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LVRR 8100A2

LYCOMING VALLEY RAILROAD COMPANY

FREIGHT TARIFF LVRR-8100A2
(For cancellation see item 1)

Naming
Local & Proportional Rates,
Demurrage
And
Accessorial Charges
At and between
Stations on the
Lycoming Valley Railroad Company

This Tariff also applies on INTERSTATE Traffic
In the State of Pennsylvania

For Governing Classification, see Item 5

Issued September 10, 2005

Effective October 1, 2005

Issued by
Todd Hunter
Director of Marketing and Sales
356 Priestley Avenue
Northumberland, PA 17857

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Item 1 – CANCELLATION NOTICE

This tariff cancel rates, rules, regulations and charges published in LVRR Tariff 8100A1 and LVRR Supplement 8100A1 in full.

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Method of Adding, Changing or Deleting Items in this Tariff

Changes to this tariff will be made by issuing supplements. These supplements will show the action taken on each item, namely:

- <A> Increase
- Changes resulting in neither an increase nor a decrease
- <C> No Change
- <D> Reductions

There will be only one supplement to this tariff in effect at any time. Any item contained in a prior supplement will be brought forward to subsequent supplements, showing the original effective date of the item.

ALPHABETICAL LIST OF STATIONS FROM AND TO WHICH RATES APPLY

<u>STATE</u>	<u>STATION</u>	<u>NUMBER</u>	<u>NOTES</u>
PA	Avis	40	
PA	Jersey Shore	30	
PA	Montoursville	15	
PA	Muncy	10	
PA	Newberry	25	Interchange with Norfolk Southern
PA	Sunbury	50	Interchange with Canadian Pacific
PA	Williamsport	20	

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For explanation of abbreviations & reference marks,
See last page of this tariff.

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RULES AND OTHER GOVERNING PROVISIONS – GENERAL RULES AND REGULATIONS

Item 5 – UNIFORM FREIGHT CLASSIFICATION AND EXCEPTIONS

Governed, except as otherwise provided herein, by Uniform Freight Classification, ICC UFC 6000 series, ALSO by exceptions thereto Railroad Publication Services, ICC RPS 2009 Series.

Item 10 – STATION LIST AND CONDITIONS

This tariff is governed by the Official List of Open & Prepay Stations, ICC OPSL 6000 Series, to the extent shown below :

PREPAY REQUIREMENT AND STATION CONDITIONS

For additions and abandonment of stations, and except as otherwise shown herein, for prepay requirements, changes in the names of stations, restrictions as to the acceptance or delivery of freight and changes in station facilities. When a station is abandoned on a date specified in the above named tariff, the rates from and to that station published in this tariff are inapplicable on or after that date.

Item 15 – EXPLOSIVES, DANGEROUS ARTICLES

For rules and regulations governing the transportation of explosives and other dangerous articles, and for specifications of shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see tariff ICC BOE 6000 Series.

Item 20 – Reference TO TARIFFS, ITEMS, NOTES OF RULES

Where reference is made in this tariff to tariffs, items notes or rules, such references are continuous and include supplements to and successive issues of such tariffs and reissues of items, notes and rules.

Item 40 – CONSECUTIVE NUMBERS

Where consecutive numbers are represented in this tariff by the first and last numbers connects by the word "to" or a hyphen, they will be understood to include both the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last number.

Item 45 – CAPACITIES AND DIMENSIONS OF CARS

For marked capacities, lengths, dimensions and cubical of cars, see The Official Railway Equipment Register, ICC REF 6410 Series.

Item 60 – NATIONAL SERVICE ORDER TARIFF

This tariff is subject to the provisions of the various Commerce Commission Services Orders and General Permits shown in the National Services Order Tariff ICC NSO 6100 Series.

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Item 105 – STRAIGHT OF MIXED CARLOADS

The rates published in this tariff apply on straight or mixed carloads, unless specifically indicated otherwise.

RULES AND OTHER GOVERNING PROVISIONS – GENERAL RULES
AND REGULATIONS UNLIMITED

Item 210 – APPLICATION OF REFERENCE MARKS

In all cases where reference marks are shown in the rate column, but not immediately preceded by a rate, they are to be used in connection with the rate appearing next after such reference mark.

Item 220 – PREPAYMENT OF CHARGES

All charges under this tariff must be prepaid, unless satisfactory arrangements with the Lycoming Valley Railroad have been made prior to performance of service.

Item 230 – APPLICATION

Rates in this tariff apply in addition to otherwise applicable freight charges lawfully on file with the Interstate Commerce Commission, and shall accrue solely to the Lycoming Valley Railroad.

Item 240 – LOADED CARS REFUSED

Loaded cars refused by connecting line or consignee will be returned to the consignor or connecting line at the tariff rate applicable for a new shipment. If loaded cars are refused by consignee and are returned to a hold track, a charge of \$170.00 per car will be assessed for the movement from the hold track to consignee or consignor located on the Lycoming Valley Railroad.

Item 250 – PERISHABLE FREIGHT

Perishable freight, under refrigeration, will be accepted from connecting lines for delivery to a consignee located on the Lycoming Valley Railroad, provided that the Lycoming Valley Railroad shall not be required to provide protective service.

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SECTION 1 – DEMURRAGE CHARGES

Item 300 – CARS SUBJECT TO DEMURRAGE

All Railroad and Privately owned cars held for or by Lycoming Valley Railroad consignors or consignees are subject to demurrage rules and charges contained in this tariff, except the following:

1. Cars for loading or unloading Lycoming Valley Company Materials while on the Lycoming Valley Railroad tracks or private sidings connecting therewith.
2. Cars of refused or unclaimed freight to be sold by the Lycoming Valley Railroad, for the time held beyond legal requirements.
3. Cars assigned to shippers, returned empty to assignment points to the extent storage rules apply.
4. Cars moving on their own wheels, under transportation charges, as freight.
5. Cars of railroad ownership, leased for storage of commodities, while held on lessee's tracks.
6. Loaded private cars.
7. Empty private cars held on private tracks.
8. Empty cars ordered and rejected as unsuitable for loading.
9. Coal and coke cars governed by separate agreement.

Item 301 – PURPOSE

Lycoming Valley Railroad bases its freight transportation prices and service on the expectation that railcars furnished to customers will be promptly loaded and unloaded. The purpose of this Section is to describe how the time railcars under the control of customers is defined, and to specify the prices that Lycoming Valley Railroad charges should a customer retain control of railcars beyond the free time specified in this section.

Item 305 – EXPLANATION OF TERMS

For the purposes of applying provisions of this section, the following definitions will govern:

Actual placement – The time at which a car is placed by Lycoming Valley Railroad in an accessible position for loading or unloading, or at a point designated by the consignor or consignee.

Consignee – The party to whom a shipment is consigned on the bill of lading or other shipping document or the party entitled to receive the shipment.

Consignor – The party in whose name a car(s) is ordered, or the party who furnishes forwarding instructions.

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Item 305 – EXPLANATION OF TERMS (continued)

Constructive Placement – When a car cannot be actually placed by Lycoming Valley Railroad because of any condition attributable to the consignor or consignee, including order notify and inbound shipments, such cars will be held on Lycoming Valley Railroad tracks and notice will be given to the consignor or consignee that the car is held awaiting disposition instructions. Cars which have been placed by Lycoming Valley Railroad on private or other than public delivery tracks, including lead tracks serving the consignor or consignee will be considered constructively placed without notice.

Demurrage Day – A twenty four (24) hour period, or part thereof, commencing the first 0001 hours after tender, except holidays.

Disposition – Information, including forwarding instructions or release, which allows the railroad to either tender or release the car from the consignor's or consignee's account.

Empty Cars Ordered and Not Used – Empty cars ordered and placed for loading, and not used in transportation service.

Empty Release Information – Advice by the consignee, given to authorized personnel of Lycoming Valley Railroad, that a car is unloaded and available for pick up. Information given must include identity of consignee, party furnishing information, car initial and number, location of empty car, and the date and time of release. Date and time of release cannot be earlier than the date and time advice is given.

Forwarding Instructions – Shipping instructions given by consignor to Lycoming Valley Railroad at the point of loading, containing all of the necessary information to transport the shipment to final destination.

Holiday – The following days are considered holidays for purposes of this tariff: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Lease Track – Any trackage leased to a user through written lease agreement. Lease track will be treated as private track under this section.

Loading – The complete or partial loading of a car in conformity with AAR and Lycoming Valley Railroad loading and clearance rules, and the furnishing of forwarding instructions.

Loaded Car – A car that is completely or partially loaded.

Notification – Any communication furnished either in writing or verbally, to all parties entitled to receive same under the requirements of this section.

Order date – The date that the consignor/consignee requires placement of car(s).

Other Than Public Delivery Track – Any trackage assigned for individual use, including privately owned or leased track.

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Item 305 – EXPLANATION OF TERMS (continued)

Partial Unloading – The partial unloading of a car, and furnishing of forwarding instructions to Lycoming Valley Railroad.

Private Car – A car bearing other than railroad reporting marks and which is not a railroad controlled car and on which railroad does not pay per diem.

Private Track – Any trackage which is not owned or which is leased to a user by the railroad or a third party.

Public Delivery Track – Any track open to the general public for loading and unloading.

Railroad Controlled Car – A car bearing other than railroad reporting marks, provided to the railroad directly by the car companies or others, for use by the railroad in serving any of its customers.

Reconsignment – An order from the consignor to bill a car for redelivery to other than the original consignee, said order being received after the car is delivered to its original destination. (An order to turn the car over to another party, that does not require additional movement of the car, is not a reconsignment).

Refused Loaded Car – When the original loaded car is refused by the consignee at destination without being unloaded.

Reloading – When a car is held by consignee for loading after being released empty to Lycoming Valley Railroad.

Reshipment – A new document by which the entire original shipment is forwarded in the same car to another destination.

Stopped In Transit – When cars are held en route because of any conditions attributed to the consignor or consignee, or owner.

Tender – The notification by Lycoming Valley Railroad (1) to the consignee of the actual or constructive placement of a loaded car for unloading or (2) the consignor of the actual or constructive placement of an empty car for loading.

Time – Local time is applicable, expressed on the basis of the 24 hour clock. Example: 12:01 am is expressed as 0001 hours or 01:01 pm as 1301 hours.

Unloading – The complete unloading of a car and advice received from the consignee that the car is empty and available to Lycoming Valley Railroad.

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Item 310 – NOTIFICATION TO CONSIGNEE OR CONSIGNOR

- A. The following notifications will be furnished by Lycoming Valley Railroad as indicated:
1. Cars for delivery on Other than Public Delivery Tracks:
 - a. Notice of constructive placement if cars are held on Lycoming Valley Railroad tracks due to reasons attributed to the consignee or consignor.
 - b. Delivery of car(s) upon tracks of consignee will constitute notice.
 2. Cars for delivery on Public Delivery Tracks:
 - a. Notice will be given to the party entitled to receive notice when the car is actually placed.
 3. Cars Stopped in Transit:
 - a. Notice will be given to the consignor, consignee or owner responsible for the car being stopped upon arrival of the car at the point of stoppage.
 4. Refused Loaded Car:
 - a. When a car is refused at destination, Lycoming Valley Railroad will give notice of such refusal to the consignee or owner.
- B. Notification may be given electronically, verbally or in writing, and will contain the following:
1. Car initial and Number.
 2. If lading transferred in route, the initials and number of the original car.
 3. Commodity.
 4. Date.
 5. Location.

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Item 315 – NOTIFICATION TO BE GIVEN TO LYCOMING VALLEY RAILROAD

- A. Railroad personnel are on duty from 8:00 am to 5:00 pm weekdays, except holidays, to receive forwarding instructions, empty release information, or other disposition of cars. When railroad personnel are not on duty, an electronic recording device will be available to receive such communication from the consignee or consignor. The date and time such communication is received and recorded will govern any demurrage charges incurred. Forwarding instructions, empty release information, or other disposition of cars may also be provided in writing by facsimile machine. The date and time of such communication is received and recorded will govern any demurrage charges incurred.
- B. Notice may be given to participating carrier by:
Telephone: (570) 473-7949
Facsimile: (570) 473-8432

Item 320 – CARS HELD FOR LOADING/UNLOADING

This item does not apply to private cars.

Cars held for loading:

Tender – The notification by Lycoming Valley Railroad to consignor of the actual or constructive placement of any empty car on orders of the consignor. Cars held by Lycoming Valley Railroad will be constructively placed on “order date” if the car order is not cancelled prior to order date or if placement instructions have not been received by Lycoming Valley Railroad.

Release – Date and time forwarding instructions are received from consignor by Lycoming Valley Railroad. Once forwarding instructions are received by the Lycoming Valley Railroad, the consignor is acknowledging that the car is loaded, all seals (if applicable) are in place, and all hatches or doors are closed and that the car is available for pick up. Cars found to be improperly loaded or overloaded will not be considered released until the load has been adjusted properly and suitable for shipping. Cars placed on interchange tracks of consignor doing its own switching must also be returned to interchange tracks for release.

Computation – Time will be computed from the first 0001 hours after tender until release. If the car is placed prior to the date for which it was ordered, time will be computed from the first 0001 hours on the date for which it was ordered until released. On reloaded cars, the time will be computed from the first 0001 hours after advice is received by participating carrier that the car is empty until released. When the same car is loaded and reloaded, empty release information must be furnished to participating carrier. If not furnished, demurrage will continue until forwarding instructions are received. When two smaller cars are furnished in lieu of one larger car ordered, though no fault of consignor, demurrage provisions will be applied to only one car.

Free Time – The first 48 hours after time computation begins will be demurrage free, except that cars placed on Friday will be free until Monday midnight. If a holiday occurs during free time, 24 hours additional free time will be granted.

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Item 320 – CARS HELD FOR LOADING/UNLOADING (continued)

This item does not apply to private cars.

Cars held for unloading:

Note: Lycoming Valley Railroad delivers cars received in interchange under load to consignee by next available train after receipt from connecting carriers. Unless arrangements are made otherwise, Lycoming Valley Railroad cannot be responsible for anticipating delivery schedule of consignor or consignee.

Tender – The notification by Lycoming Valley Railroad to consignee of actual or constructive placement of loaded car.

Release – Date and time that the railroad receives advice that the car is empty. When a car is unloaded by the railroad, the cars will be released at the time the unloading process is complete.

Computation – Time will be computed from the first 0001 hours after tender until release. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received by the railroad.

Free Time – The first 48 hours after time computation begins, will be demurrage free. Cars placed on Friday will be free until Monday midnight. If a holiday occurs during free time, 24 hours additional free time will be granted.

Item 340 – RAILROAD CARS HELD FOR OTHER PURPOSES

Applicable to cars held on orders of consignor or consignee while awaiting disposition instructions from the consignor or consignee as a result of conditions attributable to consignee or consignor.

Tender – Notification by Lycoming Valley Railroad to consignee or consignor of actual or constructive placement of loaded car.

Release – Date and time that the railroad receives advice as to the disposition of the car. When a car is unloaded by the railroad, the cars will be released at the time the unloading process is complete.

Computation – Time will be computed from the first 0001 hours:

1. After tender until released on cars delivered; empty for loading ordered and not used (other than rejected cars); partially unloaded; reconsigned; reshipped; stopped in transit.
2. After cars are received by participating carrier until date of disposition on cars received from connecting carriers.
3. After tender until date of refusal on refused loaded cars by consignee.
4. After tender until date of disposition on refused loaded cars by consignor.

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Item 345 – EMPTY CARS ORDERED AND NOT USED

This item does not apply to empty cars rejected by consignor as unfit for loading, provided railroad has been notified within 24 hours of tender.

Tender – The notification, actual or constructive placement of empty car.

Released – Date and time disposition instructions are received by railroad.

Computation – Time will be computed from the first 0001 hours after tender until released. If the car is placed prior to the date for which it was ordered, time will be computed from the first 0001 hours on the date for which it was ordered until released. On cars for reloading, time will be computed from the first 0001 hours after advice is received that the car is empty until released.

Charges – Cars ordered and not used are subject to normal demurrage terms and charges. An additional handling charge of \$150.00 will be assessed on empty cars ordered and not used.

Item 350 – DEMURRAGE PLAN AND PRICES

- A. Settlement of charges will be made on a monthly basis on all cars released during the calendar month.
- B. Unless otherwise agreed to by the Lycoming Valley Railroad in writing, demurrage charges will be assessed by Lycoming Valley Railroad against the consignor at origin or consignee at destination who will be responsible for payment.

Calculation of Charges – Following expiration of free time, charges will accrue as follows:

1. \$30.00 per day for railroad cars, \$20.00 per day for private cars held on railroad owned tracks.
2. If a shipment requires the use of a heavy duty or special type flat car with AAR mechanical designations “FD”, “FW”, or “FML”, use and detention charges for such cars provided in Tariff ICC RPS 6740 – Series (TEA series) will apply in lieu of rates and charges contained herein.
3. Refrigerated box cars with mechanical designations “RP” or “RPL” will be assessed \$50.00 per day demurrage.

Item 360 – CLAIMS

In order to be allowed relief from demurrage charges as billed, a Claim must be received by Lycoming Valley Railroad in writing no later than 15 days following the month in which the bill was issued, stating fully the conditions for which relief was claimed.

Relief will be granted only under the following circumstances:

- A. Railroad Error – If, through delivering railroad error, demurrage charges are assessed, demurrage charges will be adjusted to the amount that would have accrued if not for such error. (Run around and bunching are not considered to be a railroad error.)

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Item 360 – CLAIMS (continued)

- B. Strike Interference – When it is impossible to load or unload or receive cars from or make cars available to Lycoming Valley Railroad because of strike interference at the point where loading or unloading is to be accomplished, demurrage days will be at \$30.00 per day for the cars affected accruing to Lycoming Valley Railroad during the period of the strike interference, provided:
 - 1. The disruption exceeds ten (10) days duration during one calendar month.
 - 2. The provisions of this item will not apply to inbound cars when waybills are dated four (4) days after the beginning of the strike interference and loaded cars when ordered after the beginning and prior to the end of the strike interference.
- C. Weather Interference – When due to severe weather conditions such as tornados, hurricanes, floods or snow storms, the operations of consignee or consignor are disrupted, the demurrage directly attributable thereto will be cancelled provided the disruption exceeds two days in duration.

SECTION 2 – LOCAL AND PROPORTIONAL RATES

Item 400 – APPLICATION

Except as specifically provided herein, rates in this tariff apply as local and proportional rates. Rates in this tariff apply to all shipments on the Lycoming Valley Railroad, unless otherwise agreed by specific tariff, exempt quotation or contract.

Item 405 – PROPORTIONAL RATES

Proportional rates are limited in their application to traffic destined to, or originating at specific points or territories including rates which are published for application on traffic destined “from beyond”; “when destined beyond”; or when to or from interchange with connecting carriers. Proportional rates apply to all shipments when the Lycoming Valley does not participate in a through rate.

Item 410 – LOCAL RATES

Local rates apply on movements of carloads between any two stations solely on the Lycoming Valley Railroad and do not include carloads interchanged with connecting carriers.

Item 415 – PAYMENT

Rates assessed in this section will be billed by the Lycoming Valley Railroad, and are billable to and payable by the payor of line haul rates and charges assessed by connecting carriers.

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SECTION 2 – LOCAL & PROPORTIONAL RATES (Continued)

RATE TABLE 1 FREIGHT, ALL KINDS

<u>Item 430</u>	<u>Car Type</u>	All	<u>Rate</u>	\$800.00 per car
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RATE TABLE 2 – EXTRA HANDLING CHARGES

Unless otherwise agreed to the rates in this table apply in addition to rates provided elsewhere in this tariff.

<u>Item #</u>	<u>Application</u>	<u>Description</u>	<u>Rate</u>
480	Excess Dimensions	All carloads exceeding 10' 6" wide, 17' high or 110 net tons.	\$2,500.00 per car
485	Hazardous Materials	Shipments moving under STCC 49 xxx xx	\$1,500.00 per car
490	Radioactive	Shipments moving under STCC 49 26x xx 49 29x xx	\$2,500.00 per car

Item 491- PREPAYMENT OR GUARANTEE OF CHARGES AND SECURITY DEPOSITS FOR PAYMENT OF DEMURRAGE AND OTHER ACCESSORIAL CHARGES

A security deposit to insure payment of any demurrage, detention, storage, accessorial and/or freight charges that may accrue will be required from any consignor, consignee, beneficial owner or other responsible parties, hereafter referred to as customer which are not on credit list / or are placed on bad credit list:

- (1) Is not on Lycoming Valley Railroad's authorized credit list, and
- (2) Fails to pay demurrage, detention, storage, accessorial and /or freight charges upon specific written demand referring to this tariff provision.

The deposit must be paid in cash, certified check, cashiers check or money order before any freight car, container or trailer is delivered to such customer for loading or unloading.

The deposit for each freight car, container or trailer must be in the minimum amount of \$225.00 or up to the maximum amount of demurrage, detention, storage, accessorial or freight charges that accrued on any one freight car, container or trailer during the preceding 24 months.

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Item 491- PREPAYMENT OR GUARANTEE OF CHARGES AND SECURITY DEPOSITS FOR PAYMENT OF DEMURRAGE AND OTHER ACCESSORIAL CHARGES (continued)

The carrier will refund the balance of the deposit to the customer within 30 days after the equipment is released to the carrier after deducting all unpaid charges on that equipment. Such deposit will not be transferable to another freight car, container or trailer.

Security deposits will no longer be required after the customer either,

- (1) Is placed on the carriers authorized credit list, or
- (2) Has paid all outstanding demurrage, detention, storage, accessorial and/ or freight charges and has given assurance to the satisfaction of the Lycoming Valley Railroad that future demurrage, detention, storage, accessorial, and/ or freight charges will be paid within the credit period prescribed by the STB.

SECTION 3

ACCESSORIAL CHARGES

Item 500 – SPECIAL TRAIN SERVICE

Unless otherwise agreed to, shippers or receivers will be assessed a special service charge of \$165.00 per hour with a minimum of 4 hours, per request if additional service is requested outside of normal service hours. Normal service hours are 6:00 am to 6:00 pm, Monday thru Friday, excluding Holidays.

This charge applies in addition to otherwise applicable freight charges.

Item 510 – INTRA TERMINAL SWITCH

Cars switched between lease tracks and customers private tracks, or respots to another location on a customer's private track will be assessed a charge of \$95.00 per car.

Item 515 – WEIGHING AND REWEIGHING OF EMPTY AND LOADED CARS

When a request is made to weigh a car, a charge will be assessed in the amount of \$150.00 per car per weighing.

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EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

AAR	Association of American Railroads
BOE	Bureau of Explosives, T. A. Phemister, Agent
CR	Consolidated Rail Corporation
ICC	Interstate Commerce Commission
LVRR	Lycoming Valley Railroad
NS	Norfolk Southern Railway Systems
NSO	National Service Order, Western Trunk Line Committee, Agent
OPSL	Official List of Open and Prepay Stations, Stations List Publishing Company, Agent
PA	State of Pennsylvania
RER	The Official Railway Equipment Register, R. E. R. Publishing Company, Agent
RPS	Railroad Publication Service, Agent
STB	Surface Transportation Board
STCC	Standard Transportation Commodity Code
UFC	Uniform Freight Classification, Uniform Freight Classification Committee, Agent
<A>	Denotes an increase.
<C>	Denotes a change resulting in neither an increase nor a decrease.
<N>	Denotes no change.
<R>	Denotes a reduction.

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