

***AMERICAN SHORT LINE AND REGIONAL
RAILROAD ASSOCIATION, AGENT**

SUPPLEMENT 23

TO

FREIGHT TARIFF RIC 6007-L

Supplements 3, 5, 7, 8, 9, 13, 14, 15, 17, 18, 19, 22 and 23 contain all changes.

**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 JUNE 24, 2003

EFFECTIVE JULY 1, 2003

ISSUED BY
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SUPPLEMENT 23 TO TARIFF RIC 6007-L

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) (Note 2)
ICE	342	Iowa, Chicago & Eastern Railroad Corporation [D-1].....	458,460,462,464,466,468,470, 472,474,476,478,480,482
IMRL	379	I & M Rail Link, LLC [D-2].....	
CPRS	105	Canadian Pacific Railway	

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.

EXPLANATION OF REFERENCE MARKS

- [D-1] – Canceled. For Rules and Charges to apply, see Freight Tariff ASLG 6007.
 [D-2] - Canceled, I & M Rail Link was adopted by the Iowa, Chicago & Eastern Railroad Corporation - Adoption Notices ICE 9000 & 9000-A).
 [PA] - Partial amendment.
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SUPPLEMENT 23 TO TARIFF RIC 6007-L

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 75 for Method of Cancellation).

ITEM	SUP	ITEM	SUP
2.10 [PA]	23		
2.20	23		
73-A	8		
135-A	18		
187-C	23		
192-D	22		
195-E	19		
428-A	8		
430-A	8		
436-A	22		
440-A	22		
441-A	22		
442-A	22		
443-A	22		
480	22		
504	3		
505-A	3		
542-B	9		
546-B	14		
578-A	13		
581-A	17		
583-A	13		
591-A	17		
605-A	7		
615-B	22		
616-B	22		
620-B	5		
630-A	5		

SUPPLEMENT 23 TO TARIFF RIC 6007-L

SECTION 1 RULES AND REGULATIONS APPLIES ONLY ON TANK CARS

ITEM 187-C

EQUALIZATION OF MILEAGE ON TANK CARS OF PRIVATE OWNERSHIP

PART A AGGREGATE EMPTY MILEAGE VERSUS LOADED MILEAGE (SEE NOTE 1)

1. Should the aggregate empty mileage accumulated by tank cars carrying any of the reported marks assigned to any one person or company during a calendar year exceed the aggregate loaded mileage during the same calendar year by more than six (6) percent, such excess mileage must be paid for by the person or company to whom the reporting marks are assigned at the rate of thirty-eight (38) cents per mile, without minimum, subject to the procedures outlined in Part D (See Note 2, this item).
2. Mileage on empty cars moving on revenue billing will not be included in the equalization account.
3. Empty mileage accumulated on cars moving to and from repair facilities for modification under DOT mandated retrofit programs or for inspection and/or repair under FRA Emergency Order Nos. 16 and 17, O & M Circular No. 4, or AAR Circular Letter 7697 will not be included in the equalization account. Empty mileage accumulated on cars moving under AAR Early Warning letters to and from repair facilities associated with the removal of certain truck bolsters that were manufactured by the National Castings of Mexico facility in Sahagun, Mexico, will not be included in the equalization account.
4. Except as outlined in Item 190 Series, paragraph 2 (c), no adjustments to loaded or empty mileage will be made in the equalization account for mileage caused by error in handling of the reporting railroad or of another railroad, or for mileage accumulated on cars moving on their own wheels to and from repair facilities due to railroad damage or for mileage accumulated due to longer routes for railroad convenience, detours and Surface Transportation Board Service Orders. Rail carriers will make equalization adjustments to the owners of excess reported on-line empty mileage on cars, they lease and operate under private marks, or cars of other lessees and/or owners operating on their line for company material, weed killer and similar service.
5. Adjustments to loaded or empty mileage will be made in the AAR equalization account for apparent accounting errors in the total mileage reported for participating rail carriers under the following procedures. In the absence of appropriate adjustments being made by the AAR or a participating carrier for such accounting errors, a private car company or owner may request an appropriate adjustment for mileage summaries reported in error, from the involved rail carrier in the format prescribed by the AAR, provided such request is made within thirty (30) days of the forwarding of the monthly AAR "Year to Date Equalization Register", containing the alleged error, furnishing a duplicate of such request to the Secretary, Business Services, AAR. The rail carriers will have thirty (30) days from the date of such request in which to decline or make all or a portion of the requested adjustment, advising the Secretary of the handling accorded. If the rail carrier fails to act upon a request for adjustments in the AAR summary totals within the specified time frame, the AAR is authorized to make the adjustment to the equalization account of the private car company or owner for the amount of mileage originally requested. Exceptions to the annual national equalization statement will be handled in accordance with the provisions of Part D (2).

ALL requests for adjustments to the equalization account must be presented by the private car company or owner to the involved rail carrier(s) or presented by the rail carrier(s) to the private car company or owner within three (3) years from the last day of the reporting month in question. However, such request for adjustments will not be accepted by the AAR if the involved rail carrier or car owner is no longer an operating entity, except as provided for in Part C.

6. Aggregate loaded and empty mileage will be computed on the basis of actual distance, as defined in Item 185-Series. Adjustments made subsequent to the deadline specified in Part D will be computed in the subsequent equalization account year.

PART B REPORTING OF ACTUAL LOADED AND EMPTY MILEAGE

Each participating carrier will submit a monthly mileage report in the format prescribed by the AAR to the assignee of each reporting mark forty (40) days after the close of the movement month reporting by individual car number the actual loaded and empty miles moved as computed in accordance with Item 185-Series. In addition, total actual monthly loaded and empty mileage accumulated by all cars bearing each reporting mark will be reported to the assignee of such mark in the format prescribed by the AAR, furnishing a duplicate of this summary report to the Secretary, Business Services, AAR. Adjustments for prior months will be indicated on this monthly summary report.

PART C CHANGE OF OWNERSHIP

When a private tank car company or owner discontinues business or disposes of all tank car equipment, any excess empty mileage balance which has accrued to the date of such action, on the tank cars bearing the reporting marks of such company or owner, shall be subject to bill as of that date, in accordance with the provisions of Parts A and D of Item 187-Series, subject to any applicable adjustments.

SUPPLEMENT 23 TO TARIFF RIC 6007-L

SECTION 1 RULES AND REGULATIONS APPLIES ONLY ON TANK CARS

ITEM 187-C *CONT'D*

EQUALIZATION OF MILEAGE ON TANK CARS OF PRIVATE OWNERSHIP

PART D ANNUAL NATIONAL EQUALIZATION ACCOUNTING

1. After May 20 of each year, the Secretary, Business Services, AAR will summarize all empty and loaded mileage by reporting mark assigned to any person or company, reporting for the proceeding calendar year, by all participating carriers to this tariff. Should the aggregate empty mileage exceed the aggregate loaded mileage of all participating carriers by more than (6) percent for any such group of reporting marks, the person or company to whom the reporting marks are assigned will be billed at the rate of thirty-eight (38) cents per mile without minimum and must pay the AAR on behalf of each participating carrier for such excess for such empty mileage. The charges collected for this excess empty mileage will be distributed to the participating carriers by the AAR in direct proportion to such carriers portion of excess empty mileage to the total accumulated excess empty mileage. Only that mileage and any related adjustments reported to the Secretary prior to May 20 will be considered in determining and excess empty mileage, as outlined herein (See Notes 1, 2 and 3).
2. An annual national equalization statement detailing the excess empty mileage accumulated and any applicable charges will be tendered by the Secretary to the person or company assigned the reporting mark(s) for such cars for verification no later than July 1 of the year succeeding the equalization accounting year. Exceptions to this statement must be received by the Secretary within 30 days of the date tendered, and payment for all excess empty mileage is due immediately thereafter. Any adjustments made by the participating carriers up to and including the March account applicable to the prior year(s) will be incorporated in the equalization accounts for the prior equalization accounting year. Any railroad or AAR adjustments made subsequent to the March account will be carried over to the following equalization accounting year (see Note 3).
3. A private car company or owner failing to render complete payment for all excess empty mileage within thirty (30) days of the date its equalization statement is tendered by the AAR will be subject to a penalty of one and a half percent (1.5%) interest per month (i.e., annual rate of 18%) for each calendar month or fraction thereof on any outstanding balance due from the date of the AAR's invoice statement. If any portion of a private car company's or owner's equalization statement remains unpaid in excess of 3 months from the date initially tendered, all mileage allowances accrued by the tank cars registered in the UMLER file bearing its reporting marks will be withheld by the carriers participating in this item until such time as complete payment including applicable penalty interest is made. Once complete payment is made, the participating carriers will be notified by the AAR and claims for any applicable mileage allowances withheld will be honored, less a 15% penalty charge for the carriers' administrative expense.

EXPLANATION OF NOTES

1. The thirty-eight (38) cents per mile charges for excess empty mileage under the provisions of this item is subject to revision September 1 of each year under Ex Parte No. 328 agreed annual update procedures, and will be retroactively applied to cover the entire calendar year involved.
2. Close out dates specified in Part D may be extended by the AAR for a maximum of 60 days for special national accounting problem conditions, affecting substantially all carriers and all owners.
3. Invoices that have been issued which, after investigation, are determined to have been erroneous due to rail carriers or AAR accounting and/or system errors may be cancelled by the Secretary.

EXPLANATION OF REFERENCE MARKS, ETC.:

(Underscored portions denote change.)◆

◆ - Denotes reduction.