICULTURAL QUARANTINE & INSPECTION USER FEE (AQI)

On every loaded car entering the United State from Canada for which Central Maine & Quebec is the importing carrier, an Agricultural Quarantine and Inspection (AQI) User Fee levied by the Animal & Plant Health Inspection Service (APHIS) will be assessed to the “Payer of the Freight”. CMQ reserves the right to assess this fee to a shipper or receiver on its lines, as the case may be, should the “Payer of the Freight” not pay.

ITEM 1330 CARS HELD AT BORDER CROSSING DUE TO INCOMPLETE PAPERWORK

A charge of **\$500** will be assessed for any car held at the US/Canadian border by customs, due to improper paperwork, missing paperwork or any other issue that could have been prevented by the customer. This charge is in addition to any fines/fees assessed by US or CA Border Services.

ITEM 1340 CHARGES FOR CARS REQUIRING SWITCHING-TURNING TO PERMIT LOADING OR UNLOADING

When a customer request that CMQ turn a car(s), the party requesting the service will pay CMQ **\$500** for each car that CMQ turns.

ITEM 1350 CHARGES FOR RETURN OF CAR ACCOUNT OF SHIPPER'S ERROR

When loaded or partially loaded cars are returned to industry, a charge of **\$3.00** per mile, minimum of **\$300** will be charged to the party requesting such return.

ITEM 1360 CARS DIVERTED AT INTERCHANGE STATIONS

If after receiving a car in interchange from a connection carrier, CMQ is requested to return the car to the same carrier or give the car to another carrier at the interchange station, prior to the car departing the interchange station in CMQ line-haul service or placing the car at an industry, charges for handling the car will be **\$450** U.S. per car.

ITEM 1370 CARS REQUESTED BY SPECIFIC NUMBER

When a customer requests that the railroad place a specific car number to an industry ("cherry-picking") or a first in/first out demand, a charge of **\$150** will be charged. This charge applies regardless of car ownership and whether the cars are stored or held on railroad tracks or customer leased tracks.

ITEM 1380 RELEASED BEFORE READY or AVAILABLE

A **\$350** charge will be assessed when a car is released by the shipper, but for reasons not attributed to the railroad, cannot be pulled. As example: Customer releases a car as empty, railroad arrives to pull the car, and product is still being transferred, track is locked, gate is closed.

ITEM 1390 INCOMPLETE BILLING

When on Shipper's orders, a rail car is released from an industry on CMQ, or received at interchange from a connecting carrier with incomplete billing or non-compliant billing and is deemed insufficient to continue movement, the shipper will be assessed a charge of **\$400** and all applicable demurrage, storage or detention charges will apply until such time as the Shipper provides complete Bill of Lading instructions which will allow the railcar to continue movement.

ITEM 1400 EQUIPMENT DAMAGED WHILE LOADING/UNLOADING

Upon inspection by CMQ, if a railroad-supplied car requires repairs due to damages attributable from loading or unloading, other than usual wear and tear, a fee of **\$1,000** may be assessed.

ITEM 1410 BILLING AND RELEASING OF RAILCARS

Method for Submission of Forwarding Instructions

CMQ Will accept forwarding instructions through one of three methods at no charge; ShipperConnect (eBOL), a Class 1 Website, or by making arrangements directly with third party logistics services providers to submit forwarding instructions on their behalf via a Class 1 Website or via EDI. CMQ will accept forwarding instructions to its Customer Service Center via fax (1-207-848-4346) or via email (customerservice@cmqrailway.com), subject to a \$75.00 USD charge per faxed or emailed Bill of Lading. This charge will be assessed to the online Customer of record with the railroad. The CMQ reserves the right to reject as an unreasonable request for service, any "fax" or "email" forwarding instructions that are illegible, whether due to poor transmission quality, poor or illegible handwriting, or otherwise. CMQ will not accept delivery of forwarding instructions by mail, express service, personal delivery, or otherwise.

Method of Release of Empty Railcars

CMQ will accept empty release information using ShipperConnect™ at no charge. CMQ will accept empty release information to its Customer Service Center via fax (1-207-848-4346) or via email (customerservice@cmqrailway.com) subject to a \$75.00 charge per faxed or emailed release. This charge will be assessed to the online Customer of record with the railroad.

Date and Time Record of Notification

When electronic or mechanical devices are used to furnish forwarding instructions and/or empty release information to CMQ, the recorded date and time at which the instructions are received by CMQ will govern.

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