FT DSRC 8003 (NEW)

DAKOTA SOUTHERN RAILWAY COMPANY

FREIGHT TARIFF DSRC 8003-A (Revised)

CANCELLING FREIGHT TARIFF DSRC 8001

NAMING

GENERAL CAR DEMURRAGE RULES AND CHARGES

AND

SWITCHING AND MISCELLANEOUS RULES AND CHARGES

APPLYING

ON ALL POINTS AND STATIONS ON THE

DAKOTA SOUTHERN RAILWAY COMPANY

LOCAL FREIGHT TARIFF

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular items.

ISSUED: OCTOBER 1, 2018

EFFECTIVE: OCTOBER 31, 2018

ISSUED BY:

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RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL	RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL		
ITEM 5	ITEM 25		
DESCRIPTION OF GOVERNING CLASSIFICATION AND EXCEPTIONS	METHOD OF CANCELLING ITEMS		
The terms "Governing Classifications" and "Uniform Freight Classification" when used herein, mean: Uniform Freight Classification 6000-series, issued by National	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.		
Railroad Freight Committee Agent.	Example - Item 5-A cause's Item 5 and Item 10-B cance Item 10-A in a prior supplement, which in turn, cancellec Item 10		
ITEM 10			
STATION LISTS AND CONDITIONS			
This tariff is governed by Official Railroad Station List, Railinc, Agent, OPSL 6000-series, to the extent below:	ITEM 30 DEMURRAGE CHARGES		
 PREPAY REQUIREMENTS AND STATION CONDITIONS a) For additions and abandonments 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. 	On cars subject to demurrage charges after expiration of free time allowed (See Item 50), the following charges per car, per day, or fraction of a day, will be made until the car is released (See Item 110): \$48.00 per day The applicable charge will accrue on all days, except holidays (See Item 55) that fall as the first chargeable day.		
When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station as published in this tariff are inapplicable on and after that date.	ITEM 35 EMPTY CARS ORDERED OR APPROPRIATED FOR LOADING BUT NOT USED		
GEOGRAPHIC LIST OF STATIONS	When a car so ordered and placed is not used, and no		
b) For geographical locations of stations referred to in this tariff by station numbers.	advice from the party who ordered the car has been received within twenty-four (24) hours exclusive of		
STATION NUMBERS	Saturdays and Sundays, demurrage charges will start		
c) For the identification of stations when stations are shown or referred to by numbers in this tariff.	from the first 12:01 AM after car is placed and will be charged until the car has been removed from the loading location.		
ITEM 15	ITEM 40		
REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.	LOADED PRIVATE CARS HELD ON RAILROAD TRACKS		
Where reference is made in this tariff to tariffs, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such tariffs and reissues of such items, notes, rules, etc.	The demurrage clock starts at the first 12:01 AM after the car is placed on hold. (See item 30 for charges).		
ITEM 20			
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.			
For explanation of terms, abbreviations and reference n	narks, see last page of tariff.		

RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL	RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL		
ITEM 45	ITEM 55		
CARS HELD FOR PURPOSES OTHER THAN LOADING AND UNLOADING	HOLIDAYS Wherever reference is made to "holidays", it shall mean		
Applicable to cars held:	only the days listed below:		
 A. On orders of the loader or unloader. B. While awaiting proper disposition from the loader, unloader, or in connection with diversion request, or the freight payer. C. As a result of conditions attributable to the loader or unloader. Computation: (See Items 30 for charges) 	New Year's Day Good Friday Memorial Day Independence Day Labor Day Thanksgiving Day Christmas (See Note)		
 Demurrage will be computed on the following from the first 12:01 AM: 	SECTION 1 GENERAL CAR DEMURRAGE RULES AND CHARGES		
 After notification of actual or constructive placement until car is released, forwarding instructions are received, or disposition advice is received on: Cars diverted or reshipped. Cars held empty for loading – ordered and not used (other than rejected car). Cars held for "Surrender of Order notify Bills of Lading" at destination. Cars waiting for payment of accrued charges at origin or destination. Cars held for official grading or inspection. Cars held for any other purpose, except as covered by Items 35 and 40, which is not attributable to the DSRC. After a car is received by DSRC until date and time of disposition on: Cars received from connecting carriers. Loaded private cars returned to railroad tracks. After actual or constructive placement until date and time of refusal on a refused loaded cars. After notification is given to loader/beneficial owner until date of disposition of a refused loaded car. After actual placement or car order date, which ever is later, until date and time of rejection, on empty cars rejected as being unsuitable for 	ITEM 100 PLACEMENT ACTUAL PLACEMENT – Actual placement is made when a car is placed in an accessible position for loading or unloading or at a point previously designated by the consignor or consignee. Railroad will not issue actual placement notices. CONSTRUCTIVE PLACEMENT – When a car consigned or ordered to a private track, or an other-than-public- delivery track cannot be actually placed because of a condition attributable to the consigner or consignee, such car will be held at destination, or if it cannot reasonably be accommodated there, at an available hold point; however, if car is placed on the private track, industrial interchange track or other-than-public-delivery track serving the consignor or consignee, the car shall be considered constructively placed without notice. ITEM 105 NOTIFICATION Notification by industry of release of cars must be: In writing by fax to Mitchell, SD at (605) 990-3015 or White Lake, SD at (605) 249-2512. ITEM 110		
loading.	RELEASES A railcar is considered released only after billing		
FREE TIME Cars for loading or unloading will be allowed twenty-four (24) hours free time. Free time begins at the first 12:01 AM after the car is actually placed (See Item 100), and notification is given (See Item 105).	instructions have been received in writing by fax, regardless of who is responsible for the billing. NOTE: Demurrage charges will continue to accrue to the Origin Industry even when cars are released to a Third- party, until the time billing is received from the Third-party.		

For explanation of terms, abbreviations and reference marks, see last page of tariff.

SECTION 2 SWITCHING AND MISCELLANEOUS CHARGES	SECTION 2 SWITCHING AND MISCELLANEOUS CHARGES		
ITEM 200	ITEM 225		
WEIGHING	SPECIAL SWITCH		
A charge of \$125.00 per car when scale is enroute of	\$1100.00 Per Request		
movement and no special switching is required, \$250.00 per car for out of route movement to weigh.	Additional \$250.00/hour, for services over 4 hours.		
ITEM 205 TURNING CARS A charge of \$125.00 per car, \$250.00 per car for out of route movement to turn, will be assessed for the turning of	Requests must be received in writing prior to any movements being performed. The DSRC will review all requests for special train and will approve or deny depending on railroad availability. (Over-sized / dimension leads handled on individual basis.)		
a car at shipper/consigner request.	ITEM 230 SPECIAL TRAIN		
ITEM 210	\$2000.00 Per Request		
RE-CONSIGNMENT OR DIVERSION	Additional \$300.00/hour, for services over 8 hours.		
\$225.00 If car has not reached destination station.\$300.00 If car reached destination station, but has not been spotted.\$375.00 If car reached destination station and has been	Requests must be received in writing prior to any movements being performed. The DSRC will review all requests for special train and will approve or deny depending on railroad availability. (Over-sized / dimensional loads handled on individual basis.)		
spotted.	ITEM 235		
Shipper must provide DSRC a new Bill of Lading as authority to move car.	EMPTY CARS ORDERED OR SUPPLIED FOR SPECIFIC DESTINATIONS OR JUNCTIONS		
ITEM 215	Empty cars that are ordered or supplied for specific		
INTRA-PLANT SWITCHING The DSRC will perform intra-plant switching on loaded or empty cars at a charge of \$125.00 per car non- hazardous or \$150.00 per car hazardous (STCC series 28,29,48,49). Intra-plant switching is a switching movement from one track to another track within the same plant or industry, or from one location to another location on the same track	destinations or junctions that are loaded and billed to travel other than ordered or supplied route will incur a charge of: \$500.00 Per car This charge will be assessed by the DSRC and there could be other charges imposed by the other roads involved or car owners.		
within the same plant or industry.	ITEM 240		
ITEM 220	OVERLOADED CARS DEFINITION		
INTRA-TERMINAL SWITCHING	A car will be considered overloaded when the weight of		
The DSRC will perform intra-terminal switching on loaded or empty cars at a charge of \$200.00 per car.	the lading thereof exceeds the maximum carrying capacity (load limit) stenciled on the car.		
Intra-terminal switching is a switching movement (other	ITEM 245		
than intra-plant switching) from one private or assigned	OVERLOADED CARS-NOTIFICATION OF		
track to another private or assigned track of the same railroad, within the switching limits of same station or industrial switching district.	The party contracting for services or owner of the lading will be notified of the overload and will be allowed to remove excess. Demurrage charges commence with the first 12:01 A.M. after notification is given or owner of		
For explanation of terms, abbreviations and reference n	harks, see last page of tariff.		

SECTION 2 SWITCHING AND MISCELLANEOUS CHARGES	SWITCHING AND	SECTION 2 SWITCHING AND MISCELLANEOUS CHARGES		
ITEM 250	ITEM 270			
OVERLOAD CARS AT ORIGIN	SETBACK CHARGES FOR CARS HANDLED IN			
When a car is overloaded and such fact is discovered at origin station, shipper or owner of the lading will be notified to remove the excess as provided in this tariff. If the car is returned to the industry where loaded, one intra- terminal switch charge will be assessed in addition to a	ERROR A charge of \$150.00 per car will be assessed on cars interchanged to or from DSRC due to error on the part of rail carrier making such interchange.			
\$350.00 per car penalty.	ITEM 275			
ITEM 255	PER DIEM			
OVERLOADED CARS AT OTHER THAN ORIGIN	DSRC does not pay private car mileage allowance on customer cars located on the DSRC line. DSRC does pay mileage to the BNSF.			
When a car at a station is discovered to be overloaded and such fact is discovered after the shipment has left the origin station, shipper will be notified to remove the				
excess as provided in this tariff. The applicable intra- terminal switch charge from the point where the overloaded condition is discovered to the nearest public	SECTION 3 LOCAL RATES (Not for use in construction combination rates)			
track will be assessed in addition to a \$350.00 per car penalty.	ITEM 300			
ITEM 260	LOCAL RATES (See Note)			
OVERLOADED CARS-DISPOSITION OF	COMMODITY : Freight, all kinds			
When a customer fails to respond within the first twenty- four (24) hours, a second notice will be sent. If shipper fails to respond within seven (7) calendar days from the first 12:01A.M. after the first notification, DSRC will, at our option, transfer the shipment, transfer the excess to another car or remove the excess and sell it to the best advantage.	PART 1 (DSRC Main Line)			
	BETWEEN	AND	RATE (Per Car)	
The actual cost of transfer for removing the excess plus any additional charge(s), less the proceeds of the sales of the excess, if any, will be assessed against the shipper,	DSRC Stations, except as provided in Part 2	DSRC Stations, except as provided in Part 2	\$ 750.00	
	PART 2 (DSRC Napa Subdivision)			
OVERLOADED CARS RECEIVED FROM CONNECTING LINES When a car is received from a connecting line in road haul service, and is discovered to be overloaded, shipper and delivery line will be notified to remove the excess as	Tabor, SD	Napa, SD	\$ 750.00	
	Napa, SD	Napa, SD	\$ 400.00	
provided in this tariff. If the overload is discovered at the junction and car is ordered returned the delivering carrier, the applicable inter-terminal switch charge will be assessed in addition to a \$350.00 per car penalty.	Note: Not applicable for use in constructing combination rates.			
For evolution of terms, approvisions, and reference of	harks, see last have of	tariff		
For explanation of terms, abbreviations and reference n	iaiks, see last page of	lann.		

ITEM 310				ITEM 310				
COMMODITY: Freight, all kinds			COMMODITY: Freight, all kinds					
PART 1 (DSRC Main Line)		PART 1 (DSRC Main Line)						
BETWEEN	AND (INTERCHANGE)	CONNECTING CARRIER	RATE \$ (Per Car)	BETWEEN	AND (INTERCHANGE)	CONNECTIN G CARRIER	RATE \$ (Per Car)	
Mitchell, SD	Mitchell, SD	BNSF	300.00	Reliance, SD	Mitchell, SD	BNSF	715.00	
	Wolsey, SD	RCPE	800.00		Wolsey, SD	RCPE	1215.00	
	Aberdeen, SD		1050.00		Aberdeen, SD	DMVW	1465.00	
	Sioux City, IA Mitchell, SD	CN – UP BNSF	1050.00 400.00		Sioux City, IA Mitchell, SD	CN – UP BNSF	1465.00 785.00	
Manuatha	Wolsey, SD	RCPE	400.00 860.00		Wolsey, SD	RCPE	1285.00	
Mount Vernon, SD	Aberdeen, SD	DMVW	1110.00	Kennebec,SD	Aberdeen, SD	DMVW	1535.00	
	Sioux City, IA	CN – UP	1110.00		Sioux City, IA	CN – UP	1535.00	
	Mitchell, SD	BNSF	415.00		Mitchell, SD	BNSF	835.00	
Plankinton,	Wolsey, SD	RCPE	915.00	Dreaks CD	Wolsey, SD	RCPE	1335.00	
SD	Aberdeen, SD	DMVW	1165.00	Presho, SD	Aberdeen, SD	DMVW	1585.00	
	Sioux City, IA	CN – UP	1165.00		Sioux City, IA	CN – UP	1585.00	
	Mitchell, SD	BNSF	475.00		Mitchell, SD	BNSF	900.00	
White Lake, SD	Wolsey, SD	RCPE	975.00	Vivian, SD	Wolsey, SD	RCPE	1400.00	
	Aberdeen, SD	DMVW	1225.00		Aberdeen, SD	DMVW	1650.00	
	Sioux City, IA	CN – UP	1225.00		Sioux City, IA	CN – UP	1650.00	
	Mitchell, SD	BNSF	535.00	0 COMMODITY: Pipe				
Kimball, SD	Wolsey, SD	RCPE	1035.00	Kimball, SD	Mitchell, SD	BNSF	1300.00	
,	Aberdeen, SD	DMVW	1285.00	PART 2				
	Sioux City, IA	CN – UP	1320.00		(DSRC Napa Sub	division)		
	Mitchell, SD	BNSF	595.00	BETWEEN	AND (INTERCHANGE)	CONNECTIN G CARRIER	RATE (Per Car)	
Pukwana, SD	Wolsey, SD	RCPE	1095.00	Tabor, SD	Napa, SD	BNSF	750.00	
	Aberdeen, SD	DMVW	1345.00		Wolsey, SD	RCPE	1100.00	
	Sioux City, IA	CN – UP	1345.00	Napa, SD	Aberdeen, SD	DMVW	1500.00	
	Mitchell, SD	BNSF	625.00		Sioux City, IA	CN – UP	950.00	
Chamberlain,	Wolsey, SD	RCPE	1125.00	ITEM 305				
SD	Aberdeen, SD	DMVW	1375.00	TRAINS CONSTRUCTIVELY PLACED IN ROUTE				
(Continues in next column)			Any loaded or empty unit/shuttle train destined to an offline station or railroad, held at, or short of, interchange					
		point will be charged at \$600.00 per hour. Demurrage/ Storage will be computed from the time of constructive placement and continue until train departs hold point. Each train constructively placed in route will be allowed no free time without prior approval.						
For explanatio	on of terms, abbre	viations and i	reference n	narks, see last p	age of tariff.			

SECTION 4 INTERCHANGES	ITEM 510	
ITEM 400	PAYMENT OF CHARGES – NON-CREDIT CUSTOMERS	
INTERCHANGES DSRC has the following interchanges: Mitchell, SD - BNSF Wolsey, SD - RCPE Aberdeen, SD - DMVW Sioux City, IA - CN and UP Napa, SD - BNSF	Customers who have not applied for and received credit approval with DSRC, or who have had their credit suspended by DSRC, must pay line-haul freight charges and other applicable fees IN FULL (i) prior to DSRC's acceptance of a Shipment at origin if Tendered 'prepaid of (ii) prior to placement of a Shipment at destination if Tendered 'collect. DSRC may transport or Tender Shipments for non-credit Customers prior to receipt of payment of charges as otherwise specified here. In those instances, all charges are due upon receipt of the associated bill or invoice. Customers that fail to pay by the date specified will be assessed late fees and finance charges	
SECTION 5 CREDIT TERMS		
ITEM 500	ITEM 515	
CREDIT TERMS	FINANCE CHARGES, LATE FEES AND COLLECTIONS	
DSRC will issue credit to new customers on a case-by- case basis. Customers who have been granted credit from DSRC must maintain a good standing by ensuring all invoices are paid within the agreed upon credit terms. In the event a Customer fails to make payments within agreed upon credit terms DSRC at its sole discretion may	DSRC may assess a finance charge of 12% per year (or the maximum amount permitted by law) on charges that are not received by DSRC when due and have not been disputed by Customer in writing and in good faith ("Undisputed Charges").	
require the customer to become a cash only customer. (See Item 510)	Late payments are subject to a 10% fee (or the maximum amount permitted by law) on the outstanding balance of any Undisputed Charges that are not received by DSRC when due. The late fee is assessed in addition to the	
All charges are in US Dollars. All charges are cumulative, and may be assessed in any combination.	finance charge described above.	
Except as otherwise set forth herein, all charges incurred hereunder shall be due within 15 days after the date of DSRC's invoice therefor. Any dispute related to any invoice shall be presented by Customer no later then thirty (30) days after Customer's receipt of the invoice in	All expenses incurred by DSRC to collect money owed, including, but not limited to, attorneys' fees, investigation and expert fees, and the costs of litigation shall be paid by the Customer.	
question.	ITEM 520	
Customer may be billed for charges due to the actions of	SECURITY DEPOSITS	
the Customer or other railroads. DSRC may rebill to the party responsible for the payment of charges.	A security deposit to insure payment of any demurrage, storage and other charges that may accrue will be required from every Customer who:	
	1. Is not on BDR's credit list or	
RIGHT TO SELL ABANDONED, REFUSED OR UNLCAIMED PROPERTY	 Fails to pay demurrage, storage and other 	
Freight that is abandoned by the Consignor and Consignee, refused by the Consignor and the Consignee, or unclaimed within 15 days after notice is issued to the Consignor and Consignee may be sold by DSRC. The proceeds of any sale will be applied to the payment of all transportation and other lawful charges and expenses incurred by DSRC and any balance will be paid to the owner of the freight sold by DSRC.	 This to pay demanding, storage and other charges after specific written demand referring this tariff provision. The deposit must be paid in cash, certified check, cashier's check or money order before any freight car is delivered to such Customer for Loading or Unloading. A deposit on one unit of equipment will not be transferable to another. 	
	*** Continued on next page	
For explanation of terms, abbreviations and reference r	narks, see last page of tariff.	

ITEM 520 CONTINUED

The deposit will be refunded after payment has been received for demurrage, storage and other charges on the corresponding equipment, should such charges have been incurred. The Customer's request for such refund must be made in writing to the DSRC. If no refund request is received by that designated office within thirty (30) days after the equipment is released, DSRC will refund the remainder of the deposit to the Customer after deducting any unpaid demurrage, storage and other charges on that shipment.

Deposits will no longer be required after the Customer either:

- 1. Is placed on DSRC's credit list, or
- 2. Has paid all outstanding charges, and has given assurance to the satisfaction of DSRC's credit officer that future charges will be paid within credit period of 15 consecutive days from the date on the bill.

SECTION 6 RECIPROCAL SWITCHING

ITEM 600

RECIPROCAL SWITCHING

Customers are listed in alphabetical order by rail station and are open to reciprocal switch via junction at station unless otherwise noted.

Customer	Address	Class 1	Switch Charge Per Railcar			
Kimball, SD (Interch	Kimball, SD (Interchanged at Mitchell, SD)					
Centennial Energy LLC	3773 Cherry Creek North Dr Ste 1000 Denver, CO	BNSF	\$300			
CHS	5500 Cenex Dr MS585 Inver Grove Heights, MN	BNSF	\$300			
Kiros Energy LLC	Suite 206-805 1 st SW T2P 7N2	BNSF	\$300			
Plains Marketing L.P.	607 Eighth Ave SW Ste 1400 Calgary, Alberta T2P OA7	BNSF	\$300			

For explanation of terms, abbreviations and reference marks, see last page of tariff.

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

- DSRC - Dakota Southern Railway Company
- BNSF Railway BNSF
- CN - Canadian National
- OPSL - Open and Prepay Station List
- RCPE - Rapid City, Pierre & Eastern Railroad, Inc.
- STCC - Standard Transportation Commodity Code
- Uniform Freight Classification UFC
 - And

&

\$

[A]

- Dollars
- Addition
- [C] - Denotes change in wording which results in neither an increase not reduction [I]
 - Denotes Increase
 - Denotes Reduction
- [R] INC1 - Brought forward without change