

FREIGHT TARIFF ELS 9005C

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FREIGHT TARIFF 9005B

ESCANABA & LAKE SUPERIOR RAILROAD COMPANY

FUEL SURCHARGE TARIFF

APPLICABLE ON

CARLOAD RATES

APPLYING TO OR FROM STATIONS ON THE

ESCANABA & LAKE SUPERIOR RAILROAD COMPANY

AS PROVIDED IN TARIFF OPSL 6000-SERIES

SPECIAL NOTICE

The surcharge provisions of this tariff are issued and made effective solely for the purpose of offsetting increased fuel costs.

SURCHARGE TARIFF

This tariff is applicable on interstate and intrastate traffic and is applicable when referenced.

ISSUED: December 31, 2007

EFFECTIVE DATE: February 1, 2008

Issued by:
Thomas Klimek, Vice President Marketing
ESCANABA & LAKE SUPERIOR RAILROAD COMPANY
Wells, Michigan 49894

SURCHARGE TARIFF

A fuel surcharge will be assessed unless otherwise governed by existing contracts, exempt quotes and/or tariffs as outlined below:

1. Local carload traffic originating on the ELS and billed by the ELS when freight rate tariffs make reference to this surcharge tariff.
2. Joint line carload traffic originating on the ELS and billed by the ELS when moving on through or proportional rates published by the ELS and reference is made to this surcharge tariff.
3. Carload traffic terminating on the ELS either moving on through rates or Rule 11 rates published by ELS and billed freight collect. All applicable freight rate documents must make reference to this surcharge tariff.
4. The fuel surcharge will be billed against the payer of freight charges.

In the event the average price of Retail On-Highway Diesel Fuel, as reported weekly on the U.S. Department of Energy website, (www.eia.doe.gov), equals or exceeds \$1.30 per gallon, a surcharge beginning at 1.0% will apply. The fuel surcharge will be billed to the total freight charges beginning the second month following the month on which the DOE average price calculation was based. (Example: the average reported DOE price for the month of January, 2007, would determine the fuel surcharge applied throughout the month of March, 2007.)

The fuel surcharge shall be applied according to the following schedule.

<u>HDF Average Price Cents Per Gallon</u>	<u>Percent</u>
\$1.30 to \$1.349	1.0
\$1.35 to \$1.399	1.5
\$1.40 to \$1.449	2.0
\$1.45 to \$1.499	2.5
\$1.50 to \$1.549	3.0
\$1.55 to \$1.599	3.5
\$1.60 to \$1.649	4.0
\$1.65 to \$1.699	4.5
\$1.70 to \$1.749	5.0
\$1.75 to \$1.799	5.5
\$1.80 to \$1.849	6.0
\$1.85 to \$1.899	6.5
\$1.90 to \$1.949	7.0
\$1.95 to \$1.999	7.5
\$2.00 to \$2.049	8.0

Each \$.05 per gallon increase thereafter apply an additional .5%.

Notification of any fuel surcharge changes will be posted on the ELS website at www.elsrr.com, or by calling 1-800-562-4829. Any fuel surcharge applied to the line haul freight charge(s) referencing this authority will be increased or reduced monthly when the DOE On-Highway Diesel Fuel triggers a specific surcharge bracket as shown above into a lower or higher surcharge price range. Reductions will be made promptly after they become applicable. In no case will the freight charge(s) be reduced, nor will the application or removal of fuel surcharge be retroactive.