

# **PROGRESSIVE RAIL INC.**

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## **FREIGHT TARIFF PGR 6004-D** (Cancels Freight Tariff PGR 6004-C)

GENERAL CAR DEMURRAGE  
AND  
STORAGE  
RULES AND CHARGES  
APPLYING AT POINTS  
ON THE  
PROGRESSIVE RAIL INC.

### **DEMURRAGE AND STORAGE TARIFF**

**This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular rates and provisions contained herein.**

**ISSUED: December 12, 2018**

**EFFECTIVE: January 1, 2019**

**ISSUED BY**

D. J. Fellon, President  
Progressive Rail Inc.  
21778 Highview Ave.  
Lakeville, MN 55044

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| For explanation of Abbreviations and Reference Marks, see last past of this tariff. |       |                                                                                                                                                                                                                                                                                                                                                                          |  |

| SECTION 1<br>DEMURRAGE RULES AND CHARGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SECTION 1<br>DEMURRAGE RULES AND CHARGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |                             |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
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| <div>ITEM 100<br/>[C]</div> <div>CARS SUBJECT TO DEMURRAGE RULES AND CHARGES<br/>(See Exception)</div> <div>Railroad, railroad controlled, and private cars held for or by consignees (See Note 1) and consignors (See Note 2) for any purpose are subject to the demurrage rules and charges described in this tariff. All cars of TTX Company will be considered railroad controlled equipment.</div> <div>Note 1 - For the purpose of applying the provision of Section 1, this tariff, Consignee includes any person receiving railcars from this railroad for unloading as more specifically provided for in 49 CFR 1333.</div> <div>Note 2 - For the purpose of applying the provision of Section 1, this tariff, Consignor includes any person receiving railcars from this railroad for loading as more specifically provided for in 49 CFR 1333.</div> <div>Exception: Demurrage rules and charges contained herein will not apply to empty or loaded private cars held on private tracks.</div> | <div>ITEM 130</div> <div>CHARGEABLE DAYS</div> <div>Chargeable days are defined as days that follow the expiration of free time as described in Item 120.</div> <div>ITEM 140<br/>[I]</div> <div>DEMURRAGE CHARGES</div> <table><tr><th>APPLICATION</th><th>EQUIPMENT</th><th>CHARGE</th><th>FREE TIME<br/>(See Item 120)</th></tr><tr><td rowspan="2">Car(s) Held for Loading</td><td>Railroad owned or leased</td><td>\$95.00</td><td>24 hours</td></tr><tr><td>Shipper owned or leased (See Note)</td><td>\$80.00</td><td>24 hours</td></tr><tr><td rowspan="2">Car(s) Held for Unloading</td><td>Railroad owned or leased</td><td>\$95.00</td><td>48 hours</td></tr><tr><td>Shipper owned or leased (See Note)</td><td>\$80.00</td><td>48 hours</td></tr><tr><td rowspan="2">Car(s) Held for other than Loading or Unloading</td><td>Railroad owned or leased</td><td>\$95.00</td><td>0 hours</td></tr><tr><td>Shipper owned or leased (See Note)</td><td>\$80.00</td><td>0 hours</td></tr><tr><td>Hazardous Materials, excluding TIH/PIH</td><td>All</td><td>\$250.00</td><td>0 hours</td></tr><tr><td>TIH/PIH: Loaded / Empty, last contained</td><td>All</td><td>\$1,500.00</td><td>0 hours</td></tr><tr><td>Heavy Wide Dimensional</td><td>All</td><td>\$350.00</td><td>0 hours</td></tr></table> <div>Note: On shipper owned or leased rail cars, after expiration of free time where provided, charges will apply from time of constructive placement until actual placement.</div> | APPLICATION | EQUIPMENT                   | CHARGE | FREE TIME<br>(See Item 120) | Car(s) Held for Loading | Railroad owned or leased | \$95.00 | 24 hours | Shipper owned or leased (See Note) | \$80.00 | 24 hours | Car(s) Held for Unloading | Railroad owned or leased | \$95.00 | 48 hours | Shipper owned or leased (See Note) | \$80.00 | 48 hours | Car(s) Held for other than Loading or Unloading | Railroad owned or leased | \$95.00 | 0 hours | Shipper owned or leased (See Note) | \$80.00 | 0 hours | Hazardous Materials, excluding TIH/PIH | All | \$250.00 | 0 hours | TIH/PIH: Loaded / Empty, last contained | All | \$1,500.00 | 0 hours | Heavy Wide Dimensional | All | \$350.00 | 0 hours |
| APPLICATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | EQUIPMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | CHARGE      | FREE TIME<br>(See Item 120) |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| Car(s) Held for Loading                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Railroad owned or leased                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$95.00     | 24 hours                    |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Shipper owned or leased (See Note)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$80.00     | 24 hours                    |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| Car(s) Held for Unloading                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Railroad owned or leased                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$95.00     | 48 hours                    |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Shipper owned or leased (See Note)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$80.00     | 48 hours                    |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| Car(s) Held for other than Loading or Unloading                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Railroad owned or leased                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | \$95.00     | 0 hours                     |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Shipper owned or leased (See Note)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | \$80.00     | 0 hours                     |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| Hazardous Materials, excluding TIH/PIH                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | All                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$250.00    | 0 hours                     |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| TIH/PIH: Loaded / Empty, last contained                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | All                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$1,500.00  | 0 hours                     |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| Heavy Wide Dimensional                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | All                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | \$350.00    | 0 hours                     |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| <div>ITEM 110</div> <div>HOLIDAYS</div> <div>Wherever in this tariff reference is made to "Holidays" it means the following:</div> <div>New Year's Day – January 1 (See Note)<br/>Memorial Day – Last Monday of May<br/>US Independence Day – July 4 (See Note)<br/>Labor Day – First Monday of September<br/>Thanksgiving Day – Fourth Thursday of November<br/>Christmas Day – December 25 (See Note)<br/>New Year's Eve – December 31 (See Note)</div> <div>Note - When this day occurs on a Saturday or Sunday, the following Monday will be observed as the holiday.</div>                                                                                                                                                                                                                                                                                                                                                                                                                           | <div>ITEM 150</div> <div>DEMURRAGE LIABILITY</div> <div>Any person or entity receiving rail cars from this railroad for loading or unloading who detains the cars beyond the period of free time set forth herein will be held liable for any applicable demurrage if this railroad has provided that person or entity with actual notice of the demurrage rules and charges contained herein providing for such liability prior to the placement of rail cars. The notice shall be in written or electronic form.</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |             |                             |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| <div>ITEM 120<br/>[C]</div> <div>FREE TIME</div> <div>Free time will be allowed for each car as follows:</div> <div>1. Free time, where provided (See Item 140), will begin the first midnight following actual or constructive placement.</div> <div>2. For the purpose of computing free time, Sundays and Holidays will be excluded, provided that a chargeable day has not occurred prior to the Sunday or holiday.</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |                             |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |
| For explanation of Abbreviations and Reference Marks, see last part of this tariff.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |             |                             |        |                             |                         |                          |         |          |                                    |         |          |                           |                          |         |          |                                    |         |          |                                                 |                          |         |         |                                    |         |         |                                        |     |          |         |                                         |     |            |         |                        |     |          |         |

**FT PGR 6004-D**

| SECTION 2<br>STORAGE RULES AND CHARGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SECTION 2<br>STORAGE RULES AND CHARGE                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>ITEM 200</b></p> <p align="center"><b>CONDITIONS OF STORAGE</b></p> <p>PGR will accept private cars for storage on the conditions listed herein and all other applicable tariffs. Cars will be stored subject to track availability. Customer, at customer's sole expense, shall provide PGR a certificate of insurance coverage certifying the existence of general liability insurance coverage.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>ITEM 220</b><br/>[I]</p> <p align="center"><b>SWITCHING TO AND FROM STORAGE/HOLD TRACKS</b></p> <p>Charges shown below will be assessed per car for cars switched into and out of storage. The charges will be assessed in each direction.</p> <p>(a) Non-Hazardous Cars..... \$500.00<br/>(b) Hazardous Cars..... \$650.00</p>                                                                    |
| <p><b>ITEM 210</b><br/>[C]</p> <p align="center"><b>STORAGE HOLD CHARGES<br/>ON PRIVATE CARS<br/>AND FOREIGN LOCOMOTIVES<br/>(See Note)</b></p> <p align="center"><b>I - PRIVATE CARS</b></p> <p>Private cars, loaded or empty, held on PGR storage/hold tracks at customer request, will be subject to a storage hold charges per car per day, or fraction thereof, as shown below, computed from the time car is first held until car is released from storage hold:</p> <p>(a) Non-Hazardous Cars..... \$20.00 [I]<br/>(b) Hazardous Cars..... \$25.00 [I]</p> <p align="center"><b>II - FOREIGN LOCOMOTIVES [A]</b></p> <p>Foreign Locomotives held on PGR storage/hold tracks awaiting disposition instructions will be subject to a storage hold charge of \$500.00 per locomotive per day, or fraction thereof, computed from the time locomotive is first held until locomotive is released from storage hold.</p> <p>Note: This railroad does not assume liability beyond reasonable and ordinary care while cars or locomotives are stored/held on storage/hold tracks of this railroad, or for loss or damage caused by an Act of God, vandalism or theft. In the event full liability coverage is desired, cost of such coverage will be the responsibility of the customer or owner.</p> | <p><b>ITEM 230</b></p> <p align="center"><b>REPOSITIONING CARS</b></p> <p>When a customer requests removal of specific car(s) from storage which requires this railroad to sort and reposition other cars at the customer's request, a charge of \$500.00 per car, per occurrence, will be assessed to the customer making the request. These charges are in addition to the outbound switch charge.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                          |
| For explanation of Abbreviations and Reference Marks, see last part of this tariff.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                          |

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|--|-----------------------------------------------------|----------------------------------|
|  | EXPLANATION OF ABBREVIATIONS AND<br>REFERENCE MARKS |                                  |
|  | ITEM 99999                                          |                                  |
|  | EXPLANATION OF ABBREVIATIONS AND REFERENCE<br>MARKS |                                  |
|  | <u>ABBR/REF</u>                                     | <u>Explanation</u>               |
|  | ABBR                                                | - Abbreviations                  |
|  | REF                                                 | - Reference Marks                |
|  | PGR                                                 | - Progressive Rail Inc.          |
|  | [A]                                                 | - Addition                       |
|  | [C]                                                 | - Change                         |
|  | [D]                                                 | - Canceled                       |
|  | [ I ]                                               | - Increase                       |
|  | [R]                                                 | - Reduction                      |
|  | [NC]                                                | - Brought forward without change |
|  | (Underscored portion denotes addition/change.)      |                                  |
|  |                                                     |                                  |