

# THE KANSAS CITY SOUTHERN RAILWAY COMPANY

IN CONNECTION WITH

PARTICIPATING CARRIERS SHOWN IN ITEM 2.10 OF THE TARIFF

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## Tariff KCS 37 A

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(Cancels and Supersedes Tariff KCS 37)

RULES AND CHARGES

GOVERNING

TRANSPORTATION OF

COMMODITIES

(FOR APPLICATION, SEE ITEM 20)

INFORMATION NOTICE

RATES EXEMPT FROM REGULATION

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**This tariff also contains rates, charges, rules and regulations in connection with the transportation of commodity rates contained herein which are exempt from regulation and are provided as a matter of information.**

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*ISSUED August 26, 2008*

*EFFECTIVE: September 16, 2008*

*EXPIRATION: December 31, 9999*

The Kansas City Southern Railway Company  
427 WEST 12<sup>TH</sup> STREET  
KANSAS CITY, MO 64105  
PH: (816) 983-1445

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<p><b>FOR BILLING AND CAR INQUIRY, PLEASE CONTACT CUSTOMER SERVICE AT 1-800-468-6527, option 2</b></p>
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**ITEM 1**

**APPLICABLE TARIFFS**

KCS 9012-Series, such supplements thereto and reissues thereof shall apply with respect to all transportation or services provided by KCS under this tariff. In the event of a conflict between this tariff and KCS 9012-Series, this tariff shall govern.

**ITEM 1.5**

**PUBLICATION INFORMATION**

KCS WEB SITE

This publication is now available on the Internet for viewing or sending directly to your printer. The KCS Home Page address is <http://www.kcsouthern.com>.

If you are not prepared to obtain a copy of this publication directly from the KCS web site, a printed copy will be mailed to you, provided a formal written request is mailed to the address below. An annual \$100.00 subscription fee will be assessed for those who wish to receive a hard copy.

Director Marketing Administration  
 The Kansas City Southern Railway Company  
 427 West 12th Street  
 Kansas City, MO 64105

**ITEM 2**

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**ITEM 2.10**

CARR ABBR	AAR CODE	CORPORATE NAME
KCS	400	The Kansas City Southern Railway Company

**Index of STCC Numbers**

Commodity	STCC RANGE
RAILROAD OR STREET CARS EXC. RAILWAY MAINTENANCE MACHINERY LOCOMOTIVES OR TENDERS	3742100 - 3742299 3741110 - 3741115

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**RULES AND OTHER GOVERNING PROVISIONS**  
**GENERAL RULES AND REGULATIONS**

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**ITEM 5**

**ABSORPTION OF SWITCHING CHARGES AND HAULAGE CHARGES**

1. Rates and charges published herein DO NOT include absorption of reciprocal switching at origin or destination but DO include the cost of switching between KCS and the connecting line at interchange point on shipments originating or terminating beyond the interchange point (see Note 1). Rates and charges published herein DO NOT include haulage charges from railroads connecting with the KCS. Haulage charges will be in addition to the rates published herein.

**EXPLANATION OF NOTE**

1. Absorbed switching at the interchange point includes those costs associated with direct delivery of car between KCS and line haul carrier beyond. Switching costs (charges) by an intermediate carrier ARE NOT absorbed.
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**ITEM 10**

**ALTERNATION OF CARLOAD RATES**

1. When two or more per car rates on the same commodity from and to the same points are applicable, apply the rate resulting in the lowest charge.
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**ITEM 15**

**CHARGES HEREIN SUBJECT TO INCREASE**

1. Charges published herein are subject to increase by republication of this Tariff.
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**ITEM 20**

**APPLICATION OF TARIFF**

1. Rates and charges cover all STCC 3742100-3742299 and STCC 37411110-3741115 Commodities and apply in either privately-owned or leased, or railroad-owned or leased equipment.
2. Except as provided in Note 1, rates and charges published herein apply on shipments billed from, to or between stations on KCS, which may be either local or Rule 11 shipments. (See Note 2).

**EXPLANATION OF NOTES**

1. DOES NOT apply in connection with haulage agreements.
  2. A Rule 11 shipment is defined as a type of interline shipment where each railroad bills the customer separately. It is the default rate rule governing interline traffic where a joint-line rate is unavailable. Rule 11 must be indicated on the original bill of lading along with each price authority for the rail carriers involved in the movement. Billing and transportation charges beyond the interchange are the responsibility of party paying freight and carrier performing the service.
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**ITEM 25**

**CANCELLATION OF PRICE**

1. Price is subject to cancellation on 20 days notice.
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**ITEM 30**

**CAPACITIES AND DIMENSIONS OF CARS**

1. For marked capacities, lengths, dimensions and cubical capacities of cars, refer to RER 6413-Series, or successive issues, of The Official Railway Equipment Register, issued by R.E.R. Publishing Corporation, Agent.
  2. For gallon capacities of tank cars, refer to WTL 6300-Series.
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**ITEM 35**

**CONSECUTIVE NUMBERS**

1. 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 of the numbers shown.
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**ITEM 40**

**DEMURRAGE AND DETENTION**

1. All railroad owned, or privately-owned cars will be subject to demurrage rules and charges published in KCS 6000-Series.
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**RULES AND OTHER GOVERNING PROVISIONS**  
**GENERAL RULES AND REGULATIONS**

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**ITEM 50**

**GOVERNING CLASSIFICATION**

1. This tariff is governed by the Uniform Freight Classification, referred to herein as UFC 6000-Series.
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**ITEM 55**

**LIABILITY**

1. Subject to maximum liability of \$25,000.00 per car.
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**ITEM 60**

**NATIONAL SERVICE ORDER TARIFF**

1. This tariff is subject to provisions of various Service Orders and General Permits as shown in NSO 6100-Series, National Service Order Tariff.
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**ITEM 65**

**OVERLOADED CARS**

1. Cars discovered to be overloaded, either at origin, destination or while in transit, will be handled in accordance with rules and charges published in KCS 9012-Series.
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**ITEM 70**

**PRIVATE LINE MILEAGE ALLOWANCE**

1. Rates and charges DO NOT include payment of private line mileage allowance.
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**ITEM 75**

**RETURNED, REFUSED OR REJECTED SHIPMENTS**

1. If shipment, moving at rates and charges published herein, is ordered back to the loading point for reasons other than KCS error, car will be returned and the rate billed on the original shipment will be assessed.
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**ITEM 80**

**STATION LISTS AND CONDITIONS**

1. This tariff is governed by Tariff OPSL 6000-Series issued to the extent shown below:

**PREPAY REQUIREMENTS AND STATION CONDITIONS**

- A. For additions and abandonment's of stations and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or 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 stations as published in this tariff are inapplicable on and after that date.
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**ITEM 85**

**TERMINAL OR TRANSIT PRIVILEGES OR SERVICES**

1. Rates and charges DO NOT include such services.
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**ITEM 90**

**WEIGHING**

1. Rates and charges DO NOT include the cost of weighing or switching necessary to move car(s) to or from scales. Upon request and while car(s) is on KCS, weighing will be performed and the rules and charges published in KCS 8100-Series, will be applied and charged against the party making the request. One additional intra-terminal switch charge, as published in KCS 8100-Series, applicable at the terminal where weighing is performed will be assessed.
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**RULES AND OTHER GOVERNING PROVISIONS**

**GENERAL RULES AND REGULATIONS**

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**ITEM 100**

**MOVEMENT OF EMPTY PRIVATE CARS OTHER THAN TANK CARS**

- A. Empty private cars moving on own wheels while on the KCS will be subject to charges published in KCS 3700 when:
1. New car(s) move prior to first loaded move in commercial service (STCC 3742213).
  2. Restenciled cars move with new initials and/or numbers prior to first loaded revenue move in commercial service (STCC 3742213).
  3. Car(s) moves for scrapping or sale (3742293).
  4. Car(s) moves empty on KCS immediately preceding an empty move on KCS resulting in back to back empty move.
  5. Car(s) move to and from storage facilities
- B. KCS will assess a switch charge per KCS 8100 when privately owned cars move to or from a KCS classification yard, lease track, or interchange track and repair, storage, or cleaning facilities within the same switching district, unless covered under contract between KCS and the repair facility.
1. This charge will not apply if KCS receives line haul revenue in lieu of a switch charge to or from the repair or storage location.
- C. When a car is released from load on KCS, the empty car will be returned free to the received interchange or origin station of the last loaded movement via the reverse of the inbound route. If the owner or lessee of the car desires movement of the empty car via a different route or station other than the origin of the last loaded movement, KCS will permit one diversion or reconsignment without charge, providing it occurs prior to the car's arrival at the initial destination and KCS does not incur additional switching, mileage or backhaul. All subsequent diversions on KCS will be charged at the applicable charge and be subject to rules governing diversion in KCS 9213. Instructions to divert a car should be sent on KCS' diversion form and faxed to the following:
- FAX: 800-874-7088  
Kansas City Southern  
Customer Service Center  
4601 Shreveport Blanchard Hwy  
Shreveport, LA 71107
- D. Except when moving to a storage facility, empty cars will be handled without charge if the empty movement was immediately preceded by a loaded revenue move on KCS.
- E. Shipper as shown on the bill of lading and car owner, as designated in UMLER, are each jointly and severably responsible for payment of charges due under this Item.

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**ITEM 110**

**MOVEMENT OF EMPTY RAILROAD OWNED OR CONTROLLED CARS**

(subject to **Exception**)

- A. Empty cars moving on own wheels while on the KCS will be subject to charges published in KCS 3700 when:
1. New car(s) prior to first loaded move in commercial service (STCC 3742213).
  2. Restenciled cars with new initials and/or numbers prior to first loaded move in commercial service (STCC 3742213).
  3. Car(s) moves for scrapping or sale (3742293).
  4. Car(s) moves empty on KCS immediately preceding an empty move on KCS resulting in back to back empty move.
  5. Car(s) moves to and from storage facilities.
- B. KCS will assess a switch charge per KCS 8100 when foreign owned cars move to or from a KCS classification yard, lease track, or interchange track and repair, storage, or cleaning facilities within the same switching district, unless covered under contract between KCS and the repair facility.
1. This charge will not apply if KCS received line haul revenue in lieu of a switch charge to or from the repair or storage location.
- C. When a car is released from load on KCS, the empty car will be returned to the received interchange or origin station of the last loaded movement via the reverse of the inbound route. If the owner or lessee of the car desires movement of the empty car via a different route or station other than the origin of the last loaded movement, KCS will permit one diversion or reconsignment without charge, providing it occurs prior to the car's arrival at the initial destination and KCS does not incur additional switching, mileage or backhaul. All subsequent diversions on KCS will be charged at the applicable charge and be subject to rules governing diversion in KCS 9213. Instruction to divert a car should be sent on KCS' diversion form and faxed to the following:
- FAX: 800-874-7088  
Kansas City Southern  
Customer Service Center  
4601 Shreveport Blanchard Hwy  
Shreveport, LA 71107
- D. Except when moving to a storage facility, empty cars will be handled without charge if the empty movement was immediately preceded by a loaded revenue move on KCS.
- E. Shipper as shown on the bill of lading and car owner, as designated in UMLER, are each jointly and severably responsible for payment of charges due under this Item.

**Exception:** Not applicable on equipment moving under rule SCO-90 in Circ OT-10.

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**RULES AND OTHER GOVERNING PROVISIONS**  
**SPECIAL RULES AND REGULATIONS--LIMITED**

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**ITEM 500**

**COMMODITIES**

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RAILROAD OR STREET CARS EXC. RAILWAY MAINTENANCE MACHINERY 3742100 – 3742299

LOCOMOTIVES OR TENDERS 3741110 – 3741115

STCC numbers that are greater than 3742100 and less than 3742299 are applicable to the rates provided herein.

STCC numbers that are greater than 3741110 and less than 3741115 are applicable to the rates provided herein.

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**ITEM 999960****EXPLANATION OF ABBREVIATIONS**

<b>ABBR</b>	<b>Abbreviations</b>
AL	Alabama.
AR	Arkansas.
AAR	Association of American Railroads.
BOE	Bureau of Explosives.
CARR	Carrier.
COL	Column.
IL	Illinois.
KS	Kansas.
LA	Louisiana.
Min wt	Minimum weight.
MO	Missouri.
MS	Mississippi.
NSO	National Service Order Tariff NSO 6100 Series, Western Trunk Line Committee, Agent.
OK	Oklahoma.
OPSL	Official Railroad Station List (Station List Publishing Company, Agent).
RER	Official Railway Equipment Register, The (National Railway Publication Company, Agent).
STCC	Standard Transportation Commodity Code.
TN	Tennessee.
North TX	North Texas, stations north of and including Beaumont on KCS lines.
South TX	South Texas, stations south of Beaumont on KCS lines. (Former TM line)
UFC	Uniform Freight Classification (Uniform Classification Committee, Agent).
WTL	Western Trunk Line Committee, Agent.

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