

PROGRESSIVE RAIL INC.

FREIGHT TARIFF PGR 8500

FUEL SURCHARGE
APPLICABLE
ON
ACCESSORIAL SERVICES
PROVIDED FOR BY PGR
IN CONNECTION WITH
RAIL TRUCK – TRANSFER SERVICES
AS DESCRIBED IN FT PGR 9300

FUEL SURCHARGE TARIFF

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

ISSUED: July 18, 2008

EFFECTIVE: July 18, 2008

ISSUED BY

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

FT PGR 8500

GENERAL RULES AND REGULATIONS	FUEL SURCHARGE
<p>ITEM 10</p> <p align="center">PARTICIPATING CARRIER</p> <p>ABBREVIATION: NAME OF CARRIER:</p> <p align="center">PGR PROGRESSIVE RAIL INC.</p>	<p>ITEM 100</p> <p align="center">APPLICATION OF FUEL SURCHARGE</p> <p>The provisions in this tariff will be in effect whenever the monthly Midwest Average On-Highway Diesel Price equals or exceeds the price per gallon listed in the first fuel price line of the Fuel Surcharge Table shown in Item 130. The monthly average will be calculated by totaling the Midwest Average On-Highway Diesel Price as provided by the U.S. DOE (See Note 1) for each week in a calendar month and dividing by the total number of weeks as provided by the U.S. DOE for said calendar month.</p> <p>The fuel surcharge as described in this tariff is applicable to the charges for accessorial services provided for by PGR in connection with rail – truck transfer services performed by PGR as described in Freight Tariff PGR 9300 – series. Tariffs, contracts, or quotations subject by reference to this tariff are hereby, or will on their effective dates, be increased as described in Item 130, for the period this tariff is in effect.</p> <p>The fuel surcharge will be assessed to the party to pay the original base freight charge.</p> <p>The second calendar month prior to the current month will be the basis for determining the applicable fuel surcharge as shown in the Fuel Surcharge Table shown in Item 130. The fuel surcharge will apply to accessorial services performed on the 1st day or after of the current calendar month. For Example: The monthly Midwest Average On-Highway Diesel Price as calculated in January will be used to determine the applicable fuel surcharge in March.</p> <p>Note 1- The current On-Highway Diesel Price may be obtained on the Internet at: http://tonto.eia.doe.gov/oog/info/gdu/gasdiesel.asp</p>
<p>ITEM 20</p> <p align="center">REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.</p> <p>Where reference is made in this tariff to tariffs, items, notes, rules, circulars, etc., such references are continuous and include supplements to and successive issues of such tariffs, and reissues of such items, notes, rules, circulars, etc.</p>	<p>ITEM 120</p> <p align="center">DISPOSITION OF FRACTIONS</p> <p>Fractions of less than one-half cent resulting from the application of the percentage fuel surcharge to accessorial charges will be dropped; fractions of one-half cent or greater will be increased to the next whole cent.</p>
<p>ITEM 30</p> <p align="center">METHOD OF CANCELLING ITEMS</p> <p>As this tariff is supplemented, numbered items with lettered suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequences starting with A. For example: Item 100-A cancels Item 100 and Item 200-B cancels Item 200-A in a prior supplement, which in turn cancelled Item 200.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 9999, this tariff.</p>	

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FUEL SURCHARGE			FUEL SURCHARGE		
ITEM 130			ITEM 130 (Cont'd)		
FUEL SURCHARGE TABLE			FUEL SURCHARGE TABLE		
MIDWEST REGION DOE		INCREASE ON	MIDWEST REGION DOE		INCREASE ON
ON-HIGHWAY DIESEL PRICE		ACCESSORIAL	ON-HIGHWAY DIESEL PRICE		ACCESSORIAL
AT LEAST	BUT LESS THAN	FUEL SURCHARGE	AT LEAST	BUT LESS THAN	FUEL SURCHARGE
(IN CENTS)	(IN CENTS)	(PERCENTAGE)	(IN CENTS)	(IN CENTS)	(PERCENTAGE)
110	115	0.5	255	260	15.0
115	120	1.0	260	265	15.5
120	125	1.5	265	270	16.0
125	130	2.0	270	275	16.5
130	135	2.5	275	280	17.0
135	140	3.0	280	285	17.5
140	145	3.5	285	290	18.0
145	150	4.0	290	295	18.5
150	155	4.5	295	300	19.0
155	160	5.0	300	305	19.5
160	165	5.5	305	310	20.0
165	170	6.0	310	315	20.5
170	175	6.5	315	320	21.0
175	180	7.0	320	325	21.5
180	185	7.5	325	330	22.0
185	190	8.0	330	335	22.5
190	195	8.5	335	340	23.0
195	200	9.0	340	345	23.5
200	205	9.5	345	350	24.0
205	210	10.0	350	355	24.5
210	215	10.5	355	360	25.0
215	220	11.0	360	365	25.5
220	225	11.5	365	370	26.0
225	230	12.0	370	375	26.5
230	235	12.5	375	380	27.0
235	240	13.0	380	385	27.5
240	245	13.5	385	390	28.0
245	250	14.0	390	395	28.5
250	255	14.5	395	400	29.0
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For explanation of terms and explanation of abbreviations and reference marks, see Item 9999, this tariff.					

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FUEL SURCHARGE			FUEL SURCHARGE		
ITEM 130 (Cont'd)			ITEM 130 (Cont'd)		
FUEL SURCHARGE TABLE			FUEL SURCHARGE TABLE		
MIDWEST REGION DOE		INCREASE ON	MIDWEST REGION DOE		INCREASE ON
ON-HIGHWAY DIESEL PRICE		ACCESSORIAL	ON-HIGHWAY DIESEL PRICE		ACCESSORIAL
AT LEAST	BUT LESS THAN	FUEL SURCHARGE	AT LEAST	BUT LESS THAN	FUEL SURCHARGE
(IN CENTS)	(IN CENTS)	(PERCENTAGE)	(IN CENTS)	(IN CENTS)	(PERCENTAGE)
400	405	29.5	555	560	45.0
405	410	30.0	560	565	45.5
410	415	30.5	565	570	46.0
415	420	31.0	570	575	46.5
420	425	31.5	575	580	47.0
425	430	32.0	580	585	47.5
430	435	32.5	585	590	48.0
435	440	33.0	590	595	48.5
440	445	33.5	595	600	49.0
445	450	34.0	600	605	49.5
450	455	34.5	605	610	50.0
455	460	35.0	610	615	50.5
460	465	35.5	615	620	51.0
465	470	36.0	620	625	51.5
470	475	36.5	625	630	52.0
475	480	37.0	630	635	52.5
480	485	37.5	635	640	53.0
485	490	38.0	640	645	53.5
490	495	38.5	645	650	54.0
495	500	39.0	650	655	54.5
500	505	39.5	655	660	55.0
505	510	40.0	660	665	55.5
510	515	40.5	665	670	56.0
515	520	41.0	670	675	56.5
520	525	41.5	675	680	57.0
525	530	42.0	680	685	57.5
530	535	42.5	685	690	58.0
535	540	43.0	690	695	58.5
540	545	43.5	695	700	59.0
545	550	44.0	700	-----	(SEE NOTE 1)
550	555	44.5	Note 1 - In the event that monthly Midwest Average On-Highway Diesel Price per gallon should equal or exceed 700 cents per gallon then the fuel surcharge will be increased 0.50% for each incremental increase of 5 cents per gallon, beginning at the 700 cents per gallon.		
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For explanation of terms and explanation of abbreviations and reference marks, see Item 9999, this tariff.

FT PGR 8500

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS	
ITEM 9999	
EXPLANATION OF ABBREVIATION AND REFERENCE MARKS	
ABBREVIATION OR REFERENCE MARKS	EXPLANATION
DOE PGR FT US	Department of Energy Progressive Rail Inc. Freight Tariff United States of America
[A] [C] [I] [R] [NC]	Addition Cancelled Increase Reduction Brought forward without change
(Underscored portion denotes addition change.)	