

**BHS-6004-B**

**BURNS HARBOR SHORTLINE  
RAILROAD CO.**

**LOCAL FREIGHT TARIFF BHS-6004-B**

**CONTAINING  
SWITCHING RATES AND CHARGES  
AND  
GOVERNING RULES AND REGULATIONS  
AT  
PORTS OF INDIANA-BURNS HARBOR**

**SWITCHING TARIFF**

**ISSUED BY:  
BURNS HARBOR SHORTLINE RAILROAD CO.  
6625 S. Boundary Drive  
Portage, IN 46368**

**ISSUED: June 13, 2024**

**EFFECTIVE: August 1, 2024**

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**GENERAL RULES AND REGULATIONS**

**ITEM 2 GENERAL APPLICATION OF TARIFF AND LIMITS OF LIABILITY**

This Tariff is applicable for all switching movements performed by the BURNS HARBOR SHORTLINE RAILROAD CO. (BHS) unless covered by a separate freight volume agreement. Liability for loss or damage to freight shipments will be governed by statute, 49 U.S.C. 11706.

**ITEM 10 HOURS OF SERVICE AND HOLIDAYS**

1. Hours of service and performance are subject to change based upon THE RAILROAD's scheduled operation and switching. Accessorial charges will be applied to services rendered outside of the prescribed scheduled operating and switching times or on designated holidays when service is not provided.
2. "NORMAL SWITCHING HOURS" – BHS will perform regular switching operations Monday through Friday, 8:00 AM until 8:00 PM excluding Holidays as defined below.
3. Services required to be performed on days or at hours other than those set forth in (2) above will not be deemed to fall within the term "normal operation periods", or "workdays". Such days or hours will be deemed to fall within the term "Special Switching" and rates in accordance with Item 230 will apply.

"HOLIDAYS" – where the term "Holiday" is used in this Tariff such term will be construed as referring to the days listed below:

New Year's Day (Observed)	Veteran's Day
President's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving
Memorial Day	Christmas Eve (Observed)
Independence Day	Christmas Day (Observed)
Labor Day	

**ITEM 15 METHOD OF CANCELING ITEMS**

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. 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.

**ITEM 20 PAYMENT OF CHARGES**

Customer shall be liable for payments of the transportation charges accruing on a shipment and nothing herein shall limit the right of this railroad to require at time of movement, shipment or delivery the prepayment or guarantee of charges, unless Customer has entered into an agreement for credit with this railroad. Customer will pay this railroad immediately upon presentation of a bill therefore by this railroad. If charges have not been prepaid, or customer has not entered into an agreement for credit with this railroad, this railroad shall not make delivery of the shipment without payment or guarantee by shipper or consignee of all charges.

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Acceptance of shipment by Customer shall be deemed acceptance of responsibility for payment of all charges accruing on the shipment, including, but not limited to demurrage, switching and all other charges that may be applicable. Such payment shall be in U.S. money and cannot be reduced to offset claims, damages to property, or for any other reasons.

If this railroad, at its sole discretion, uses a collection agency or attorneys to collect delinquent bills for freight or other charges and this railroad is successful in collecting such charges, Customers shall reimburse this railroad for all reasonable collection costs, including reasonable collection agency fees and reasonable attorneys' fees.

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**ITEM 25 SUPPLEMENTS AND REISSUES**

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.

**SECTION 1 - SWITCHING RULES AND OTHER GOVERNING PROVISIONS**

**ITEM 30 PERISHABLE FREIGHT**

This railroad does not provide protective service. Perishable freight under protective service will be accepted from connecting railroad for delivery to Customers with the understanding that protective service is not provided by this railroad and this railroad has no liability for any loss or damage resulting from failure of such protective service.

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**ITEM 40 CARS RELEASED AND SUBSEQUENTLY RETURNED TO INDUSTRY**

When on shipper's orders, cars that have been released and pulled by this railroad and returned to industry, charge of \$185.00 per car will be assessed for the return of such cars. Demurrage charges will continue to apply until cars are released.

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**ITEM 100 BUFFER CARS**

When Buffer cars are used, the charge for such cars will be \$160.00 per car.  
BUFFER CARS - Buffer cars are to be placed between the locomotive engine and shipments as required by Federal Regulations.

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**ITEM 105 IDLER OR TRAILER CARS**

Idler or trailer cars will be subject to the same charges, rules, and regulations as are applied to loaded cars. (An idler car is an empty car, on which no part of a load rests, that is used in transporting freight of unusual length or excessive weight for the safe transportation or protection of the lading).

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**ITEM 115 LOADED CARS REFUSED**

Consignee will be assessed a charge of \$185.00 per car on cars refused or rejected. The charge will be in addition to any and all other applicable charges associated with the handling of the car.

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**ITEM 125      DIVERSION OR RECONSIGNMENT**

The BHS will accept Diversion or Reconsignment orders, only when a car is on its line or under its control; in which case a charge of \$185.00 per car BHS shall be assessed to the party making Diversion or Reconsignment of the car.

**CONDITIONS**

Forwarding Instructions will only be accepted from:

Consignor Consignee Freight Payer

Railroad representative participating in road haul movement

(The above charge will be in addition to all other applicable charges.)

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**ITEM 130      EMPTY CARS ORDERED BUT NOT LOADED**

On empty cars that are ordered for loading and order is canceled and car is in route, or the service of switching or placing of car has been performed and the car is not loaded but returned to this railroad empty, a charge of \$185.00 per car will be assessed and collected from the person, firm or corporation ordering such cars. (See Note, this item.)

Note - Charge will not apply on cars unfit for loading, see Item 210, this tariff.)

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**ITEM 135      EMPTY CARS ORDERED TO BE PLACED ON ANOTHER CUSTOMER**

When an empty car is ordered to be placed on another customer on this railroad for loading, demurrage will be charged for all detention from the first 7:01 AM after actual or constructive placement or notification has been sent where required until released or giving forwarding instructions, with no credits allowed. Customer for whom cars are initially ordered or appropriated is responsible for demurrage charges. Customer for whom car is ordered to be placed shall be responsible for demurrage charges after placement.

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**ITEM 140      DEMURRAGE**

All cars handled under this tariff will be subject to the established car demurrage rules and charges as published in Tariff RPS 6004-P, issued by Railroad Publication Services. These separately established rules and charges apply on international, interstate and intrastate traffic at all points, except as otherwise provided herein.

**“FREE TIME”:**

Time will be computed from the first 00:01 hours after tender by BHS has been provided to the consignee or the stevedore handling the rail cars on behalf of the consignee, until release. Proper notification is a list of numbers that shows commodity, provided by BHS. This notification constitutes constructive placement: 48 hours free time will start from the constructive placement time for cars being unloaded. 48 hours free time will be allowed for cars placed for loading. For the purpose of computing free time, Sundays and holidays will not be counted.

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UNLOADING CARS:

For Unloading, 48 hours from next 12:01 AM following tender: After free time a charge of \$125.00 per each 24-hour period or fraction thereof.

Two (2) credits will be earned on each car released from unloading.

LOADING CARS:

For Loading, 48 hours from next 12:01 AM following tender, After free time a charge of \$125.00 per each 24-hour period or fraction thereof.

Two (2) credits will be earned on each car released from loading on which forwarding instructions are received.

All days are counted once demurrage commences.

Private Cars and "Pool" Agreement cars will be subject to a Storage/Hold Charge outlined in Item 295.

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**ITEM 160      LOADING AND/OR UNLOADING RAILROAD CARS ON PORT TRACK IS NOT PERMITTED**

Loading and/or unloading of railroad car(s) on Port Track is not permitted. In the event the placement of railroad car(s) obstructs switching of other cars at any time, responsible parties will arrange, at their exclusive expense, for the immediate removal of such car(s) from the Port Track. No one shall obstruct, or permit the obstruction of, Port Railroad right of way by any article, equipment or material of any type. The Port's Railroad Right-of-Way consists of an area eight (8) feet wide on each side measured from the center of all tracks and contiguous with the entire length of any and all tracks. Any matter found by Rail Operator to cause an obstruction shall be removed at the expense of the owner of such matter and/or the responsible party. Also, front end loader or other inappropriate means to move a railroad car or railroad engine on POI Track is prohibited.

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**ITEM 170      OVERLOADED CARS**

Cars found to be overloaded will be subject to the following additional charges, plus Special Freight Train charge:

1. \$300.00 per car - When a car is discovered to be overloaded at loading point or within the confines of the industry. Charge to be assessed consignor.
2. \$300.00 per car - When a car is discovered to be overloaded beyond loading point or confines of the industry. Charge to be assessed consignor.  
(It will be the responsibility of the consignor to adjust the lading at their own expense sufficient to eliminate the overload condition.)
3. \$300.00 per car - When a car is received in interchange from connections and is found to be overloaded, such car will be returned to delivering carrier for adjustment to lading to eliminate the overload condition. Charge to be assessed delivering carrier.

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**ITEM 175      TURNING OF CARS TO PERMIT LOADING OR UNLOADING, ETC.**

If cars are turned at request of customer to facilitate loading or unloading, or for any other purpose, a charge of \$200.00 per car per occurrence will be assessed and will be in addition to all other applicable charges. (See Note, this item.)

Note - Charge will not apply to properly placarded boxcars.

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**ITEM 180      CARS MOVED FOR LOADING AND UNLOADING**

When a car is constructively placed or actually placed for loading or unloading, and request is received by this railroad to move car to another location on this railroad for loading or unloading, such movement will be subject to applicable switching charges contained in Switching Section of this tariff, with such charge to be paid by the party ordering movement of the car. Demurrage charges will continued to apply until such time car is released.

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**ITEM 190      LOSS AND DAMAGE CLAIMS**

Governed, except as otherwise provided herein, by rules and regulations governing the processing of claims for loss, damage, injury and delay to property transported or accepted for transportation contained in 49 CFR Part 1005.1 thru 1005.7, issued by the Surface Transportation Board.

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**ITEM 200      NON-PAYMENT OF FREIGHT CHARGES**

Failure to pay freight and/or additional charges issued for services provided under the terms and conditions of this Tariff will result in the discontinuation of further railroad services, except on a prepaid basis.

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**ITEM 205      HAZARDOUS COMMODITIES**

The shipper of any hazardous commodity shipped via BURNS HARBOR SHORTLINE RAILROAD CO. shall indemnify BURNS HARBOR SHORTLINE RAILROAD CO. and hold BURNS HARBOR SHORTLINE RAILROAD CO. harmless for any and all loss, liability or cost whatsoever that BURNS HARBOR SHORTLINE RAILROAD CO. may incur or be held responsible for, to the extent that such liability is due to, or arises from: a) defects in or failure of shipper's cars and equipment, b) a failure of shipper or shipper's agent to conduct proper or appropriate pre-shipment inspection of the cars as described in 49 CFR Sec. 173.31 (d) or c) misidentification of commodity shipped.

The foregoing indemnification shall not apply to any loss or liability caused by or due to BURNS HARBOR SHORTLINE RAILROAD CO. failure to conduct pre-departure inspections as described in 49 CFR Sec. 174.9 or failure to follow AAR interchange rules, or any other liability resulting from BURNS HARBOR SHORTLINE RAILROAD CO. 's negligence.

The above provisions apply to shipments of Classes A, B or C explosives, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, and hazardous materials, substances or wastes requiring the use of a 4-digit identification number on shipping papers, placards or panels, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, while held on THE RAILROAD premises.

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**ITEM 210      IMPROPER CARS FURNISHED FOR LOADING BY CONNECTING LINES**

When cars ordered by industries for loading are refused on account of not being in proper condition to load, a charge of \$185.00 per car will be assessed against the railroad furnishing the car.

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**ITEM 215      MOVING CARS TO AND FROM STORAGE/HOLD TRACKS**

This railroad will assess a charge of \$200.00 per car for moving cars to storage/hold tracks, and \$200.00 per car for removing cars from storage/hold tracks.

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**ITEM 220      REPOSITIONING CARS**

When customer request delivery of a specific car(s) received by this railroad which requires this railroad to sort and reposition other cars to effect customers request, a charge of \$185.00 per car, per occurrence, will be assessed against customer making the request.

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**ITEM 225      RE-SPOTTING CHARGE**

Customer will be assessed a charge of \$75.00 per car on cars that have been placed for loading or unloading and subsequently removed and re-spotted (set-back) in order to place or move other cars.

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**ITEM 230      SPECIAL SWITCHING SERVICES**

Special switching service is movement in other than normal service at the specific request of the shipper or consignee, or as may be required due to other conditions outside normal operations or deemed necessary by this railroad for safe movement.

The charge for special switching service will be \$300.00 per hour, minimum of \$600.00, and will be in addition to all other charges associated with the movement.

Charges to be calculated from the time the crew and locomotive report for special service until the return of crew and locomotive to starting point.

(This railroad reserves the right to restrict or modify any request for special freight train service.)

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**ITEM 240      OPENING AND CLOSING OF FREIGHT CAR DOORS**

1. Cars will be released to this railroad with all doors, hatches, vents, and all other openings and appurtenances closed and secured.
2. Cars with openings and appurtenances not properly closed and secured will be kept in a demurrage status until such time as secured.
3. Unsecured cars switched by this railroad as required for operating purposes will be subject to switching charges in this tariff.
4. Cars for which doors and appurtenances must be opened, closed, and/or secured by the railroad will receive a minimum charge of \$185.00 per car.



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**ITEM 260     ARTICULATED CAR SWITCHING SERVICES**

A charge of \$55.00 per platform will be assessed for switching of all types of permanently connected intermodal cars whether loaded or empty.

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**ITEM 270     CHARGE FOR HEAVY DUTY FLAT CARS**

USE CHARGE

\$500.00 per car switching movement (not subject to any other switching charges published in this tariff).

SPECIAL DETENTION CHARGES

The following charges will be assessed and will be in addition to demurrage charges contained in Section 3 of this tariff for each twenty-four (24) hour period or fraction thereof beyond the authorized free time:

CHARGES IN DOLLARS PER CAR

- 1st 24 hours: \$200.00
- 2nd 24 hours: \$250.00
- 3rd 24 hours: \$300.00
- 4th 24 hours: \$350.00
- 5th 24 hours: \$400.00
- 6th 24 hours and each subsequent 24 hours: \$500.00

NON-USE CHARGE

When car is ordered, placed and released back to this railroad without being used in transportation service, a charge of \$500.00 per car will be assessed and will be in addition to any detention charges that may accrue.

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**ITEM 275     SUBMITTING SHIPPING INSTRUCTIONS**

Failure to pay freight and/or additional charges issued for services provided under the terms and conditions of this Tariff will result in the discontinuation of further railroad services, except on a prepaid basis.

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**ITEM 280     RAIL SECURITY-SENSITIVE MATERIAL (RSSM)**

1. A rail car containing more than 2,268 kg (5,000 lbs.) of a Division 1.1, 1.2 or 1.3 (explosive) material as listed and defined in Section 173.50 to 173.63 Part 173 of Tariff BOE 6000 Series.
2. A tank car containing a material poisonous by inhalation as defined in 49 CFR 171.8, including anhydrous ammonia, Division 2.3 gases poisonous by inhalation as set forth in 49 CFR (Code of Federal Regulations) 173.115(c), and Division 6.1 liquids meeting the defining criteria in 49 CFR 173.132(a) (1)(iii) and assigned to hazard zone A or hazard zone B in accordance with 49 CFR 173.133(a), excluding residue quantities of these materials; and,

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3. A rail car containing a highway route-controlled quantity of a Class 7 (radioactive) material, as defined in 49 CFR 173.403.  
All Rail Security-Sensitive Material (RSSM) handling at \$450.00 per car.

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**ITEM 285      STANDBY SERVICE**

When this railroad's locomotive and crew are held at the request of an industry or delayed by an industry within the confines of the industry or immediately adjacent thereto, the charge for such standby or delay shall be \$500.00 per hour or fraction thereof. Such charges shall be in addition to other published charges, if any, applicable to cars delayed or handled.

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**ITEM 290      UNLOADING AND RELEASE OF EQUIPMENT AT DESTINATION**

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.

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**ITEM 295      STORAGE CHARGES**

Cars stored on tracks of this railroad at the request of customer, for safety concerns or for the convenience of this railroad, will be subject to the following storage charges per car per day, or fraction of a day, computed from first day car is made available until day car is released from storage:

1. Empty Private Rail Cars (Non-Hazardous Materials)	\$50.00
2. Loaded Private Rail Cars (Non-Hazardous Materials)	\$60.00
3. Empty Rail Cars (Formerly Containing Hazardous Material)	\$50.00
4. Loaded Rail Cars (Containing Hazardous Materials, except TIH/PIH)	\$75.00
5. Loaded Rail Cars (Containing TIH/PIH)	\$350.00
6. Empty Railroad Owned General Service Cars	\$70.00
7. Loaded Railroad Owned General Service Cars	\$80.00

(The above storage charges are in addition to all other applicable charges.)

NOTE 1: Hazardous Materials referred to above applies to shipments of Classes A, B or C explosives, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, and hazardous materials, substances or wastes requiring the use of a 4-digit identification number on shipping papers, placards or panels, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, except TIH/PIH.

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NOTE 2: For List of Poison Inhalation Hazard (PIH) or Toxic Inhalation Hazard Chemicals (TIH) See AAR Circular No. OT-55-Series.

NOTE 3: The BHS shall not be liable for any loss, damage or injury caused by an act of God, the public enemy, act of the Customer, a public authority, or inherent vice or nature of the goods while cars are stored/ held on storage/hold tracks. BHS shall not be liable for any loss, damage or injury due to Customer's negligence, improper loading or defective equipment.

In the event full liability coverage is desired, cost of such coverage will be the responsibility of the Customer.

NOTE 4: Customer agrees to defend, indemnify and hold harmless the BHS from any loss, damage, personal injuries or death resulting from Customer's negligence, improper loading; or defects in or failure of customer's cars and equipment.

<b>LOCAL SWITCHING RATES AND CHARGES RATES AND CHARGES IN DOLLARS AND CENTS PER RAIL CAR</b>			
The Switching Charges named below cover the switching of empty or loaded railcars for Intra-Plant and Intra-Terminal movement between any two points on the tracks of BHS.			
<b>SWITCHING SERVICE</b>	<b>DEFINITION</b>	<b>CHARGE</b>	<b>ITEM</b>
All Intra-Plant Switching	A switching movement from one location to another location within the confines of the same plant or industry.	\$75.00	A 5250
All Intra-Terminal Switching	A switching movement (other than intra-plant) from one location to another location within the switching limits of one station or industrial switching district of this railroad.	\$185.00	A 5300
Switching of Empty Rail Cars	During all switching hours	\$250.00	A 5350
Cars placed for loading by shippers and not used.	During all switching hours	\$185.00	A 5450

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ITEM 6000  
 EXPLANATION OF ABBREVIATION FOR STANDARD USE THROUGHOUT THE TARIFF, AS  
 AMENDED

ABBREVIATION	EXPLANATION	ABBREVIATION	EXPLANATION
AM	Before noon	Inc.	Incorporated
AQ	Any quality	In.	Inches
Ave.	Avenue	KD	Knocked down
Blvd.	Boulevard	KDF	Knocked down flat
Co.	Company	L.I.	Long Island
Cont.	Continued	Lb.(s)	Pound(s)
C.O.D.	Collect on Delivery	BHS	BURNS HARBOR SHORTLINE RAILROAD CO.
Cty	County	Min.	Minimum
CFT	Cubic Foot (Feet)		
CU	Cubic	No.	Number
CWT	100 pounds		
EAN	Except as Noted	NOI	Not otherwise states
Etc.	Et Cetera	NOIBN	Not otherwise included by name
Ft.	Food (Feet)	PM	After noon
Gal.	Gallon	P.O.	Post Office
Hqts.	Heights	Rte.	Route
		St.	Saint or Street
Hwy	Highway	SU	Set Up
I-Hwy	Interstate Highway	TL	Truckload
		U.S.	United States
STB	Surface Transportation Board	Viz:	Namely
		Wt.	Weight

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE ABOVE

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REFERENCE MARK	EXPLANATION	REFERENCE MARK	EXPLANATION
(I)	Denotes Increase	*	For any mileage not Shown use the next greater mileage that is shown
(R)	Denotes Reduction		
(D)	Denotes Deletion		
(C)	Denotes change in wording which results in neither an increase nor reduction in change		
(N)	Denotes New or Initial Matter		
(N/C)	Denotes No Change in rate or charge		
(INTRA)	Denotes Intrastate application		
&	And		
%	Percent		
\$	Dollar		
FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE ABOVE			