

RAILINC, AGENT

SUPPLEMENT 38

TO

FREIGHT TARIFF RIC 6740-G

Cancels Supplement 35

Supplements 7, 14, 17, 20, 21, 22, 24, 26, 29, 37 and 38 contain all changes

NAMING

USE AND CAR DETENTION CHARGES

ON

SPECIAL TYPE HEAVY-DUTY FLAT CARS

BETWEEN AND AT STATIONS IN

ALABAMA	GEORGIA	MASSACHUSETTS	NEW MEXICO	SOUTH DAKOTA
ARIZONA	IDAHO	MICHIGAN	NEW YORK	TENNESSEE
ARKANSAS	ILLIONIS	MINNESOTA	NORTH CAROLINA	TEXAS
CALIFORNIA	INDIANA	MISSISSIPPI	NORTH DAKOTA	UTAH
COLORADO	IOWA	MISSOURI	OHIO	VERMONT
CONNECTICUT	KANSAS	MONTANA	OKLAHOMA	VIRGINIA
DELAWARE	KENTUCKY	NEBRASKA	OREGON	WASHINGTON
DISTRICT OF	LOUISIANA	NEVADA	PENNSYLVANIA	WEST VIRGINIA
COLUMBIA	MAINE	NEW HAMPSHIRE	RHODE ISLAND	WISCONSIN
FLORIDA	MARYLAND	NEW JERSEY	SOUTH CAROLINA	WYOMING

AND

BETWEEN STATIONS IN STATES NAMED ABOVE AND STATIONS IN CANADA; ALSO BETWEEN POINTS IN CANADA AS SPECIFICALLY PROVIDED HEREIN

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

HEAVY - DUTY FLAT CAR CHARGES

ISSUED AUGUST 8, 2007

EFFECTIVE AUGUST 28, 2007

ISSUED BY
RAILINC
7001 WESTON PARKWAY, SUITE 200
CARY, NC 27513

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SUPPLEMENT 38 TO TARIFF RIC 6740-G

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)
BNSF	777	BNSF Railway Company [A-1]	630, 631
BNSF	777	Burlington Northern and Santa Fe Railway Company, The [B-1]	630, 631
CFE	612	Chicago, Ft. Wayne & Eastern Railroad	
CWA	872	Central Washington Railroad Company	
IORY	969	Indiana & Ohio Railway Company	
PGR	668	Progressive Rail Inc.	694

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. Items of general application affecting the participation of all or large groups or numbers of carriers are not listed in this column.

ITEM 2.20

**CUMULATIVE INDEX OF NEW AND CHANGED ITEMS
(See Item 75 for Method of Cancellation)**

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EXPLANATION OF REFERENCE MARKS

- [A-1] - Name changed pursuant to BNSF Adoption Notice 9000, effective January 24, 2005.
 [B-1] - Canceled – See [A-1] above.
 [PA] - Partial Amendment.

SUPPLEMENT 38 TO TARIFF RIC 6740-G

GENERAL APPLICATION OF CHARGES

ITEM 720-T

KRL CHARGES FOR USE, NON-USE AND DETENTION ON HEAVY CAPACITY OR SPECIAL TYPE FLAT CAR APPLICATION

1. Charges assessed under this item will accrue to KRL and are assigned and payable to Kasgro Rail Lines, 320 East Cherry St., New Castle, PA 16102.
2. The use or detention charges will apply on KRL cars when these cars are furnished for use in line-haul or switching service for all carriers.
3. Charges assessed under this item will be in addition to any other charges, including normal demurrage charges..
4. These charges will apply at or between all stations in the United States, and/or Canada and/or Mexico.
5. If a KRL car is not listed in this item but is listed in the HEAVY DUTY AND SPECIAL FLAT CAR section of Tariff RER 6413 series, the use charge will be that provided for Rate Group H. Also, the additional detention and non-use Rate Group H charges will apply to the unlisted car.
6. When CSXT is origin carrier any and all applicable use and detention charges will be billed and collected by KRL. When CSXT is delivering carrier any and all destination detention will be billed and collected by KRL.
7. When UP is origin and/or destination carrier any and all applicable detention charges will be billed and collected by KRL. KRL will also be responsible for billing and collection of all use charges accrued on the UP.
8. When NS is origin carrier, any and all applicable use and detention charges will be billed and collected by KRL; also, when NS is the delivering carrier, any and all destination detention will be billed and collected by KRL.
9. When PAL is origin carrier, any and all applicable use and detention charges will be billed and collected by KRL; also, when PAL is the delivering carrier, any and all destination detention will be billed and collected by KRL.
10. When KCS or GWWR is origin carrier, any and all applicable use and detention charges accrued on the KCS or GWWR will be billed and collected by KRL; also, when KCS or GWWR is the delivering carrier, any and all destination detention accrued on the KCS or GWWR will be billed and collected by KRL.
11. When BNSF is origin carrier, any and all applicable use and detention charges accrued will be billed and collected by KRL; also, when BNSF is the delivering carrier, any and all destination detention accrued on the BNSF will be billed and collected by KRL.
12. When ST is origin carrier, any and all applicable use and detention charges accrued will be billed and collected by KRL; also, when ST is the delivering carrier, any and all destination detention accrued on the ST will be billed and collected by KRL.
13. When FEC is origin carrier, any and all applicable use and detention charges will be billed and collected by KRL. When FEC is the delivering carrier, any and all destination detention charges will be billed and collected by KRL.
14. When CPRS is origin carrier, any and all applicable use and detention charges will be billed and collected by KRL. When CPRS is the delivering carrier, any and all destination detention charges will be billed and collected by KRL.
15. When CN is origin carrier, any and all applicable use and detention charges will be billed and collected by KRL. When CN is the delivering carrier, any and all destination detention charges will be billed and collected by KRL.[A]

CAR NUMBER AND RATE GROUP

CAR NUMBER	RATE GROUP	CAR NUMBER	RATE GROUP	CAR NUMBER	RATE GROUP	CAR NUMBER	RATE GROUP
KRL 101 _____	H	KRL 45826-45833__	D	KRL 500605-500606_	E		
KRL 150-151 _____	F	KRL 48013-48015 __	A	KRL 600290-600349_	C		
KRL 152 _____	H ♦	KRL 48017-48029__	D	KRL 600430 _____	C		
KRL 153-154 _____	F	KRL 50000-50003__	D	KRL 600451-600473_	D		
KRL 302-303 _____	E	KRL 50010 _____	J	KRL 600530-600531_	E		
KRL 304-305 _____	J	KRL 50012-50013__	G	KRL 600907-600910_	C		
KRL 1000-1001 _____	A	KRL 50041 _____	J	KRL 600911-600914_	B		
KRL 12450 _____	J	KRL 50800-50809__	E	KRL 701200-701229_	B		
KRL 16450 _____	L @	KRL 60957-60958__	F	KRL 832000-832002_	H		
KRL 25200-25201__	G	KRL 70000-70017 __	H	KRL 863021-863025_	C		
KRL 25960-25966__	C	KRL 70843-70999__	H	KRL 865000-865002_	J		
KRL 25968-25984__	C	KRL 88000-88001__	B				
KRL 26100-26107__	C	KRL 89115-89128 __	B				
KRL 27100-27104__	G	KRL 90002-90016__	D				
KRL 27800-27805__	G	KRL 90021-90023__	E				
KRL 32800-32804__	H ♦	KRL 127000-127005_	I				
KRL 32970-32971__	H ♦	KRL 163200-163201_	L @				
KRL 38180-38181__	H ♦	KRL 230000-230001_	I [A] ♦				
KRL 42100 _____	D	KRL 300300-300304_	K				
KRL 44800 _____	I [A] ♦	KRL 300360 _____	K				
KRL 45000-45008__	A	KRL 340320-340326_	K				
KRL 45009-45013__	C	KRL 370351-370399_	J				
KRL 45600-45603__	B	KRL 388000-388005_	G				
KRL 45705-45709__	E	KRL 500400-500401_	C				
KRL 45824-45825__	G	KRL 500515-500518_	C				

EXPLANATION OF REFERENCE MARKS

- @ - See Exception C
- [A] - Addition
- ♦ - Increase

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SUPPLEMENT 38 TO TARIFF RIC 6740-G

GENERAL APPLICATION OF CHARGES

ITEM 720-T CONT'D

CHARGES

RATES BELOW ARE APPLICABLE TO THE RATE GROUP FOR KRL CAR USED. THIS SECTION CONTAINS ALL USE, NON-USE AND DETENTION CHARGES

APPLICATION

RATE GROUP	TYPE OF CHARGE	CHARGE	
A	Use Charge Per Car:	\$500.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$40.00	Per Car Per Day
	5 th and 6 th 24 hours	\$80.00	Per Car Per Day
	7 th 24 hours	\$120.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$160.00	Per Car Per Day
B	Use Charge Per Car:	\$750.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$50.00	Per Car Per Day
	5 th and 6 th 24 hours	\$100.00	Per Car Per Day
	7 th 24 hours	\$150.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$200.00	Per Car Per Day
C	Use Charge Per Car:	\$1,500.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$60.00	Per Car Per Day
	5 th and 6 th 24 hours	\$120.00	Per Car Per Day
	7 th 24 hours	\$180.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$240.00	Per Car Per Day
D	Use Charge Per Car:	\$1,900.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$85.00	Per Car Per Day
	5 th and 6 th 24 hours	\$170.00	Per Car Per Day
	7 th 24 hours	\$255.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$340.00	Per Car Per Day
E	Use Charge Per Car:	\$2,100.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$120.00	Per Car Per Day
	5 th and 6 th 24 hours	\$240.00	Per Car Per Day
	7 th 24 hours	\$360.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$480.00	Per Car Per Day
F	Use Charge Per Car:	\$2,300.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$150.00	Per Car Per Day
	5 th and 6 th 24 hours	\$300.00	Per Car Per Day
	7 th 24 hours	\$450.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$600.00	Per Car Per Day
G	Use Charge Per Car:	\$2,400.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$100.00	Per Car Per Day
	5 th and 6 th 24 hours	\$200.00	Per Car Per Day
	7 th 24 hours	\$300.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$400.00	Per Car Per Day

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SUPPLEMENT 38 TO TARIFF RIC 6740-G

GENERAL APPLICATION OF CHARGES

ITEM 720-T CONT'D

CHARGES (Cont'd.)

RATES BELOW ARE APPLICABLE TO THE RATE GROUP FOR KRL CAR USED. THIS SECTION CONTAINS ALL USE, NON-USE AND DETENTION CHARGES

APPLICATION

RATE GROUP	TYPE OF CHARGE	CHARGE	
H	Use Charge Per Car:	\$2,600.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$120.00	Per Car Per Day
	5 th and 6 th 24 hours	\$240.00	Per Car Per Day
	7 th 24 hours	\$360.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$480.00	Per Car Per Day
I	Use Charge Per Car:	\$3,200.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$170.00	Per Car Per Day
	5 th and 6 th 24 hours	\$340.00	Per Car Per Day
	7 th 24 hours	\$510.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$680.00	Per Car Per Day
J	Use Charge Per Car:	\$4,400.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$200.00	Per Car Per Day
	5 th and 6 th 24 hours	\$400.00	Per Car Per Day
	7 th 24 hours	\$600.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$800.00	Per Car Per Day
K	Use Charge Per Car:	\$7,200.00	
	Non-use Charge Per Car:	\$500.00	
	Special Detention Charge:		
	1 st and 2 nd 24 hours	Free	
	3 rd and 4 th 24 hours	\$325.00	Per Car Per Day
	5 th and 6 th 24 hours	\$650.00	Per Car Per Day
	7 th 24 hours	\$975.00	Per Car
	8 th 24 hours and each subsequent 24 hours	\$1,300.00	Per Car Per Day
L	Use Charge Per Car:	\$15,000.00 ♦	
	Non-use Charge Per Car:	\$2,500.00 ♦	
	Special Daily Rate (See Note):	\$1,200.00 Per Car Per Day ♦	
	Note: This daily rate applies in addition to use charge. The daily rate starts when car is placed or order date, whichever occurs first, and continues until the car is released at destination with deck cleaned.		
EXPLANATION OF REFERENCE MARKS			
♦ - Increase			

EXCEPTIONS

- EXCEPTION A - KRL will be responsible to bill and collect use and/or origin detention charges directly from Vogt Power, Sapulpa, OK, when shipped for their account.
- EXCEPTION B - Use and/or origin detention charges will not apply on KRL 832001 and KRL 832002 when used in the service of or for the account of Davenport Mammoet, Rosharon, TX.
- EXCEPTION C - KRL 16450 and KRL 163200-163201 carries a daily rate of \$1,000 per day from date of placement or order date, whichever occurs last, until the car is released empty at destination. The daily rate will be billed directly by Kasgro Rail Car Management to user.
- EXCEPTION D - KRL will be responsible to bill and collect use and/or origin detention charges directly from Nooter/Eriksen, St. Louis, MO, when shipped for their account.
- EXCEPTION E - KRL will be responsible to bill and collect use and/or origin detention charges directly from Heavy Transport, Inc., when shipped for their account.
- EXCEPTION F - KRL will be responsible to bill and collect use and/or origin detention charges on shipments made at Waukesha Electric, Waukesha, WI.

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SUPPLEMENT 38 TO TARIFF RIC 6740-G

GENERAL APPLICATION OF CHARGES

ITEM 720-T CONT'D

DETENTION CHARGES

- A. When KRL cars are held, detention charges (in dollars per car) will be assessed for each 24-hour period, or fraction thereof, after the first 0001-hour after placement, or after notification if car is held enroute.
- B. Placement is defined as follows:
1. ACTUAL - When a car is placed in an accessible position for loading or unloading, or at a point designated by the consignor or consignee.
 2. CONSTRUCTIVE - When a car cannot be actually placed because of any condition attributable to the consignor or consignee and the car is held on railroad tracks.

NON-USE CHARGE

- A. When a KRL car has been ordered and shipper is notified by carrier representative of car number assigned, and car is enroute to assignee, and the car order is subsequently cancelled or postponed, shipper ordering car will be assessed the non-use Rate Group charge for car ordered.
-