

FT BSOR 8000-K
(Cancels FT BSOR 8000-J)
(Cancels FT BSOR 3000-D)

BUFFALO SOUTHERN RAILROAD, INC

**FREIGHT TARIFF BSOR 8000-K
(Cancels Freight Tariff BSOR 8000-J)
(Cancels Freight Tariff BSOR 3000-D)**

**SWITCHING, HANDLING, INTERMEDIATE RATES
ON FREIGHT, ALL KINDS BETWEEN STATIONS
AND MISCELLANEOUS CHARGES**

**APPLYING
AT
STATIONS ON THE
BUFFALO SOUTHERN RAILROAD, INC.**

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

ISSUED: June 16, 2020

EFFECTIVE: July 1, 2020

**ISSUED BY
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(The provisions published herein, if effective, will not result in an effect on the quality of the human environment.)

FREIGHT TARIFF BSOR 8000-K

NOTICE

Provisions formerly shown in Freight Tariff BSOR 8000 Series (A-J) that are not brought forward in Freight Tariff BSOR-K are hereby canceled.

RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS

ITEM 5

UNIFORM FREIGHT CLASSIFICATION AND EXCEPTIONS

Governed, except as otherwise provided herein, by Uniform Freight Classification, UFC 6000-series, National Railroad Freight Committee, Agent, supplements thereto or successive issues thereof. Also, by EXCEPTIONS thereto Traffic Executives Association, RPS 2009-series.

ITEM 10

STATION LIST AND CONDITIONS

This tariff is governed by the official Open and Prepay Stations List, OPSL 6000-series, Association of American Railroads-RAILINC Div., Agent, supplements thereto or successive issues thereof to the extent shown below:

STATION CONDITIONS

For additions and abandonment of stations, and except as otherwise shown herein changes in the names of stations, restrictions as to the acceptance or delivery of freight and changes in station facilities. When a station is abandoned as of the date specified in the above named tariff, the rates from and to such station as published in this tariff are inapplicable on or after that date.

ITEM 15

REFERENCE TO TARIFFS, ITEMS, NOTES OR RULES

Where reference is made in this tariff to tariffs, items, notes or rules, such references are continuous and include supplements to and successive issues of such tariffs and reissues of items, notes or rules.

ITEM 20

TERMINAL OR TRANSIT PRIVILEGE OR SERVICES

Shipments made under the rates contained in this tariff are entitled also to terminal and transit services and privileges, and are subject to the charges, rules and regulations legally applicable thereto, as provided in separately published tariffs. EXCEPTION - When provisions of this tariff specifically cover any such charge, allowance, rule or regulation, corresponding or conflicting provision in such separate tariff will not apply.

ITEM 25

CONSECUTIVE NUMBERS

Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last.

RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS

ITEM 30

METHOD OF CANCELING ITEMS

As this tariff is supplemented, numbered items with letter suffixes cancel correspondingly numbered items in the original tariff, or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 100-A cancels Item 100, or Item 105-B cancels Item 105-A, in a prior supplement which in turn canceled Item 105.

ITEM 35

CAPACITIES AND DIMENSIONS OF CARS

For marked capacities, lengths, dimensions and cubical capacities of cars, see The Official Railway Equipment Register, STB RER 6413-Series, issued by R.E.R. Publishing Corporation, Agent.

ITEM 40

NATIONAL SERVICE ORDER TARIFF

This tariff is subject to the provisions of the various Service Orders and General Permits as shown in the National Service Order Tariff, NSO 6100-series.

ITEM 45

STRAIGHT OR MIXED CARLOADS

The rates published in this tariff apply on straight or mixed carloads, unless specifically indicated otherwise.

ITEM 50

DEMURRAGE

All Cars located on the BSOR after 24 hours under the provision of this tariff are subject to a demurrage charge of \$25 per day or part day until consignor, consignee or owner prepays for the following applicable charges in ITEMS 135,155,220,225,230,285 all other ITEMS will be subject to demurrage rules and charges published in Tariff BSOR 1994-series

ITEM 55

PREPAYMENT OF CHARGES

All charges under this tariff must be prepaid, unless satisfactory arrangements with BSOR have been made prior to performance of service.

FREIGHT TARIFF BSOR 8000-K

SECTION 1 SWITCHING CHARGES

ITEM 100

EXPLANATION OF TERMS

LOCAL SWITCHING - Movement of a car from one location to another within the confines of a single station when such movement is not done as part of a road haul, handling, reciprocal switching or intermediate switching movement.

RECIPROCAL SWITCHING - The term "reciprocal switching" means the movement of a carload in switching service for loading or unloading, preceding or following the road haul movement over another railroad, from or to the point of interchange with the connecting railroad at the switching station, to any other point within the limits of the switching station, and the movement of the empty car in reverse direction.

Reciprocal switching will only be performed on movements within the specified limits of the switching station and for carriers listed in this Section.

INTERMEDIATE SWITCHING - The term "intermediate switching" means the movement of a carload in switching service between the interchange tracks of two (2) connecting carriers within the limits of a switching station, and includes the switching of an empty car to be loaded and the return of the same car loaded, the switching of a loaded car and the return of the same car empty, or the switching of an empty car for storage and the return of the same empty car. Intermediate switching will only be performed for carriers listed.

ROADHAUL - Any movement of a car where BSOR is not a handling carrier or moved in switching service.

SCHEDULED SERVICE - Train movements scheduled by the railroad to perform its customary services at a station.

EXTRA SERVICE - Train movements requested by a customer at a station that are not performed during the course of scheduled service.

ITEM 105

FIRST PLACEMENT CONSTITUTES DELIVERY

Except as otherwise published herein, when cars are placed for loading or unloading upon switches, side tracks, team tracks or at warehouses, elevators, or other industries or locations reached by BSOR, such placement shall constitute delivery of car for loading or unloading. Any subsequent switching movement at the station at which service performed will be the Local Switching Charge.

ITEM 110

SWITCHING MORE THAN ONE CAR IN A SHIPMENT

When more than one car is required for a shipment, or when loaded in/on so called articulated cars, switching charges will be applied to each car.

SECTION 1 SWITCHING CHARGES

ITEM 120

SWITCHING LIMITS AT BUFFALO, NY

(Intermediate Switching to NYLE in Gowanda, NY (See Item 160))

The limits of the Buffalo switching station include all customers and sidings on the BSOR located at the following BSOR stations:

Station Name	Station Number (FSAC)	SPLC
Buffalo (BC Jct), NY	10	185400
Blasdell, NY	20	185523
Hamburg, NY	30	185526
Eden Center, NY	40	185534
North Collins, NY	50	185599
Lawtons, NY	60	185597
Collins, NY	70	185591

The BSOR interchanges at Buffalo, NY with BPRR, CPRS, CSXT, NS. The following information is for routing and rate purposes:

BPRR Direct

BPRR uses their own FSAC stations for customers on the BSOR:

Hamburg, NY	00031
Eden Center, NY	00041
North Collins, NY	00051
Lawtons, NY	00061
Collins, NY	00071

CPRS Direct

CPRS uses their own FSAC stations for customers on the BSOR:

Blasdell, NY	04001
Hamburg, NY	04002
Eden Center, NY	04003
North Collins, NY	04004
Lawtons, NY	04008
Collins, NY	04010

Or use CPRS BUFF BSOR delivery (CPRS FSAC =3894)

CSXT Direct.

All customers at BSOR Stations 10-70

Use CSXT BUFF BSOR delivery (CSXT FSAC= 89241)

NS Direct.

Use NS BUFF BSOR delivery (NS FSAC =10003)

ITEM 125

CARS RECEIVED IN ERROR

A car received in error without forwarding instruction from a delivering railroad, or a car which has not been ordered for loading and/or unloading by the BSOR, or a customer served by the BSOR, will be handled in accordance with AAR Car Service Rule 7, and is subject to an "Interchange Error" Setback charge for returning car to delivering railroad or forwarding car to proper railroad. Charge for this service will be assessed against the delivering railroad.

Charge for this service is \$500.00 [C] per car.

FREIGHT TARIFF BSOR 8000-K

ITEM 130

LOCAL SWITCHING PERFORMED DURING REGULAR SERVICE

Charge for this service is \$100.00[NC] per car.

ITEM 135

ONE WAY HANDLING OF EMPTY FREIGHT CARS (Applicable only upon written request and is in addition to all other applicable charges. Charges are to be prepaid.)

This provision will not apply when the empty movement is immediately preceded by a loaded revenue movement and empty is returned to original interchange or if the empty movement is immediately followed by a loaded revenue movement.

This provision applies on all types of rail cars, including, but not limited to, cars provided by railroads, leased cars and cars bearing other than railroad reporting marks, but not including Passenger Coach, Baggage or Caboose cars (see Item 220) Carrier will not be responsible for the payment of any per diem or mileage charges, nor will Carrier absorb any switch charges. This provision applies on the movement of a car in one direction only. This rate will apply only to movement of cars in regularly scheduled train service. Carrier's maximum liability for loss and damage is \$100.00 per railcar.

The charge for one way movement of one to four empty cars is: \$250 [NC] per car. The charge for one way movement of five to ten empty cars handled together is: \$200 [A] per car. The charge for one way movement of 10 or more empty cars is negotiable Contact the BSOR at 716-992-4979.

If empty cars are shipped to NYLE contact customerservice@nylerr.com or call 716-532-5242.

(Applicable on all traffic, except Hazardous Materials)

\$300 [NC] per car.

(Applicable on residue last contained Hazardous Materials)

ITEM 140

LOCAL SWITCHING PERFORMED AS EXTRA SERVICE

Charge for this service is \$250.00 [NC] per engine hour, subject to a minimum charge of \$750.00 [NC]. Time is to be computed from the time engine is started until shut down or from the time engine is diverted from scheduled route to return to point of diversion.

ITEM 150

RECIPROCAL SWITCHING

Charge for this service at Buffalo, NY for BPRR, CPRS, CSXT and NS:

\$360.00[I] per car. (Applicable on all traffic, except Hazardous Materials)

\$455.00 [NC] per car. (Applicable on Hazardous Materials)

ITEM 155

CARS BILLED TO BSOR AS INTERLINE CARRIER WHERE BSOR COLLECTS ITS REVENUE, RULE 11 SHIPMENTS AND CARS RECEIVED WAYBILLED NON REVENUE

(Applicable only upon written request and is in addition to all other applicable charges. Charges are to be prepaid.)

\$600.00 [A] per car. (Applicable on all traffic, except Hazardous Materials, Locomotives, Passenger cars)

\$750.00 [A] per car. (Applicable on Hazardous Materials.)

ITEM 160

INTERMEDIATE SWITCHING OF CARS TO NYLE AT GOWANDA, NY

Charges for this service will accrue against the connecting railroad at Buffalo (BC Jct), NY.

For BPRR, CPRS, CSXT and NS: \$500.00 [NC] per car. (Applicable on all traffic, except Hazardous Materials)

\$600.00 [NC] per car. (Applicable on Hazardous Materials)

SECTION 2

SPECIAL SERVICE CHARGES AND STORAGE CHARGES

ITEM 210

TURNING OF CARS [C]

BSOR is unable to turn cars. If cars can only be unloaded or loaded from one side the shipper must contact the connecting railroad at Buffalo, NY (BPRR, CSXT, CPRS, NS) and make arrangements prior to BSOR receiving car.

ITEM 220

MOVEMENT OF EMPTY PASSENGER COACH, BAGGAGE OR CABOOSE CARS.

(Applicable only upon written request)
(Prior clearance approval required. See Item 245)

Charge for this service is \$1000[NC] per car and is in addition to all other applicable charges.

ITEM 225

IDLERS AND TRAILERS

Idlers or trailers on both road and local switching movements, also cars containing overflow or excess over carload, as per Rule 24 of UFC or exceptions thereto, will be treated as loaded cars.

FREIGHT TARIFF BSOR 8000-K

ITEM 230

MOVEMENT OF LOCOMOTIVES
(Applicable only upon written request)
(Prior clearance approval required. See Item 245)

Charge for this service is \$2500.00 [NC] per locomotive.

ITEM 240

MAXIUM GROSS WEIGHT (MGW)

MGW 286,000 lbs. FROM BSOR Station Buffalo, NY FSAC (10) to BSOR Station Lawtons, NY FSAC (60).

MGW 263,000 lbs. From BSOR Station Lawtons, NY FSAC (60) to BSOR Station, Gowanda FSAC (80).

ITEM 245

CLEARANCE MOVES

- A. Any shipment with one or more of the following characteristics may require clearance:

- [1] Width exceeding 10 feet 8 inches
- [2] Height exceeding 15 feet 10 inches (above top of rail)
- [3] Gross Weight exceeding 263,000 lbs. (or any shipment requiring cars with more than 4 axles)
- [4] Overhangs the end(s) of a car or is bolstered on two or more cars
- [5] Uses a car with truck centers of less than 28 feet or greater than 66 feet
- [6] Locomotives, cranes, work equipment, passenger cars, track inspection cars, or similar types of rolling stock moving on their own wheels
- [7] Must move in "special train service" (see ITEM 140 of this tariff) due to its physical characteristics

- B. When any of these conditions exist, party must formally request clearance by contacting Buffalo Southern Railroads main office at:
Email buffalosouthern@aol.com
Fax: 716-992-9132
Phone: 716-992-4979
- C. Party will be provided with and must complete a Request for Clearance form and will be required to pay a processing fee which must be submitted with the form. This fee applies only to requests that are submitted directly to BSOR office.

Charge: Processing of clearance request: \$150 per request form

ITEM 249

STORAGE: PURPOSE AND GENERAL RULES

A. Storage is a charge for holding a private, loaded car, containing non-hazardous materials, on a railroad controlled track under special circumstances in lieu of demurrage. Storage charges are significantly lower than demurrage charges in recognition of the fact that an entity other than a railroad has invested in the car, and that users of private cars may agree between and among themselves to use such cars for temporary storage of product.

B. Storage applies ONLY to private cars billed to and to be unloaded by, or loaded by and shipped from customers located on BSOR.

C. All private, cars consigned to BSOR customers will be placed into storage upon arrival at the serving rail yard when not ordered for placement by the customer.

D. In recognition of the fact that cars may be held in storage for an extended period of time, customer agrees to protect, save harmless, defend and indemnify BSOR from and against all claims, costs, expenses and liability for all loss and damage to lading contained in subject car(s) – including damage to the railcar itself – stored on BSOR' tracks, regardless of cause and whether caused by, arising out of or resulting from trespassers, vandals or acts of God. By accepting a car into storage status in lieu of demurrage, customer is agreeing to this provision. If customer does NOT wish to agree to this provision, customer must notify BSOR in writing to request that standard demurrage (Tariff BSOR 1994-series) apply.

ITEM 250

LEGACY STORAGE CHARGES

(Applicable only on private cars, locomotives, cabooses or any rail equipment currently in storage on the BSOR)

Charges for storage of cars, locomotives, cabooses or any rail equipment on assigned tracks of the Buffalo Southern Railroad Inc. shall be 70 cents [NC] per foot of track length occupied for each calendar month or fraction thereof.

Storage charges to be computed from time car, locomotive, caboose or rail equipment is placed on storage track to the time car, locomotive, caboose or rail equipment is removed from storage track. Carrier's maximum liability for loss and damage is \$1.00 per car, locomotive, caboose or any rail equipment.

ITEM 255

CHARGE FOR CONSTRUCTIVELY PLACED PRIVATE CARS

If consignee's private facility track is full or out of service then any car unable to be actually placed will be constructively placed on a Railroad siding. All private cars constructively placed will be charged \$8.00 per car per day until the car is actually placed at customer.

Cars that the BSOR pays a time charge on when constructively placed will be charged standard demurrage and are subject to demurrage rules and charges published in Tariff BSOR 1994-series

FREIGHT TARIFF BSOR 8000-K

ITEM 260

WORK TRAIN

(Applicable only upon written request and is in addition to all other applicable charges)

Charge for this service is \$250.00 [NC] per engine hour, subject to a minimum charge of \$750.00 [NC]. Time is to be computed from the time engine is started until shut down or from the time engine is diverted from scheduled route to return to point of diversion.

ITEM 270

TRAIN DELAY

Charge for this service is \$250.00 per engine hour. Time is to be computed from the time engine is stopped until the engine resumes movement.

ITEM 285

DIVERSION AND RECONSIGNMENT

A. The terms "diversion" and "reconsignment" refer to any instructions given by consignor, consignee or owner necessary to affect the delivery of a loaded or empty car, and requiring an addition to, or change in, the billing, or requiring an additional movement of the car, or both. The concept applies only to a car which has left the origin point, but has not yet been actually or constructively placed at destination. Such a car, when diverted or reconsigned, is subject to charges as described below. After a car is unloaded by a customer, the empty car is customarily returned to its previous point of origin via the reverse of the route over which the loaded shipment moved. Customer may choose to move such empty cars via any route or junction without incurring diversion or reconsignment charges as long as customer provides complete and accurate billing instructions to the BSOR indicating the desired route prior to the release of the empty car. If instructions are received by BSOR after the release of the empty car then charge [2] in this item will be incurred.

B. When a diversion or reconsignment order is received after the car has been delivered to a connecting railroad, or paperwork has already been issued to the train crew, BSOR will direct the requesting party to contact the connecting railroad to which the car was delivered, at which time the responsibility of the BSOR will end. The car will then be subject to the rules of the railroad on whose rails the order is accomplished.

Note: If shipment to be diverted or reconsigned is not located on BSOR at the time of the request, it is in the best interests of Consignor, Consignee, or Owner to contact directly the railroad currently in possession of the car.

C. A diversion or reconsignment order must be made in writing naming the party responsible for charges, and proof of ownership must be established prior to execution of the diversion or reconsignment.

Charges:

- [1] Diversion or Reconsignment Order:.....\$350 per car
- [2] Reverse-route Empty Changed:\$ 50 per car

ITEM 290

CHARGES FOR CHANGES OR CORRECTIONS TO BILLING: CUSTOMER MISROUTES

A. If after billing has been submitted, a customer notifies the BSOR Office of a required change or correction to the billing, then a charge will apply.

B. If billing for a shipment of hazardous materials is found to have violated Department of Transportation (DOT) rules and regulations as a result of an omission or error, then charge (2) of this item will be assessed against the entity responsible for the creation of the bill-of-lading. If the Federal Railroad Administration (FRA) subsequently assesses a fine against BSOR and the actual amount of that fine exceeds \$75, BSOR will invoice the entity that created the bill-of lading for the entire amount of the fine.

C. If a customer's billing or forwarding instructions are the cause of BSOR incurring misroute charges (also known as "interchange error" or "setback" charges) or other charges from the connecting railroad, then such charges will be passed through to the customer causing the misroute or other charge.

Charges:

- [1] Changed or Corrected Billing..... \$50 per car
- [2] Changed or Corrected Billing for Hazardous \$75 per car

ITEM 295

OVERLOAD AND IMPROPERLY LOADED CARS

A. Overloaded and improperly loaded cars are extremely dangerous to railroad operations. When a car is found to be overloaded by more than one percent (1%) above the load limit stenciled on the side of the car, or above the gross rail load rating of any segment of track in the route regardless of the car's load limit; or is found to be improperly loaded according to loading rules established by the AAR, the shipper will be required to take corrective action at its own expense.

B. An overloaded or improperly loaded car held or moved for corrective action is subject to demurrage charges as described in Tariff BSOR 1994-series.

C. The shipper will be responsible for any and all derailment, track damage and car damage costs that are attributable to the car being overloaded or improperly loaded, including but not limited to, re-railing costs, car repairs, expenses related to traffic delays, environmental cleanup of any spilled commodities (hazardous and non-hazardous) and BSOR management time related to such an event.

Charges:

- [1] When the car is returned to the original point of loading or otherwise moved to another station to correct the load\$500 per car
(Also applies to moving a car that the excess lading was transferred into)

FREIGHT TARIFF BSOR 8000-K

ITEM 300

Restrictions and Limitations:

- The Buffalo Southern Railroad, Inc. will not be liable for any damage claims under AAR Rule-95-B when railway freight or railway passenger cars subject to this tariff are received in interchange without defect cards attached.
- No mileage allowance will be paid on privately owned or leased equipment moving under prices herein,
- For revenue shipments moving in regularly scheduled trains. Any special train or special handling charges shall be in addition to rates published herein.
- Shipper shall be responsible for all costs associated with inspection and/or repairs necessary to ensure safe condition for movement without special handling.
- All rates are predicated upon a limit of liability for damage not to exceed 50% of the applicable freight rate. Full claim liability is available for an additional charge. Request for full liability must be made prior to shipment.
- Origin, intermediate and destination switching charges are not absorbed in rates contained herein.
- Equipment moving under this tariff will not exceed established weight and plate clearance limits.
- Riders are not permitted in passenger/coach or baggage cars without written authorization by Buffalo Southern Railroad, Inc. prior to move. Authorization for riders is solely at discretion of Buffalo Southern Railroad, Inc.

FREIGHT TARIFF BSOR 8000-K

EXPLANATION OF ABBREVIATIONS & REFERENCE MARKS

BPRR	Buffalo & Pittsburgh Railroad, Inc.
BSOR	Buffalo Southern Railroad, Inc.
CN	Canadian National North America
CPRS	CP Rail System
CSXT	CSX Transportation, Inc.
FSAC	Freight Station Accounting Code
NS	Norfolk Southern Railway Company
NYLE	New York & Lake Erie Railroad
NY	New York
OPSL	Official List of Open & Prepay Stations, Station List Publishing Company, Agent
ORER	The Official Railway Equipment Register
RPS	Railroad Publication Services, Agent
SPLC	Standard Placement Location Code
STCC	Standard Transportation Commodity Code
UFC	Uniform Freight Classification, Uniform Freight Classification Committee, Agent
[A]	Denotes Addition
[I]	Denotes Increase
[C]	Denotes a change resulting neither an increase or decrease
[NC]	Denotes No Change
[R]	Denotes Reduction