

Tariff BPRR-9502.1

BUFFALO & PITTSBURGH RAILROAD, Inc.
ROCHESTER & SOUTHERN RAILROAD, Inc.

Tariff BPRR-9502.1

General Rules for:

-FUEL COST RECOVERY SURCHARGE- (Rail Mileage-based)

For accessorial services,
demurrage & storage, general rules & conditions-of-carriage,
see tariff, BPRR-8600-series.

For switching charges, see tariff, BPRR-8901-series

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ISSUED BY:

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BPRR-9502 Fuel Cost Recovery Surcharge / Mileage Based / Highway Diesel Fuel

Application: BPRR-9502-series applies to: (1) any regulated common carrier linehaul freight rates established by Buffalo & Pittsburgh Railroad, Inc. (BPRR) and / or Rochester & Southern Railroad, Inc. (RSR); and (2) linehaul freight rates and charges with respect to exempt traffic, and line haul freight rates and charges in contracts, private price quotation or other pricing documents, that reference BPRR-9502-series.

In the event that the monthly average price per gallon of highway diesel fuel (as determined below, the "HDF Average Price") exceeds a base rate of \$2.299, BPRR and / or RSR may apply a mileage-based fuel surcharge to the linehaul rates and charges described above. The fuel surcharge will be applied to each qualifying shipment having a bill of lading or other shipping instruction dated on or after the first day of the second calendar month following the calendar month of a given HDF Average Price determination.

The "HDF Average Price" for a month will be the average price for that month of the U.S. No. 2 Diesel Retail Sales by All Sellers, as determined and published by the U.S. Department of Energy, Energy Information Administration ("DOE-EIA.") That average price will, in calculating the HDF Average Price, be rounded to the nearest 1/10th of a cent applying conventional rounding principles. The fuel surcharge will be \$.006 per mile per railcar for every \$.03 per gallon, or portion thereof, by which the HDF Average Price for the calendar month two months prior to the calendar month of shipment exceeds \$2.299. HDF average prices may be found at the: US Department of Energy (DOE) web site: <http://tonto.eia.doe.gov/oog/info/gdu/gasdiesel.asp>. If the DOE-EIA discontinues publication of the "HDF Average Price," BPRR / RSR will use a suitable substitute source of price or measure.

The mileage to be applied in calculating the fuel surcharge will be based upon rail miles between origin, interchange(s) and destination and will be derived from ALK software, PC-Miler (most recent version).

The following table reflects the fuel surcharge within the included HDF Average Price ranges:

HDF Avg. Price	Cents / Mile	HDF Avg. Price	Cents / Mile	HDF Avg. Price	Cents / Mile
0 – \$2.299	0	\$2.84 – \$2.869	\$.114	\$3.41 – \$3.439	\$.228
\$2.30 – \$2.329	\$.006	\$2.87 – \$2.899	\$.120	\$3.44 – \$3.469	\$.234
\$2.33 – \$2.359	\$.012	\$2.90 – \$2.929	\$.126	\$3.47 – \$3.499	\$.240
\$2.36 – \$2.389	\$.018	\$2.93 – \$2.959	\$.132	\$3.50 – \$3.529	\$.246
\$2.39 – \$2.419	\$.024	\$2.96 – \$2.989	\$.138	\$3.53 – \$3.559	\$.252
\$2.42 – \$2.449	\$.030	\$2.99 – \$3.019	\$.144	\$3.56 – \$3.589	\$.258
\$2.45 – \$2.479	\$.036	\$3.02 – \$3.049	\$.150	\$3.59 – \$3.619	\$.264
\$2.48 – \$2.509	\$.042	\$3.05 – \$3.079	\$.156	\$3.62 – \$3.649	\$.270
\$2.51 – \$2.539	\$.048	\$3.08 – \$3.109	\$.162	\$3.65 – \$3.679	\$.276
\$2.54 – \$2.569	\$.054	\$3.11 – \$3.139	\$.168	\$3.68 – \$3.709	\$.282
\$2.57 – \$2.599	\$.060	\$3.14 – \$3.169	\$.174	\$3.71 – \$3.739	\$.288
\$2.60 – \$2.629	\$.066	\$3.17 – \$3.199	\$.180	\$3.74 – \$3.769	\$.294
\$2.63 – \$2.659	\$.072	\$3.20 – \$3.229	\$.186	\$3.77 – \$3.799	\$.300
\$2.66 – \$2.689	\$.078	\$3.23 – \$3.259	\$.192	\$3.80 – \$3.829	\$.306
\$2.69 – \$2.719	\$.084	\$3.26 – \$3.289	\$.198	\$3.83 – \$3.859	\$.312
\$2.72 – \$2.749	\$.090	\$3.29 – \$3.319	\$.204	\$3.86 – \$3.889	\$.318
\$2.75 – \$2.779	\$.096	\$3.32 – \$3.349	\$.210	\$3.89 – \$3.919	\$.324
\$2.78 – \$2.809	\$.102	\$3.35 – \$3.379	\$.216	\$3.92 – \$3.949	\$.330
\$2.81 – \$2.839	\$.108	\$3.38 – \$3.409	\$.222	\$3.95 >	***

***The fuel surcharge will be \$.33 per mile plus \$.0060 per mile for every \$.03 per gallon, or portion thereof, by which the HDF Average Price meets or exceeds \$3.95.