

**FREIGHT TARIFF ELS 9005B**

**cancels**

**FREIGHT TARIFF 9005A**

**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: May 3, 2007

EFFECTIVE DATE: June 1, 2007

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. All local and joint line pulpwood or saw log traffic originating on the ELS and billed by the ELS. A flat fuel surcharge of 8% was made effective on September 5, 2006, and is now incorporated into this tariff.
2. Local carload traffic originating on the ELS and billed by the ELS when freight rate tariffs make reference to this surcharge tariff.
3. 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.
4. 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.
5. 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](http://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](http://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.