

FT NKCR 9001

NEBRASKA, KANSAS & COLORADO RAILWAY, INC.



FREIGHT TARIFF NKCR 9001

(For Cancellations, see Item 1, this tariff)

**NAMING
RULES AND CHARGES
GOVERNING
DEMURRAGE, SWITCHING, LOCAL
AND
MISCELLANEOUS RULES AND CHARGES
ON THE
NEBRASKA, KANSAS & COLORADO RAILWAY, INC.**

LOCAL 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: July 1, 2008

EFFECTIVE: August 1, 2008

ISSUED BY

**Jonathan Carnes, General Manager
Nebraska, Kansas & Colorado Railway, Inc.
128 1st Street
Grant, NE 69140**

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CANCELLATION NOTICE	RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED
<p>ITEM 1</p> <p align="center">CANCELLATION NOTICE</p> <p>FT NKCR 9001 cancels FT NKCR in its entirety.</p> <p>Provisions formerly shown in FT NKCR and not brought forward in FT NKCR 9001 are hereby canceled.</p>	<p>ITEM 20</p> <p align="center">METHOD OF CANCELING ITEMS</p> <p>As this tariff is supplemented, numbered items with letter suffixes cancel corresponding numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A.</p> <p>Example: Item 445-A cancels Item 445 and Item 365-B cancels Item 365-A in a prior supplement which in turn canceled Item 365.</p>
RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL	
<p>ITEM 5</p> <p align="center">DESCRIPTION OF UNIFORM FREIGHT CLASSIFICATION</p> <p>This tariff is governed, except as otherwise provided herein, by Uniform Freight Classification UFC 6000 series and all supplements thereto or reissues thereof.</p>	<p>ITEM 30</p> <p align="center">SUPPLEMENTS AND REISSUES</p> <p>When reference is made in this tariff, or supplements, to other publications for rates or other information, it includes "Supplements thereto or successive issues thereof." Where reference is made in this tariff to items, it includes "reissues" of such items.</p>
<p>ITEM 10</p> <p align="center">STATION LIST AND CONDITIONS</p> <p>This tariff is governed by the Official Railroad Station List, OPSS 6000-series, Railinc, Agent, to the extent shown below:</p> <p>For addition and abandonment of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance of delivery of freight and changes in station facilities. When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station, as published in this tariff, are inapplicable on and after that date.</p>	<p>ITEM 40</p> <p align="center">EXPLOSIVES AND DANGEROUS ARTICLES</p> <p>For rules and regulations governing the transportation of explosives and other dangerous articles by freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Tariff BOE 6000-Series.</p>
	<p>ITEM 45</p> <p align="center">CONDITION OF EMPTY CARS FURNISHED TO CONNECTING LINES</p> <p>If NKCR delivers empty cars to connecting lines in interchange service and connecting lines accept such cars, NKCR will not be responsible for any car cleaning charges.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>	<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>
<p>ITEM 50</p> <p align="center">TERMINAL AND SPECIAL SERVICES</p> <p>Except as otherwise provided herein, shipments made under the rate contained in this tariff are entitled also to terminal and transit services and privileges and are subject to the charges, allowances, rules and regulations legally applicable thereto as provided in separately lawfully published tariffs.</p>	<p>ITEM 62 [A]</p> <p align="center">MAXIMUM ALLOWABLE GROSS WEIGHT ON RAIL</p> <p>On the St. Francis, Oberlin, Franklin and Imperial lines, NKCR will only provide switching and transportation services for loaded cars with a maximum gross weight on rails of 268,000 lbs. On the other lines, NKCR will only provide switching and transportation services for loaded cars with a maximum gross weight on rails of 286,000 lbs.</p>
<p>ITEM 55</p> <p align="center">CAPACITIES AND DIMENSIONS OF CARS</p> <p>For marked capacities, lengths, dimensions, and cubical capacities of cars, see the Official Railway Equipment Register, RER 6414-series, issued by National Railway Publication Company, Agent.</p>	<p>ITEM 64 [A]</p> <p align="center">UNLOADING AND RELEASE OF EQUIPMENT AT DESTINATION</p> <p>Upon arrival and placement of equipment for unloading at destination, consignee will be responsible for unloading equipment in a manner which does not damage equipment and for releasing equipment in a condition suitable for reloading by another shipper. If consignee refuses or fails to remove all lading, dunnage blocking, bracing, strapping, debris, or other material that was part of the inbound shipment, secure interior loading devices, and close doors, the railroad which discovers such failure may undertake to remedy such failure, and the consignee will be responsible for reimbursing the railroad which performs such work for the cost thereof, including without limitation the cost of any switching associated with such work. Otherwise, applicable demurrage, detention, and storage charges shall continue to apply until equipment is released to delivering carrier in clean condition or upon completion of any action by the delivering carrier to remedy the consignee's failure.</p>
<p>ITEM 60</p> <p align="center">NON-APPLICATION PRIVATE CAR MILEAGE ALLOWANCE</p> <p>The NKCR does not participate in nor does it abide by the Items or Rules stated in Tariffs RIC 6007-series and ASLG 6007-series.</p>	<p>ITEM 65 [A]</p> <p align="center">CHARGES FOR HANDLING PRIVATELY OWNED RAILWAY PASSENGER CARS</p> <p>The NKCR will move privately owned railway passenger cars, without passengers, at a charge of \$1500.00 per car.</p> <p>This charge will apply on intra-terminal and Intra-Plant switch movements. When delivered to a connecting carrier for road-haul movement this charge will be in addition to the road-haul charges.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>	<p align="center">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>
<p>ITEM 83 [A] EXTRA LOCOMOTIVE SERVICE CHARGES</p> <p>Service of locomotives, in connection with rerailment of cars, locomotives or cranes; movement of locomotives, cranes, scale test cars or other special equipment; movement of cars for the convenience of locomotives, cranes, scale test cars or other special equipment; or for any purpose other than switching or line haul service, the charge per locomotive, including crew, will be \$350.00 per hour, minimum charge \$350.00.</p>	<p>ITEM 100 [C] APPLICATION</p> <p>Except where provided to the contrary, Demurrage Rules and Charges contained herein apply to all railroad owned, leased or controlled cars and private cars held for or by consignors, loaders, consignees, unloaders, beneficial owners, Care-of-Partys or other responsible parties for any purpose.</p>
	<p>ITEM 120 [C] DEFINITIONS</p> <p>The following definitions define and govern the provisions outlined in this tariff.</p> <p>ACTUAL PLACEMENT - When a car(s) is placed in an accessible position for loading or unloading or, at a point designated by the consignor, loader, consignee, unloader or Care-of-Party.</p> <p>CARE-OF-PARTY - The party to whom car placement is to be made pursuant to the bill of lading, if other than the consignee at destination. When the bill of lading indicates a Care-of-Party, said party will be responsible for all demurrage, storage and hazardous storage charges.</p> <p>CONSIGNEE -The party designated on the bill of lading as the entity entitled to receive delivery of the car from the delivering rail carrier. Consignee would be responsible for any demurrage, storage and hazardous storage charges which accrues at the point of unloading except when the bill of lading also designates a Care-of-Party, in which case the Care-of-Party will be responsible for all demurrage, storage and hazardous storage charges.</p> <p>CONSIGNOR -The party designated on the bill of lading as the entity shipping the car to the consignee and delivering the car to the serving rail carrier.</p> <p>CONSTRUCTIVE PLACEMENT - When a car(s) which is consigned or ordered to a private track, industrial interchange track or public delivery track cannot be actually placed due to any condition attributable to the consignor, consignee or Care-of-Party, such car(s) will be held on NKCR's tracks and notice will be provided to the consignor, consignee or Care-of-Party that the car(s) is held awaiting disposition instructions.</p> <p>CUSTOMER- The consignor, loader, consignee, unloader or other party who is responsible for the payment of demurrage, detention, storage or other charges specified in this tariff.</p> <p>DEMURRAGE - A charge made on freight cars held by or for consignor, loader, consignee, unloader or Care-of-Party for loading or unloading, prior to issuance of forwarding instructions or for any other purpose.</p> <p>DEMURRAGE DAY - A twenty-four hour (24) hour period (calendar day), or part thereof, commencing at the first 0700 after tender.</p> <p align="right">(Continued on next page)</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES	SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES
<p>ITEM 120 (Cont'd) [C]</p> <p align="center">DEFINITIONS (Cont'd)</p> <p>DISPOSITION - Instructions furnished or given to railroad which provides for the release or tender of the car from consignor's, loader's, consignee's, unloader's or Care-of-Party's account.</p> <p>DIVERSION - An order provided by the consignor instructing that a car(s) be delivered to a location other than the one indicated on the original forwarding instructions.</p> <p>EMPTY CAR(S) ORDERED AND NOT USED - Empty car(s), placed for loading as ordered, and subsequently released without being used in transportation service.</p> <p>ELECTRONIC OR MECHANICAL DEVICE - Communication device such as telegram, facsimile transmission, telex, mailgram, computers, etc.</p> <p>EMPTY RELEASE INFORMATION - Advice by consignor, loader, consignee, unloader or Care-of-Party given to authorized NKCR personnel that the car(s) is unloaded and available to this railroad. This information must include the identity of the Customer, party furnishing information and the car(s) initial and number.</p> <p>FORWARDING INSTRUCTIONS - Shipping instructions given to NKCR at the time of release containing all of the necessary information to properly transport the shipment to destination.</p> <p>FREE TIME - A period of time following actual or constructive placement during which demurrage is not chargeable. Free time as designated below will be allowed for each car: Cars held for unloading: FORTY-EIGHT HOURS Cars held for loading: FORTY-EIGHT HOURS</p> <p>Free time will be calculated from the first 7:00 AM following actual or constructive placement.</p> <p>LOADED CARS - A car(s) that is completely or partially loaded.</p> <p>LOADED RELEASE INFORMATION - Advice by consignor, loader, consignee, unloader or Care-of-Party given to authorized railroad personnel that a car(s) is available to railroad. Information must include Customer, car initial, number, consignee, destination, STCC and route.</p> <p>LOADER - Party physically loading a car at origin. Demurrage charges will be assessed against the Loader who will be responsible for payment of charges accrued at origin.</p> <p>LOADING - The complete or partial loading of a car(s) in conformity with applicable loading and clearance rules.</p> <p align="center">(Continued in next column)</p>	<p>ITEM 120 (Cont'd) [C]</p> <p align="center">DEFINITIONS (Cont'd)</p> <p>NOTIFICATION - When required, written or verbal notification will be furnished to the parties entitled to receive notice that the car(s) is available for loading, unloading, or otherwise impacted by demurrage provisions.</p> <p>OTHER THAN PUBLIC DELIVERY TRACK - Any trackage assigned for individual use, including privately owned or leased tracks.</p> <p>ORDER-IN CUSTOMER - A Customer who, by prior arrangement, has notified NKCR that cars shall not be placed for loading or unloading, or considered to be placed, until NKCR has received an order for placement from said Customer, subject to rules and provisions of this tariff.</p> <p>PARTIAL UNLOADING - The partial unloading of a car(s) and furnishing of the proper forwarding or handling instructions.</p> <p>PASSENGER CAR(S) - A car(s) configured for the movement of people.</p> <p>PRIVATE CAR(S) - A car(s) bearing other than railroad reporting marks that is not railroad owned or controlled.</p> <p>PRIVATE TRACK - Tracks that are not owned or leased by the railroad.</p> <p>PUBLIC DELIVERY TRACK - Track that is open to the general public for loading and unloading.</p> <p>RAILROAD CONTROLLED CAR(S) - A car(s) bearing other than railroad reporting marks that is either leased or controlled by a railroad.</p> <p>RAILROAD PREMISES - All tracks which NKCR provides for its own use and purposes or for general public use and all other tracks located inside of its right-of-way or yards and terminals, except tracks located on or within the confines of property or leased by a Customer.</p> <p>RECONSIGNMENT - An order provided by consignor to bill a car(s) to other than the original consignee. (An order to turn over the car(s) to another party that does not require any additional movement of the car(s), is not a reconsignment).</p> <p>REFUSED LOADED CAR(S) - When the original loaded car(s) is refused at destination without being unloaded.</p> <p>RELOADING - When a car(s) is held for loading after being released as an empty.</p> <p>RESHIPMENT - A new document by which the entire original shipment is forwarded in the same car(s) to another destination.</p> <p align="center">(Continued on next page)</p>
<p align="center">For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES	SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES
<p>ITEM 120 (Cont'd.) [C]</p> <p align="center">DEFINITIONS (Cont'd.)</p> <p>SERVING YARD - A classification yard where the local train serving the Customer originates.</p> <p>SHIPPER ASSIGNED CAR(S) - Specific empty car(s) assigned to a particular shipper for their exclusive use.</p> <p>STOPPED IN TRANSIT - When a car(s) is held en route due to any condition attributable to the consignor, loader, consignee, unloader, Care-of-Party or owner.</p> <p>TENDER - The notification, actual or constructive placement, of an empty or loaded car(s).</p> <p>TIME - Local time is applicable and is expressed on the basis of the 24-hour clock.</p> <p>Example: 07:00 AM is expressed as 0700 Hours.</p> <p>UNLOADER - Party physically unloading a car at destination.</p> <p>UNLOADING - The complete unloading of a car(s), and the advice received from the consignee or unloader that the car (s) is empty and available to the railroad.</p>	<p>ITEM 140 [C]</p> <p align="center">NOTIFICATION TO NKCR</p> <p>A. NKCR will accept forwarding instructions, empty release information or, other disposition twenty-four hours a day via Rail Management Inc.'s Shipper Connect®.</p> <p>B. When electronic or mechanical devices are used to furnish notification to NKCR, the recorded date and time that the instructions are received by NKCR will govern.</p> <p>C. Faxed forwarding instructions, empty release information, or other disposition will be accepted during normal business hours (7:00 AM to 4:30 PM, Monday through Friday).</p>
<p>ITEM 130 [C]</p> <p align="center">NOTIFICATION TO CONSIGNOR OR CONSIGNEE</p> <p>A. NKCR will furnish the following notifications as indicated:</p> <ol style="list-style-type: none"> 1. Cars for other than public delivery tracks: <ol style="list-style-type: none"> a. Notice of constructive placement if car(s) are held on NKCR tracks due to reasons attributable to the consignor, loader, consignee, Care-of-Party or unloader. b. Delivery of car(s) upon tracks of consignee will constitute notice. c. When two or more parties, each performing their own switching, take delivery of cars from the same interchange track, notice will be given when cars are placed on the interchange track. 2. Cars for public delivery tracks: <ol style="list-style-type: none"> a. Notice will be given to the party entitled to receive notification when car(s) is actually placed. <p>B. Notification may be given in writing or electronically, and will contain the following:</p> <ol style="list-style-type: none"> 1. Car initials and number. 2. If lading transferred en route, the initials and number of the original car. 3. Commodity. 	<p>ITEM 150 [C]</p> <p align="center">CAR(S) HELD FOR LOADING</p> <p>TENDER:</p> <p>A. The notification, actual or constructive placement, of empty car(s) placed on orders of the consignor.</p> <p>RELEASE:</p> <p>A. Date and time forwarding instructions are received by NKCR.</p> <p>B. Car(s) placed on the interchange tracks of a consignor, who performs its own switching, must be returned to the interchange track for release.</p> <p>C. Improperly loaded or overloaded car(s) at origin will not be considered released until the load has been adjusted properly.</p> <p>COMPUTATION:</p> <p>A. Time will be computed from the third 0700 hours after tender until the release.</p> <p>B. When the same car is unloaded and reloaded, time will be computed from the third 0700 hours after advice is received that the car(s) is empty until the car(s) is released.</p> <p>C. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue on the car until the forwarding instructions are received by NKCR.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES	SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES
<p>ITEM 160 [C] CAR(S) HELD FOR COMPLETE UNLOADING</p> <p>TENDER: The notification, actual or constructive placement, of a loaded car(s).</p> <p>RELEASE:</p> <p>A. Date and time that the railroad receives advice that the car(s) is empty. B. Car(s) placed on the interchange tracks of a consignee who performs its own switching must be returned to the interchange track for release. C. When the same car is unloaded and reloaded, empty release information must be furnished at the time the car is made empty. If not furnished, demurrage will continue on the car until the forwarding instructions are received by NKCR.</p> <p>COMPUTATION: Time will be computed from the third 0700 hours after tender until release.</p>	<p>ITEM 170 (Cont'd) [C] PRIVATE CAR(S) AND RAILROAD CAR(S) HELD FOR OTHER THAN LOADING OR UNLOADING</p> <p>COMPUTATION: Time will be computed from the third 0700 hours:</p> <p>A. After tender, until release, on car(s): 1. Diverted 2. Empty for loading – ordered and not used (other than a rejected car) 3. Partially unloaded 4. Reconsigned 5. Reshipped 6. Stopped in transit</p> <p>B. After car(s) are received by NKCR until date of disposition on: 1. Car(s) received from interchange from connecting carrier 2. Loaded private car(s) returned to railroad tracks 3. Empty car(s) moving as freight with STCC 37 422 XX</p> <p>C. After tender until date of refusal on: 1. Refused loaded car(s) (consignee)</p> <p>D. After tender until date of disposition on: 1. Refused loaded car(s) (consignor)</p> <p>E. After tender until release or placement on private tracks on: 1. Loaded private car(s) – while held on railroad tracks 2. Empty car(s) moving as freight with STCC 37 422 XX</p>
<p>ITEM 170 [C] PRIVATE CAR(S) AND RAILROAD CAR(S) HELD FOR OTHER THAN LOADING OR UNLOADING</p> <p>Applies to car(s) held:</p> <p>A. On orders of consignor, loader consignee, Care-of-Party or unloader. B. Awaiting proper disposition from the consignor, loader, consignee, Care-of-Party or unloader. C. As a result of conditions attributable to consignor, loader, consignee, Care-of-Party or unloader.</p> <p>DISPOSITION: That information, including forwarding instructions or empty release information, which allows the railroad to either tender or release the car from the to consignor, loader, consignee, Care-of-Party or unloader.</p> <p>TENDER: The notification, actual or constructive placement of a loaded car(s).</p> <p>RELEASE: Date and time that the railroad receives advice that the car is empty, or that forwarding instructions are received.</p> <p align="center">(Continued in next column)</p>	<p>ITEM 175 [A] UNIT TRAINS</p> <p>When cars are moving as a unit train, requiring return of origin or interchange as a unit train, no cars will be considered released, from loading or unloading, until all cars in the train have been properly released. The date and time of the release of the last car released will be the date and time of release for all cars in the train for purposes of calculating demurrage. This item will apply only to railroad marked or controlled cars.</p>
<p align="center">For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

<p align="center">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>	<p align="center">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>
<p>ITEM 180 [C]</p> <p align="center">DEMURRAGE PLAN</p> <p>A. Settlement of charges will be made monthly on all car(s) released during each calendar month.</p> <p>B. Cars held for loading or unloading, upon the expiration of forty-eight (48) hours free time as defined herein, will be subject to a demurrage charge of \$65.00 per day or fraction thereof until the car is released.</p> <p>Exception 1 - When a car has a mechanical designation of "FD", "FM", or "FW" and capacity is excess of 130 tons, See Item 330.</p>	<p>ITEM 193 [A]</p> <p align="center">STORAGE OF EMPTY CARS FORMERLY CONTAINING HAZARDOUS COMMODITIES</p> <p>The storage charges provided in this item apply to empty railcars which formerly contained hazardous commodities designated as toxic/poison inhalation hazard, inhalation hazard, and explosives. The storage charges shown below will apply to the Customer (defined for the purpose of this subsection as the consignee or Care-of-Party of the empty railcar) for each empty car; if the railcar's prior movement contained any of the commodities listed in Item 195.</p> <p>The storage charges provided in this item are in addition to applicable demurrage charges and, except as provided below, the application provisions of this tariff will govern in determining these storage charges.</p>
<p>TEM 190 [I]</p> <p align="center">STORAGE OF LOADED HAZARDOUS COMMODITIES</p> <p>The storage charges provided in this item apply to loaded hazardous commodities designated as toxic/poison inhalation hazard and explosives. A List of applicable STCC numbers are shown in Item 195. The storage charges provided in this item are in addition to applicable demurrage charges and except as provided below, the applicable provisions of this tariff will govern in determining these storage charges.</p> <p>Loaded cars, consigned or ordered for delivery on private or leased tracks, which first must be held on NKCR tracks under constructive placement are subject to the charges shown below. Storage will be computed from the first 7:00 AM after notification of constructive placement was sent or given by NKCR for the loaded car and continue until notification to NKCR for placement on private tracks is received in accordance with Item 140.</p> <p>Loaded cars, held on NKCR tracks for any other purpose attributable to the consignor, loader, consignee, Care-of-Party, or unloader are subject to the charges shown below. Storage will be computed from the first 7:00 AM after actual placement or notification of constructive placement was sent or given by NKCR for the loaded car and continue until notification to NKCR with proper forwarding instructions is received by NKCR in accordance with Item 140.</p> <p>Storage Charges: Five Hundred Dollars (\$500.00) per loaded car per day or fraction thereof</p>	<p>Storage will be computed from the first 7:00 AM after actual placement or notification of constructive placement was sent or given by NKCR for the empty car and continue until notification to NKCR with proper forwarding instructions is received by NKCR in accordance with Item 140.</p> <p>Storage Charges: Two Hundred Dollars (\$200.00) per empty car per day or fraction thereof.</p>
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SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES					SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES				
ITEM 195					ITEM 195 (Cont'd)				
[A] HAZARDOUS MATERIALS STANDARD TRANSPORTATION COMMODITY CODE (STCC)					[A] HAZARDOUS MATERIALS STANDARD TRANSPORTATION COMMODITY CODE (STCC)				
The following is a list of Standard Transportation Commodity Code Numbers (STCC) for toxic/poison inhalation hazard, inhalation hazard and explosives:									
STCC	STCC	STCC	STCC	STCC	STCC	STCC	STCC	STCC	STCC
4821019	4901301	4901445	4901581	4901833	4920116	4920319	4920399	4921020	4921744
4821261	4901302	4901450	4901582	4901834	4920117	4920320	4920502	4921023	4921745
4821722	4901303	4901456	4901586	4901835	4920118	4920321	4920503	4921024	4921746
4830030	4901305	4901461	4901587	4901836	4920122	4920322	4920504	4921028	4921756
4901105	4901306	4901465	4901590	4901837	4920135	4920323	4920505	4921063	4923113
4901110	4901307	4901501	4901596	4901838	4920160	4920324	4920508	4921202	4923117
4901130	4901308	4901504	4901597	4901839	4920164	4920325	4920509	4921207	4923209
4901131	4901311	4901506	4901599	4901840	4920165	4920331	4920510	4921211	4923298
4901133	4901312	4901507	4901632	4901841	4920167	4920337	4920511	4921213	4927004
4901134	4901315	4901510	4901705	4901842	4920173	4920342	4920513	4921216	4927006
4901135	4901316	4901511	4901713	4901843	4920174	4920343	4920515	4921239	4927007
4901137	4901317	4901514	4901714	4901844	4920175	4920344	4920516	4921245	4927008
4901140	4901319	4901516	4901715	4901845	4920178	4920346	4920517	4921248	4927009
4901142	4901320	4901520	4901717	4901846	4920180	4920347	4920518	4921251	4927010
4901143	4901322	4901521	4901719	4901847	4920181	4920348	4920522	4921252	4927011
4901149	4901324	4901526	4901720	4901848	4920183	4920349	4920523	4921254	4927012
4901153	4901325	4901527	4901722	4901849	4920184	4920351	4920525	4921255	4927014
4901172	4901326	4901528	4901724	4901850	4920187	4920352	4920526	4921275	4927018
4901174	4901336	4901530	4901725	4901851	4920188	4920353	4920527	4921287	4927019
4901179	4901341	4901532	4901726	4901852	4920189	4920354	4920528	4921288	4927022
4901180	4901342	4901533	4901778	4901853	4920195	4920355	4920530	4921304	4927023
4901205	4901343	4901535	4901779	4901854	4920196	4920356	4920531	4921401	4927024
4901218	4901344	4901537	4901801	4901855	4920300	4920357	4920534	4921402	4927025
4901220	4901345	4901538	4901802	4901856	4920301	4920359	4920535	4921404	4927026
4901223	4901350	4901539	4901803	4901857	4920302	4920360	4920536	4921405	4927027
4901225	4901364	4901540	4901804	4901858	4920303	4920368	4920547	4921413	4927028
4901227	4901365	4901541	4901805	4901859	4920304	4920369	4920550	4921414	4930024
4901229	4901366	4901542	4901806	4904209	4920305	4920371	4920556	4921420	4930030
4901230	4901367	4901544	4901807	4904210	4920306	4920373	4920559	4921438	4930050
4901234	4901374	4901545	4901808	4904211	4920307	4920375	4920570	4921473	4930204
4901235	4901376	4901546	4901809	4904879	4920308	4920378	4920571	4921487	4930260
4901236	4901381	4901550	4901810	4907409	4920309	4920379	4920715	4921495	4931201
4901237	4901384	4901551	4901811	4907434	4920310	4920380	4921000	4921497	4932010
4901240	4901388	4901552	4901812	4909306	4920311	4920381	4921003	4921558	4932352
4901242	4901389	4901553	4901813	4909307	4920312	4920382	4921004	4921587	4932385
4901244	4901390	4901554	4901814	4910370	4920313	4920383	4921006	4921695	4933327
4901245	4901391	4901557	4901815	4916138	4920314	4920392	4921008	4921722	4935231
4901246	4901393	4901558	4901816	4918180	4920315	4920394	4921009	4921727	4936106
4901250	4901398	4901560	4901817	4918505	4920316	4920395	4921010	4921730	4936110
4901254	4901399	4901561	4901819	4918507	4920317	4920396	4921016	4921741	
4901257	4901401	4901562	4901820	4920101	4920318	4920398	4921019	4921742	
4901258	4901402	4901564	4901821	4920102					
4901260	4901403	4901565	4901822	4920103					
4901262	4901406	4901566	4901823	4920104					
4901263	4901413	4901567	4901824	4920105					
4901264	4901414	4901568	4901825	4920106					
4901271	4901418	4901570	4901826	4920107					
4901273	4901420	4901572	4901827	4920108					
4901276	4901422	4901573	4901828	4920110					
4901280	4901430	4901574	4901829	4920111					
4901282	4901435	4901575	4901830	4920112					
4901283	4901437	4901576	4901831	4920113					
4901288	4901440	4901577	4901832	4920115					
(Continued in next column)									
For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.									

<p style="text-align: center;">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>	<p style="text-align: center;">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 197 [C]</p> <p style="text-align: center;">DEMURRAGE AND STORAGE DISPUTES</p> <p>In the event that a Customer disputes the demurrage or storage charges received in a bill, the following procedures must be applied:</p> <p>A. The dispute must be specific in nature, applying to a specific cars or groups of cars, related to time of actual or constructive placement, release or application of the rules contained in this tariff.</p> <p>B. The dispute must be submitted on NKCR “Demurrage Dispute Form” shown on last past of this tariff, submitted via email to: AR@Omnitrax.com</p> <p>C. The dispute must be submitted within forty-five (45) days of the end of the month for which the bill applies. If a dispute is not received within this time, the bill will be considered correct and must be paid.</p> <p>D. Customer must pay the undisputed amount at the time the dispute is filed, according to normal bill payment procedures.</p> <p>E. Amounts in dispute will not be considered past due until thirty (30) days after the dispute resolution is concluded by NKCR.</p>	<p>ITEM 200 [A]</p> <p style="text-align: center;">APPLICATION AND DEFINITIONS</p> <p>Switching charges named herein (unless otherwise specified) will apply for the handling of loaded cars in one direction and empty cars in the reverse direction. If cars are moved empty in both directions, then charges for a one-way movement will apply. If cars are moved empty in one direction and are not returned, they will be charged as if they are loaded and switching of other cars loaded will not be considered as offsetting one-way movement of empty cars. If cars are loaded in both directions, the applicable charge will be assessed for each loaded movement.</p> <p style="text-align: center;">DEFINITIONS</p> <p>(a) INTRA-PLANT SWITCHING - A switching movement of cars, loaded or empty, from one track to another track or between two points on the same track, within the same plant or industry without leaving the tracks of the same plant or industry.</p> <p>(b) INTER-PLANT SWITCHING - A switching movement (other than Intra-Plant switching) from one track to another track of the same carrier, within the switching limits of one station.</p> <p>(c) LINE HAUL SERVICES - A movement of a car(s) from a plant or industry located on the NKCR within the switching limits of one station to a plant or industry on the NKCR within the switching limits of another station.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES	SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES
<p>ITEM 205 [A] DEFINITION OF SHOP FACILITY</p> <p>A shop facility is one approved by the AAR for rail car repair sufficient to meet interchange standards.</p>	<p>ITEM 220 [A] PRIVATE OR INDUSTRY TRACKS</p> <p>Unless otherwise provided, the private tracks used by industries as named in this tariff are to be used exclusively for the handling of traffic to or from such industries.</p>
<p>ITEM 210 [A] NON-APPLICATION OF INTRA-PLANT SWITCHING CHARGES</p> <p>The Intra-Plant switching charges provided in this tariff will not apply when a car is moved back to the same location on the same track or to a different location on the same track (See NOTE). Such movement must occur as a result of pulling outbound carloads or empties previously unloaded, or placing inbound carloads for unloading or empties for loading.</p> <p>NOTE - Movement to a different location on the same track must be incidental to, and necessary in connection with removal or placement of other loaded or empty cars.</p>	<p>ITEM 225 [!] EMPTY CARS RETURNED UNFIT FOR LOADING</p> <p>When an empty car is received from a connecting carrier for loading by an industry located on the NKCR, and is refused by the industry because the car is not in proper condition to load and must be returned to the connecting carrier, a charge of \$250.00 per car will be assessed against the connecting carrier. The charge will be made for one direction only.</p>
<p>ITEM 215 [C] SWITCHING AND HOLDING CHARGES ON CARS HELD FOR INSTRUCTIONS (Unless otherwise specifically provided, the following will apply)</p> <p>When on shipper's instructions loaded cars, or empty cars moving on own wheels, are removed from industry, shop or team tracks and are held by carrier awaiting forwarding instructions, a charge of \$250.00 per car will be assessed against the party responsible for furnishing the forwarding instructions. On loaded cars the charge will be assessed against the party physically loading the car and in whose name demurrage is maintained by this railroad. If cars are subsequently ordered returned to loaders tracks, the applicable Inter-Plant switching charge will be assessed against the loader.</p> <p>When loaded cars, or empty cars moving on own wheels at tariff rates, are received from a connecting carrier and are held awaiting forwarding instructions, a holding charge of \$250.00 per car will be assessed against the party responsible for furnishing the forwarding instructions. If cars are subsequently ordered returned to a connecting carrier, the applicable Inter-Plant switching charges will be assessed from and to the interchange with the connecting carrier, and will be in addition to the holding charge.</p> <p>The charges provided in this item are in addition to applicable demurrage and storage charges when applicable and will not be absorbed in whole or in part.</p>	<p>ITEM 227 [!] EMPTY CARS ORDERED BUT NOT LOADED</p> <p>On empty cars that are ordered for loading and the service of switching or placing has been performed and the car is not loaded but returned to NKCR empty, a switching charge of \$250.00 per car will be assessed for this service and collected from the person, firm, or corporation ordering such cars.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	<p>ITEM 230 [A] DEFINITIONS OF SWITCHING LIMITS</p> <p>Except as otherwise provided herein, the switching limits of the NKCR will be defined as all stations and all Customers served by the NKCR. Switching charges within the station will not apply on traffic originating or destined beyond the industry. The yard limit board does not have any meaning whatever with respect to defining the switching limits.</p>
	<p>ITEM 235 [A] PACKAGE REQUIREMENTS</p> <p>Charges for Intra-Plant and Inter-Plant switching named in this tariff apply only when shipments are packed in accordance with the requirements published in Tariff UFC 6000-Series. Shipments not packed in accordance with the requirements published in Uniform Freight Classification will not be accepted.</p>

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SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES	SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES
<p>ITEM 240 [A] SWITCHING OF EXCESSIVELY LOADED CARS</p> <p>A car will be considered overloaded when the weight of the lading exceeds the maximum carrying capacity (load limit) stenciled on the car or if the total weight of car and lading exceeds the weight restrictions of the track.</p> <p>A. When a car is overloaded and such fact is discovered at origin station, the loader or owner of the lading will be notified to remove the excess weight as provided in this tariff. If the car is returned to the industry where loaded, one Intra-Plant switch charge will be assessed in addition to a \$250.00 per car penalty.</p> <p>B. When a car at a station other than origin is discovered to be overloaded and such fact is discovered after the shipment has left the origin station, the loader or owner of the lading will be notified to remove the excess as provided in this tariff. The applicable Inter-Plant switch charge from the point where the overloaded condition is discovered to the nearest public track will be assessed in addition to a \$250.00 per car penalty.</p> <p>C. The loader or owner of the lading will be notified by NKCR of the overload and will be allowed to remove the excess weight. Notwithstanding anything to the contrary in this tariff, when an overloaded car is discovered at a station other than origin, demurrage charges will commence with the first 0700 Hours after notification is given by NKCR to the loader, owner of the lading or other responsible party with no other free time allowed.</p> <p>D. When a Customer fails to respond within the first twenty-four (24) hours, a second notice will be sent. If the Customer fails to respond within seven (7) calendar days fro the first 07:00 AM after the first notification, NKCR may, at our option, transfer the shipment, transfer the excess weight to another car or remove the excess weight and sell or dispose of it to the best advantage. The actual cost of transfer for removing the excess weight plus any additional charge(s), less proceeds of the sales of the excess, if any, will be assess against the loader, owner of the lading or other responsible party in addition to a \$250.00 per car penalty and applicable Inter-Plant switch charge.</p> <p>E. When a car is received from a connecting line in road haul service and discovered to be overloaded, the loader and the delivery line will be notified to remove the excess as provided in this tariff. If the overload is discovered at the junction and the car is ordered returned to the delivering carrier, the applicable Inter-Plant switch charge will be assessed against the loader or delivering carrier in addition to a \$250.00 per car penalty.</p>	<p>ITEM 245 [A] FREIGHT-IN-BOND</p> <p>Cars containing freight-in-bond to be switched locally will not be accepted from connecting line until after permit to receive goods has been issued to consignee by the United States Collectors of Customs.</p> <hr/> <p>ITEM 247 [A] HANDLING OF "SHIPPER'S ORDER" FREIGHT</p> <p>Cars will not be received from connecting lines when consigned "Shipper's Order" or when billed in care of private sidings when consignee is not located on tracks of NKCR.</p> <p>Order bills of lading will not be issued to cover intra-terminal movements. (See Item 200)</p> <hr/> <p>ITEM 250 [A] PREPAYMENT OF NKCR SWITCHING CHARGES</p> <p>Charges on all carloads for Intra-Plant or Inter-Plant movements must be fully prepaid by the party ordering the switch.</p> <p>NKCR charges on carloads received from connecting lines on inter-terminal movements will be collected from carrier originating the movement.</p> <hr/> <p>ITEM 255 EARLY RELEASE OF CARS PLACED FOR LOADING OR UNLOADING</p> <p>When a Customer instructs the release of a car previously placed for loading or unloading, but NKCR is unable to remove the car because the loading or unloading of the car has not been completed for reasons not attributable to NKCR, the car will remain on demurrage as if the release had not been instructed, and an Inter-Plant switch charge will apply.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES	SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES
<p>ITEM 265 [I] EXTRA AND SPECIAL TRAIN SERVICE</p> <p>Upon specific request of the shipper or consignee, NKCR, at its sole discretion, may operate extra or special train service.</p> <p>Extra train service is defined as (1) blocking unit trains as requested by the shipper or consignee, or (2) service requested by the shipper or consignee at a time or date other than the scheduled regular service. The charge for this service will be \$2500.00 per occurrence or as otherwise negotiated by NKCR and the party requesting such service. Charges will be assessed against the party requesting the service.</p> <p>Special train service is defined as accommodating shipments which cannot be handled in regular train operations because of excess weight, height, width or length and which necessitates handling in a special train. The charges for this service will be negotiated between NKCR and the party requesting service, dependent on specific needs for the movement, cost factors and potential adverse impact to physical plant and operations on the NKCR. The requesting party must comply with all insurance requirements required by NKCR. Charges will be assessed against the party requesting the service, and must be paid in full five (5) business days prior to the date of requested service</p>	<p>ITEM 275 [C] DEFINITION OF "PRIVATELY OWNED"</p> <p>Where reference to "privately owned" or "privately owned or leased" equipment in this section, it is meant to be equipment not under lease to or controlled by a railroad.</p>
<p>ITEM 270 [A] SWITCHING EMPTY CARS FOR REPAIRS</p> <p>A charge of (a) \$375.00 per car and (b) \$300.00 per car (See Notes 1, 2 and 3) will apply on empty cars destined to a shop facility for cleaning, lining, relining, maintenance, modification, inspection, certification or repairs.</p> <p>NOTE 1. - Charges apply for round-trip movement from yard tracks to shop facility and return, when moving solely on the tracks of NKCR. If NKCR switches the empty car into the shop facility and is not the switching carrier for the eventual movement from the shop facility, then the switching charge, as named in this item, applies only on the inbound movement.</p> <p>NOTE 2. – Charges will be assessed at the time of the inbound movement.</p> <p>NOTE 3. – Unless otherwise provided on a bill of lading or in a transportation contract, the charges in this item will be assessed against the connecting carrier interchanging the car(s) to NKCR.</p> <p>(a) - Applicable on railroad owned or controlled cars. (b) - Applicable on private cars.</p>	<p>ITEM 280 [I] CAR(S) RECEIVED IN INTERCHANGE IN ERROR OR WITHOUT FORWARDING INSTRUCTIONS</p> <p>Car(s) loaded or empty, received by NKCR in error or without forwarding instructions from the delivering carrier, will be returned to the delivering carrier at a charge of \$250.00 per car. Charge for this service will be assessed against the carrier interchanging the car(s) to NKCR.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	<p>ITEM 285 [A] RE-SWITCHING</p> <p>Except as otherwise provided, when NKCR participates in line-haul service, cars re-switched under original load or for partial loading or unloading may be switched at the applicable Intra-Plant or Inter-Plant rate.</p>
<p>ITEM 290 [I] INTRA-PLANT AND INTRA-TERMINAL SWITCHING (Rates in dollars and cents per car, except as noted)</p> <p>The NKCR will perform Intra-plant and Intra-terminal switching at charges provided below:</p> <p align="right"> INTRA-PLANT..... \$125.00 INTER-PLANT..... \$250.00 </p>	

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SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES	SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES
<p>ITEM 295 [I]</p> <p align="center">DIVERSIONS</p> <p>The term "diversion" means an order received by NKCR which requires any of the following:</p> <ul style="list-style-type: none"> A. A change in the name of the consignee. B. A change in the name of the consignor. C. A change in the destination. D. A change in the route at the request of the consignor, consignee, or owner. E. Any other instructions given by consignor, consignee, or owner necessary to effect delivery which requires a change in the billing or an additional movement of the car, or both. F. A change in the payment conditions. <p align="center">APPLICATION</p> <ul style="list-style-type: none"> A. Orders for diversions will be accepted from only: <ul style="list-style-type: none"> 1. Parties listed on bill of lading. 2. Any rail carrier participating in line-haul movement. B. Charges for diversions shall be paid by the authorized party requesting the change. C. After a car has been actually placed, any changes which affect the movement of the car will constitute a new movement and are subject to applicable switching and/or line-haul charges. D. Only one change in destination will be authorized under these provisions. Requests for additional changes will be executed as a shipment terminating and originating at the diversion station. E. The diversion charge applies in addition to all other applicable switch, line-haul, hold, storage, or demurrage charges. <p>Diversion charge: \$125.00 per car.</p>	<p>ITEM 310 [A]</p> <p align="center">CONGESTION RESULTING FROM RAIL CUSTOMER MAY RESULT IN AN EMBARGO</p> <p>If a rail Customer's excessive retention of railcars (whether or not related to the Customer's credit card/security experience) results in operational congestion, as determined by the NKCR, of the Customer's and/or the NKCR's rail tracks, NKCR may impose an embargo against the Customer's receipt of further railcars until the congestion is eliminated.</p> <hr/> <p>ITEM 320 [A]</p> <p align="center">CARS HELD FOR LOADING OR UNLOADING ON PUBLIC TEAM TRACKS</p> <p>Cars held on public team tracks for loading or unloading in excess of forty-eight (48) hours of placement will be charged at the rate of \$65.00 for each day or portion thereof in excess of forty-eight (48) hours. This charge is in addition to any applicable demurrage charges.</p> <hr/> <p>ITEM 330 [A]</p> <p align="center">SPECIAL TYPE-HEAVY DUTY FLAT CARS HELD FOR LOADING OR UNLOADING</p> <p>Heavy duty flat cars of mechanical designation "FD" "FM" or "FW" with capacity in excess of 130 tons, will be subject to a demurrage charge of \$350.00 per car per day or fraction thereof until car is released.</p> <p>Charges start when car is available to Customer. No free time.</p> <hr/> <p>ITEM 340 [A]</p> <p align="center">CHARGES FOR SPECIAL TYPE OF HEAVY CAPACITY FLAT CARS</p> <p>A charge of \$575.00 for each car used in addition to the regular local switching rates named herein will be made for each car used both originating and terminating within the same switching district as named in this tariff for the movement of which carrier furnishes flat cars bearing mechanical designations "FG" or "FW" of any capacity, and cars of designation "FM" of 151,000 lbs. and over nominal capacity; and a charge of \$1,600.00 per car used on flat cars bearing mechanical designation "FD" as named in The Official Railway Equipment Register and reissues thereof. Said charge also applies on traffic having prior or subsequent barge movement.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</p>	
<p>ITEM 350 [A]</p> <p align="center">USE OF IDLER CAR</p> <p>When articles on account of length, require more than one car, each additional car (commonly known as an idler) shall be charged \$150.00 per idler.</p>	<p>ITEM 99999</p> <p align="center">ABBREVIATIONS AND REFERENCE MARKS, EXPLANATION OF</p>	
	<p align="center">ABBREVIATIONS</p>	<p align="center">EXPLANATION</p>
	<p align="center">AAR NKCR BOE CFR FT OPSL RER STB STCC UFC</p>	<p>Association of American Railroads Nebraska, Kansas & Colorado Railway, Inc. Bureau of Explosives Code of Federal Regulations Freight Tariff Official Railway Station List Railway Equipment Register Surface Transportation Board Standard Transportation Commodity Code Uniform Freight Classification</p>
	<p align="center">REFERENCE MARK</p>	<p align="center">EXPLANATION</p>
	<p align="center">[A] [C] [D] [I] [NC] [R]</p>	<p>Addition Denotes Change Canceled Increase Brought forward without change Reduction/Decrease</p>
<p align="center">(Underscored portion denotes change.)</p>		
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>		

DEMURRAGE DISPUTE FORM



Enter the requested information for each car (or group of cars if all data is the same).
 Attach documentation whenever possible, and submit form by mail, fax (866) 831-1189 or

E-mail to: AR@Omnitrax.com

Manager of Accounts Receivable, OmniTRAX, Inc., 50 South Steele Street,
 Denver, CO 80209

Date:		Company:	
RR Demurrage Month:		Submitted by:	
RR Invoice Number:		Phone:	
		E-Mail:	

Car Number(s)						
Dates	Constructive Placement	Actual Placement	Release	Demurrage Days	Credits	Net
As Billed:						
Customer Record:						
Explanation:						
Documentation:					Attached? <input type="checkbox"/>	
Resolution (for NKCR use)						

Car Number(s)						
Dates	Constructive Placement	Actual Placement	Release	Demurrage Days	Credits	Net
As Billed:						
Customer Record:						
Explanation:						
Documentation:					Attached? <input type="checkbox"/>	
Resolution (for NKCR use)						

Car Number(s)						
Dates	Constructive Placement	Actual Placement	Release	Demurrage Days	Credits	Net
As Billed:						
Customer Record:						
Explanation:						
Documentation:					Attached? <input type="checkbox"/>	
Resolution (for NKCR use)						