

RAILINC, AGENT

SUPPLEMENT 1

TO

FREIGHT TARIFF RIC 6007-M

**MILEAGE ALLOWANCES AND RULES
GOVERNING**

THE HANDLING OF AND THE PAYMENT OF MILEAGE

ALSO CHARGES

ON

**CARS OF PRIVATE OWNERSHIP
AS DEFINED IN ITEMS 25 AND 400**

BY

RAILROADS PARTIES TO THIS TARIFF

For List of Participating Carriers, see Item 2.10.

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

ISSUED: JANUARY 4, 2006

**EFFECTIVE: JANUARY 31, 2006
(Except as otherwise provided)**

ISSUED BY

RAILINC, AGENT
7001 WESTON PARKWAY, SUITE 200
CARY, NC 27513

Copyright 2001
By RAILINC, Agent

SUPPLEMENT 1 TO TARIFF RIC 6007-M

ITEM 2.10 [PA]

**LIST OF PARTICIPATING CARRIERS
ALPHABETIZED BY STANDARD CARRIER ABBREVIATION
(See Note 1)**

| CARR ABBR | AAR CODE | NAME OF CARRIER | ITEM (S) - (Series) (Note 2) |
|----------------------|---------------------|--------------------------------------|--|
| UP | 802 | Union Pacific Railroad Company | 50,185,416,575,576,577,579, 585,591,592 |

EXPLANATION OF NOTES

1. The code numbers shown opposite the abbreviations of the participating rail carriers are the Association of American Railroads Mandatory Accounting Rules, Rule 260 code numbers, and have no bearing on the rate application in this tariff.
2. Item of general application affecting the participation of all or large groups or numbers of carriers are not listed in this column.

[PA] - Partial amendment.

ITEM 2.20

CUMULATIVE INDEX OF NEW OR CHANGED ITEMS

New Items added in supplements and items in the original tariff which have been amended in supplements are listed below with reference to the supplement in which such items may be found. (See Item 15 for Method of Cancellation).

| ITEM | SUP | ITEM | SUP |
|-----------------|------------|-------------|------------|
| 2.10 [PA] | 1 | | |
| 2.20 | 1 | | |
| 593-A | 1 | | |
| 615-A | 1 | | |

SUPPLEMENT 1 TO TARIFF RIC 6007-M

SECTION 2 EXCEPTIONS TO APPLICATION AND RULES APPLIES ON CARS OTHER THAN TANK CARS

ITEM 593-A

(Provisions formerly shown herein and not brought forward are hereby canceled. See Tariff UP 6004-series.)

SECTION 2 RULES AND REGULATIONS APPLIES ON CARS OTHER THAN TANK CARS

ITEM 615-A

[E]

HANDLING OF EMPTY FREIGHT CARS OTHER THAN TANK CARS (SEE EXCEPTIONS 3 AND 4)

PART A APPLIES ONLY TO REFRIGERATOR CARS PROVIDED BY RAILROADS

1. Except as provided in Part A. 2. and except as otherwise provided in tariffs of individual carriers lawfully on file, refrigerator cars will be moved empty without charge either to the station or junction point where received under load or under instructions from car owners, to other stations, or for delivery to connecting lines.
2. A new car or a newly acquired car moving prior to its first loaded move in commercial service and a car moving for sale or scrap will be moved subject to applicable rates.

PART B APPLIES ON ALL CARS BEARING OTHER THAN RAILROAD REPORTING MARKS, EXCEPT REFRIGERATOR CARS PROVIDED BY RAILROADS AND SPECIAL CAR TYPE "LO" (SEE NOTES 1 AND 2)

1. When a car is released from load, the owner or lessee must issue instructions for the disposition of the empty car to the agent at point of unloading either direct or through consignee or via EDI. Empty instructions may also be included with the original loaded shipping instructions if transmitted via EDI. If the owner or lessee fails to have instructions in the hands of the railroad agent having jurisdiction at point of unloading prior to the time the car is released from load to forward or hold the car, the agent is authorized to forward the empty car to the origin point of the last load via reverse of the loaded route.
2. Empty cars will be handled as follows:
 - A. Except as otherwise provided in this tariff, cars covered by this section will be moved empty without charge between stations or junction points upon receipt of instructions from the car owner or lessee, confirmed in writing. Such instructions must include the specific facility to which such car is consigned or the name and address of the company which controls the car.
 - B. A new car or a newly acquired car moving prior to its first loaded move in commercial service and a car moving for sale or scrap will be moved subject to applicable rates.

EXPLANATION OF NOTES IN PART B

- Note 1. A car loaded with railroad company material moving on non-revenue billing, will be considered as having been loaded in commercial service on which the railroads derived line-haul revenue.
- Note 2. When a car that has moved in commercial service bearing railroad reporting marks is restenciled with private reporting marks, the newly marked car is considered to be a new or newly acquired car and the provisions of Part B. 2. B. will apply.

PART C APPLIES ONLY TO SPECIAL CARS TYPE "LO" CARS BEARING OTHER THAN RAILROAD REPORTING MARKS (SEE NOTES 1 THROUGH 5 AND EXCEPTION 1)

1. When a car is released from load, the owner or lessee must issue instructions for the disposition of the empty car to the agent at point of unloading either direct or through consignee or via EDI. Empty instructions may also be included with the original loaded shipping instructions if transmitted via EDI. If the owner or lessee fails to have instructions in the hands of the railroad agent having jurisdiction at point of unloading prior to the time the car is released from load to forward or hold the car, the agent is authorized to forward the empty car to the origin point of the last load via reverse of the loaded route.

(CONTINUED ON NEXT PAGE)

SUPPLEMENT 1 TO TARIFF RIC 6007-M

SECTION 2 RULES AND REGULATIONS APPLIES ON CARS OTHER THAN TANK CARS

ITEM 615-A *CONT'D*

PART C APPLIES ONLY TO SPECIAL CARS TYPE "LO" CARS BEARING OTHER THAN RAILROAD REPORTING MARKS (SEE NOTES 1 THROUGH 5 AND EXCEPTION 1)

2. Empty cars will be handled as follows:

- A. An empty car returned to origin point of the last load via reverse of the loaded movement will be handled without charge.
- B. Upon receipt of instructions from the owner or lessee, confirmed in writing, showing reference to the preceding loaded move, an empty car, after having been loaded in commercial service on which the railroads derived line-haul revenue immediately preceding the empty movement, will be moved without charge to the destination shown on instructions. Such instructions must include the specific facility to which such car is consigned or the name and address of the company which controls the car. Only one diversion or reconsignment of such empty car will be permitted without charge, providing it occurs prior to the car's arrival at the initially billed destination and the handling carrier does not incur backhaul mileage.
- C. An empty car, moving subsequent to its first loaded move in commercial service on which the railroads derived line-haul revenue, will be moved without charge to and from bona-fide shop facilities for non-discretionary cleaning, lining, relining, maintenance, modification, or repair upon receipt of instructions confirmed in writing, showing the shop facility, destination and full routing and specific reason for such movement. The movement of an empty car to any of these facilities located on the premises of a shipping facility other than a bona-fide shop facility for any of the purposes outlined above will be subject to the charges specified in Paragraph E when such empty movement is not immediately preceded by a loaded movement.
- D. A new car or a newly acquired car moving prior to its first loaded move in commercial service and a car moving for sale or scrap will be moved subject to applicable rates.
- E. Except as provided in Parts C. 2. A., B., C. and D. of this item, an empty car, moving subsequent to its first loaded move in commercial service on which the railroads derived line-haul revenue, but the immediately preceding movement was in empty line-haul service, will be moved upon surrender of written instructions to the railroad agent having jurisdiction at the point where the preceding empty movement terminated, showing destination and route at a rate of 32 cents per actual mile (see Exception 2), as defined in Item 610 (see Note 3) with a minimum of 100 miles for each line-haul carrier handling the car, or switching charges where applicable (see Note 4), such charges will be assessed against and must be paid by the person, company or carrier requesting the movement who must not be designated on written instructions. Empty cars being moved for railroad convenience or due to railroad error will not be subject to the foregoing charges.

EXPLANATION OF NOTES IN PART C

- 1. A car loaded with railroad company material moving on non-revenue billing will be considered as having been loaded in commercial service on which the railroads derived line-haul revenue.
- 2. When a car that has moved in commercial service bearing railroad reporting marks is restenciled with private reporting marks, the newly marked car is considered to be a newly acquired car and the provisions of Part B, 2. B. or Part C, 2. D. will apply.
- 3. One diversion or reconsignment of such empty car will be permitted without assessment of this charge, providing it occurs prior to the car's arrival at the initially billed destination and the handling carrier does not incur back-haul mileage.
- 4. The term "switching charges" is defined as charges assessed under applicable tariffs by a railroad which does not perform any line-haul service in connection with a movement described in Part C, 2. E. of this item.
- 5. Cars subject to the charges specified in Part C, 2. E. of this item are not considered to be freight moving on tariff rates for the purpose of assessing storage charges.

EXCEPTIONS

- 1. (Provisions formerly shown are hereby canceled – See Exception 4)
- 2. (Provisions formerly shown are hereby canceled – See Exception 4)
- 3. The provisions of this item are not applicable for account BNSF, CSXT or NS.
- 4. The provisions of this item are not applicable for account UP. See Tariff UP 6004-series.) [A]

Explanation of Reference Marks contained herein:

[E] – Effective February 1, 2006

[A] – Addition ♦♦

(Underscored) portion denotes addition/change) ♦♦

For explanation of Reference Marks not contained herein, see last page of original tariff.
