

PUBLIC VERSION

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

EX PARTE NO. 754

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OVERSIGHT HEARING ON DEMURRAGE AND ACCESSORIAL CHARGES

RESPONSE TO REQUEST FOR INFORMATION

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Dated: May 1, 2019

Pursuant to the Board's April 8, 2019 Notice in the above-captioned proceeding, the Grand Trunk Corporation, on behalf of the U.S. rail operating subsidiaries of Canadian National Railway Company (hereafter, "CN") are providing the following information in response to the Board's request for certain information relating to demurrage and accessorial charges. Because some of the information requested by the Board is commercially sensitive, CN is providing a highly confidential version and a public version that redacts commercially sensitive information pursuant to the motion for protective order that CN is filing today. Highly confidential information is contained in double braces (e.g., "{{}}"). CN asks the Board to only post the public version on the Board's website.

CN's responses are organized in the same order as the Board's information requests, which are reproduced below in italicized text.

Information Request 1: Provide a list of all material changes to your demurrage and accessorial tariffs since January 1, 2016, including but not limited to changes pertaining to (i) the amount of free time allowed for loading and unloading rail cars; (ii) rates for demurrage and accessorial charges; (iii) the nature and availability of credits or other relief, including for railroad errors and service failures; and (iv) procedures and time periods applicable to the process for raising and resolving disputed charges. For each such tariff change, please also specify (a) when notice of the change was given; (b) when the change became effective; and (c) the reason(s) for the change. The Board requests that this information be presented in a table.

Exhibit 1 to this filing is a table that sets forth material changes to CN's demurrage and accessorial tariffs applicable to rail movements in the United States since January 1, 2016. These tariffs are set forth in public CN Optional Services tariffs that establish policies and charges for optional services for various categories of traffic: CN 9000 (Optional Services – Carload); CN 9003 (Optional Services –

Dimensional Loads Service); CN 9004 (Optional Services – Unit Train); and CN 9100 (Optional Services – Intermodal).

Exhibit 1 includes columns that identify the “Issue Date” and the “Effective Date” for each tariff version. The Issue Date is the date that the updated tariff was published on CN’s website and disseminated to customers via email notification, and the Effective Date is the date on which the tariff change became effective. In some instances, CN provides advanced notice of a fee that will take effect after the tariff effective date. In such instances, the effective dates of specific provisions are reflected in Exhibit 1.

Consistent with the Board’s request that Class I railroads only identify “material” changes to demurrage and accessorial tariffs and its examples of the types of changes that the Board considers to be material, Exhibit 1 does not include every change to the CN Optional Services tariffs since 2016. In addition, tariff changes that only affect shipments in Canada have not been included.

Information Request 2: Provide, for each of the past three calendar years, the total dollar amounts of charges billed and charges collected pursuant to (i) all demurrage tariffs combined and (ii) all accessorial tariffs combined.

The table below presents the total amount of demurrage and accessorial revenues for calendar years 2016, 2017, and 2018. Revenues are reported in thousands and are rounded to the closest thousandth.

	2016	2017	2018
Demurrage Revenue	\$32,968	\$31,619	\$33,569
Accessorial Revenue	\$69,168	\$67,944	\$99,390

These revenue numbers are reported net of corrections and adjustments, consistent with the accrual method of accounting prescribed under U.S. GAAP. Therefore, the revenues reported are representative of what has been or will be collected. Under the accrual method of accounting, CN recognizes revenues for demurrage and accessorial services at the point in time, or over time, when performance obligations are satisfied, depending on the nature of the service. If the revenue recognized for a demurrage or accessorial charge is later reduced (for example, when CN reduces or eliminates a charge after a customer dispute), CN adjusts the revenue number in the current period.

Information Request 3: Provide a detailed explanation of the current process by which shippers, receivers, and other parties may dispute demurrage and accessorial charges. To the extent readily available, please also provide, for all demurrage tariff charges combined and all accessorial tariff charges combined, the percentage of charges, by dollar amount, that have been contested in the first quarter of 2019 and each of the past three calendar years.

The billing and dispute resolution process for optional services is set forth in CN's Optional Services tariffs. See, e.g., CN 9000 –AC (S4) at 30. It is referred to as an “18-15-15” process. CN commits to bill customers within 18 business days of the service completion date; customers have 15 business days to dispute an invoice; and CN commits to respond to disputes within 15 business days.

Step One: CN Commits to Bill Optional Service Charges Within 18 Business Days.

CN commits to bill customers for optional services that fall under our billing guarantee within 18 business days, or the customer is not obligated to pay the invoice. For most optional services, the 18 business days run from the date of the service. However, for certain services billed on a regular cycle (such as demurrage

charges or storage service), the 18 business days run from the end of the billing cycle.

Before bills for optional services go to customers, they are reviewed by CN personnel to determine whether charges are appropriate under the circumstances. For example, when railcar deliveries are delayed, CN personnel will review relevant information such as contemporaneous crew reports to determine whether demurrage charges are appropriate before charges are billed to the customers. If CN personnel determines that the delay was due to a CN service issue, adjustments are made before any bill goes to the customer.

Step Two: Customers Can Use CN's E-Billing Tools to Dispute Optional Service Charges.

Once customers receive an invoice for an optional service, CN's tariffs give customers 15 business days to dispute any charges. CN's website includes an eBill tool that allows customers to register any disputes, and CN's tariffs CN 9000, CN 9004, and CN 9100 include instructions on how to access and use the tool.

Customers are not required to use eBill to dispute a charge.

Step Three: CN Has 15 Business Days to Respond to Disputes.

If a customer disputes an optional service charge within 15 business days, CN commits to respond to that dispute within 15 business days. If CN does not respond to the dispute within that timeframe, it will accept the dispute as valid and cancel the disputed charges. On some occasions, a dispute that a customer timely raised and to which CN timely responded may take some additional time to resolve.

In all cases, CN works with its customers to resolve disputes amicably whenever possible. Customers are able to dispute invoices beyond the 15 days; however, in that instance, the guarantee of a response within 15 days is not applicable.

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Information Request 4: Provide a detailed explanation of any system or practice under which credits or debits have been issued in connection with the assessment of demurrage or accessorial charges since January 1, 2016, and any changes thereto. Describe how credits and debits are calculated and any limits on the amount of credits or debits that may be available or incurred.

CN uses a credit and debit system for the assessment of certain asset use fees for railroad-supplied railcars. When certain types of cars arrive for loading or unloading, customers are given a certain number of “credits” of time to load or unload those cars. If the cars are loaded or unloaded in less than the allocated time, the credits can be used to offset “debts” of asset use time that accumulate if other cars are not loaded or unloaded within the allocated time. The debit and credit system is intended to ensure efficient use of assets and to align a customer’s potential demurrage liability with its overall performance at particular locations.

There is no limit on the amount of credits that can be accumulated at an individual location. However, debits and credits are not transferable between different locations, because the debit and credit system is intended to ensure efficient use of assets at particular locations. Credits cannot be carried over from week to week.

CN currently assigns credits as follows:

Service Type	Tariff Item	Number of Credits
Railroad-Supplied Railcars at Loading	CN 9000, Item 9000	1 Credit
Railroad-Supplied Railcars at Unloading	CN 9000, Item 9050	1 Credit
Railroad Supplied U.S. Grain Shipments at Unloading	CN 9000, Item 9060	1 Credit

Empty Railroad-Provided Cars in Customer-Assigned Pools	CN 9000, Item 9500	1 Credit
Customer Locomotives or Railcars Moving on Own Wheels	CN 9000, Item 9350	1 Credit
Railroad-Provided Intermodal Units (Dry)	CN 9100, Item 6000	2 Credits
Railroad-Provided Intermodal Units (EMPs)	CN 9100, Item 6000	2 Credits
Railroad-Provided Intermodal Units (Heated)	CN 9100, Item 6000	1 Credit
Railroad-Provided Intermodal Units (Insulated)	CN 9100, Item 6000	1 Credit
Railroad-Provided Intermodal Units (Refrigerated)	CN 9100, Item 6000	1 Credit
Railroad-Provided Intermodal Units (Steamship unit – when CN provides the dray)	CN 9100, Item 6000	2 Credits

CN does not assign credits for private railcars (whether loaded or empty), unit trains, heavy-duty, or specialized railroad-supplied railcars.

The credit system outlined above has been changed three times since January 1, 2016. First, CN reduced the credits awarded in Item 9500 for empty railroad-supplied cars in customer-assigned pools from 2 credits to 1 credit in CN 9000-AB (issued November 10, 2017 and effective January 1, 2018). Second, CN reduced the credits awarded for heated, insulated, and refrigerated intermodal units from 2 credits to 1 credit in CN 9100 –V (Supplement 5) (issued June 29, 2018 and effective August 1, 2018). Third, CN reduced the credits awarded in Item 9050 for unloading railroad-supplied cars from 2 credits to 1 credit in CN 9000-AC (issued November 2, 2018 and effective January 1, 2019). CN's November 2, 2018

notice announcing the tariff change explained that it was “intended to encourage our customers not to let . . . railroad owned equipment dwell at customers’ facilities or serving yards.”

Respectfully submitted,

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Dated: May 1, 2019

EXHIBIT 1

CN 9000 -- Optional Services Tariff -- Carload					
On January 1, 2016, the effective version of CN's Optional Services Tariff was CN 9000-W					
Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9000-Z	December 1, 2016	February 1, 2017	1200	Transferred former Item 6000 (private railcars) to Item 1200 and added "+ asset use fees."	To consolidate similar tariff items for simplicity and clarity.
			5000	For covered hopper railcars for U.S. Grain, railcars rejected as unsuitable for loading must be re-ordered. No fee or credit will apply.	To promote efficient asset utilization.
			6000	Deleted item and transferred to item 1200: railcars ordered and released "not Used" - private railcar.	To consolidate similar tariff items for simplicity and clarity.
			6100, 6200	Fee for released railcars not available to pull or unable to place increased from \$160 to \$200 per railcar. In addition, asset use and switching fees (if required) added to fee.	To promote efficient asset utilization.
			8000	Hold fees for US CBP increased from \$555 to \$700.	To promote efficient asset utilization.
			8050, 8060	Fee for broker entry not filed for US bound and trans border shipments increased from \$60 to \$100 per railcar.	To promote efficient asset utilization.
			9060	US grain shipments at unloading item applies for grain shipments originating in Canada or the US and are destined and unloaded in the U.S.	To ensure similar shipments are similarly treated.
			9100	Deleted item and transferred to item 9380: railroads held en route or at the customer's request.	To consolidate similar tariff items for simplicity and clarity.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			9250	Fees for private loaded railcars containing dangerous goods/hazardous materials increased from \$145 to \$150 and \$185 to \$200 (for greater Vancouver and Chicago areas) per railcar.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			9300	Fee for private empty railcars increased from \$95 to \$100 per railcar.	To promote efficient asset utilization..
			9350	Fee for locomotives or railcars moving on own wheels increased from \$95 to \$100 per railcar.	To promote efficient asset utilization.
			9370	New item: railcars held for reasons attributable to a customer issue will incur fees of \$100 per railcar per day or \$140 per railcar per day in the greater Vancouver and Chicago areas.	To promote efficient asset utilization.
			9400	Fee reduction from \$500 to \$100 for private railcars that do not have OT5 approval.	To promote efficient asset utilization.
			11000	Fee increase from \$400 to \$500 per railcar for optional weighing services.	To promote efficient asset utilization.
			12000	Clarity provided on when diversion service charges are applied.	Clarification to assist customers better understand CN's diversion services.
			13300	Added private locomotives to item pertaining to fees imposed for turning railcars or private locomotives at Customer's request.	To promote efficient asset utilization.
			14000	Fee increased from \$500 to \$2,000 per railcar for moving an overloaded or improperly loaded shipment on the CN network.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			14100	Text amended to include "automatic embargo will be put in place on the shipper/loader until acceptable loading practices are reviewed and accepted by CN." This item now also applies to empty railcars that are unsafe to move forward (e.g. car is not properly secured). Fee increased from \$1,000 to \$3,000 for first incident of tendering a car that is deemed unsafe to move forward. Fee of \$10,000 per car for subsequent incidents imposed. Item applies to empty railcars that are unsafe to move forward.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			14600	New Item: if a railroad-supplied open-top gondola (including cover) requires repairs due to damage attributable from loading or unloading, other than usual wear and tear, a fee of \$1,000 per car (minimum) may be assessed.	To compensate for equipment damaged by improper customer usage.
			15000	Fee for securing leaking cars carrying hazardous materials increased from \$10,000 to \$15,000 per railcar.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			p. 29	Billing - on time: removed exception "if CN and the customer have entered into a separate billing agreement."	To promote fairness in the billing dispute process.
CN 9000-Z (S1)	December 2, 2016	February 1, 2017	9400	Fee reduction from \$500 to \$100 for private railcars that do not have OT5 approval.	To promote efficient asset utilization.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9000-AA	July 12, 2017	September 1, 2017	9000, 9050, 9500, 9370	Added an asset use fee of \$200/car/day for CN supplied 73-ft. centerbeams from Sept. 3, 2017 to April 28, 2018 for loading, unloading, pool storage, and held cars.	To promote efficient asset utilization.
			9380	New item: Imposes a \$2,500 per railcar fee plus additional applicable charges for unauthorized use of CN equipment, in particular, when a CN supplied railcar is loaded but CN is not in the line haul movement of freight.	To promote efficient asset utilization.
			12000	Diversions: Provided text clarity and stated that diversions should be handled via CN's eBusiness tool.	To improve clarity.
CN 9000-AB	November 10, 2017	January 1, 2018	8050	Clarifies that broker entries must be filed prior to arrival of the last major CN rail terminal, and that cargo will be held until customers entries are completed.	To improve clarity.
			9000, 9050	Increased fee to \$200/car/day from Dec 31, 2017 to April 28, 2018 <u>April 29 to Dec 29, 2018</u> Increased the fee for asset use at loading and unloading from \$100 to \$110 per railcar, per day for all areas excluding the greater Vancouver and Chicago areas. For those areas, the fee was increased from \$140 to \$150, per railcar, per day.	To promote efficient asset utilization..

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			9060	Increased the fee for US Grain shipments at unloading from \$100 per railcar, per day to \$110 for all areas excluding the greater Chicago area. For Chicago, the fee was increased from \$140 per railcar, per day to \$150.	To promote efficient asset utilization.
			9500	Increased fee to \$200/car/day from Dec 31, 2017 to April 28, 2018 <u>April 29 to Dec 29, 2018</u> Increased fee for asset use for customer-assigned pool storage from \$100 to \$110 per railcar, per day for all areas excluding the greater Vancouver and Chicago areas. For those areas, the fee was increased from \$140 to \$150, per railcar, per day. Credit changed from 2 to 1 for loading.	To promote efficient asset utilization.
			9200	Increased fee for asset use for private loaded railcars not containing dangerous goods or hazardous materials from \$60 to \$65 per railcar, per day, excluding the greater Vancouver and Chicago areas. For those areas, the fee was increased from \$95 to \$100 per railcar, per day. Free time changed from 48 to 24 hours at destination.	To promote efficient asset utilization.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			9250	Increased fee for asset use of private loaded railcars containing dangerous goods/hazardous materials from \$150 to \$170 per railcar, per day excluding the greater Vancouver and Chicago areas. For those areas the fee was increased from \$200 to \$220 per railcar, per day. The charge for PIH/TIH materials was increased from \$2000 to \$2500 per railcar, per day.	To promote efficient asset utilization.
			9300	Increased fee for asset use of private empty railcars from \$60 to \$65 per railcar, per day, excluding the greater Vancouver and Chicago areas. For those areas, the fee was increased from \$100 to \$110 per railcar, per day.	To promote efficient asset utilization.
			9350	Increased fee for asset use of locomotives or railcars moving on own wheels from \$60 per railcar, per day to \$100 per railcar, per day for customer supplied locomotives. Charge for the Vancouver and Chicago areas remained the same at \$100 per railcar, per day for customer supplied locomotives.	To promote efficient asset utilization.
			9370	Increased fee to \$200/car/day from Dec 31, 2017 to April 28, 2018. <u>April 29 to Dec 29, 2018</u> Increased fee for asset use of held railcars from \$100 to \$110 per railcar, per day for all areas excluding the greater Vancouver and Chicago areas. For those areas, the fee was increased from \$140 to \$150, per railcar, per day.	To promote efficient asset utilization.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			9380	Amended second paragraph of provision pertaining to unauthorized use of CN equipment to clarify that charges apply for the return of the railcar to the loader to be unloaded and returned back empty.	To improve clarity.
			11000	Added text relating to optional weighing service on a customer's scale on private track. Provided clarity on when an intraplant switch charge will be applied in addition to the weighing fee, where a railcar is repositioned by CN to be weighed.	To improve clarity.
			12000	Added "Authorized agent" to the parties that can request diversions.	To accurately reflect parties reflected in waybill.
			13000	Increased charge for additional intraplant switching at customer location from \$210 to \$250 per railcar.	To promote network and yard efficiencies.
			13100	Increased fee for switching at customer location incidental to pick-up and/or delivery from \$39 per railcar to \$50 per railcar.	To promote network and yard efficiencies.
			13200	Increase fee for optional special switch from \$409 per hour to \$500 per hour. Increased fee for special train services from \$122 per mile to \$125 per mile. Cancellation fees for special train service were increased from \$2,700 for more than 24 hours notice to \$3,000 and from \$10,700 for less than 24 hours notice to \$11,000.	To promote network and yard efficiencies.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			13400	Increased switch fee from \$450 to \$475 per car. In Chicago, the fees increased from \$900 to \$945 per car.	To promote network and yard efficiencies.
			14000	Moving an Overloaded or Improperly Loaded Shipment on Our Network: Added clarifying language that "This item applies on cars found to be overloaded or improperly loaded at origin or at destination."	To improve clarity.
			14100	Unsafe to Move Forward: - Added "railcars carrying non-dangerous/non hazardous goods found to be leaking." Text clarity provided regarding process and responsibilities.	To improve clarity.
			15100	New item imposes a \$1,000 per car charge on railcars found to be non-compliant with Dangerous Goods/Hazardous Materials Requirements	CN's commitment to safety resulted in certain fee changes related to safety-sensitive shipments.
			P.32	Regulations: Added "Communications on Tariff Changes" which explains that the tariff is subject to change within 30 days' notice, which shall be provided exclusively by direct communication to subscribers of this publication.	To encourage customers to subscribe to our tariffs to ensure they always have the latest most to date tariff versions.
CN 9000-AB (S1)	December 19, 2017	February 1, 2018	8250	U.S. Customs User Fee (COBRA): Fee Increases from \$8.25 to \$8.47 per railcar.	Flow through U.S. Customs increase to customers.
			5900	Winter Read Certified Loader Program: Item expires on August 1, 2018	To reflect change in how incentive program is facilitated.
			P.25, 26, 28; Items 15000, 15100, 9200	Removed reference to "environmentally sensitive commodities."	To ensure tariffs are consistent with federal regulations.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			P.29	Billing & Dispute Resolution: Amended billing policy to commit to bill customers within 18 business days (as opposed to the prior 21) for optional services, or the service is free.	To promote expedited dispute resolution process.
CN 9000-AB (S5)	August 27, 2018	October 1, 2018	3050, 1200, 5600, 6100, 6200, 8000, 8030, 8050, 8060, 9000, 9050, 9370, 11000, 12000, 13000, 13100, 13300, 14000, 14100, p. 33	Note added to these items and provisions stating that an additional charge may be applied to foreign railroad-supplied railcars.	To promote network fluidity.
			1175	New Item: Imposes a \$150 per foreign railroad-supplied railcar fee for cancelling or reducing a foreign railroad-supplied railcar order.	To promote network fluidity.
			8250	US COBRA fee increase from \$8.47 to \$8.65 per railcar.	Flow through U.S. Customs increase to customers.
			9380	Increased fee for unauthorized use of CN equipment from \$2,500 to \$10,000 per railcar.	To promote efficient asset utilization.
			9400	Increased fee for failure to use OT5 approval for private railcars from \$100 to \$200 per railcar.	To promote efficient asset utilization.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			9405	New item pertaining to OT5 Storage – Designated and Alternate Locations. This provision provides notice to customers that if CN identifies an impending issue with space at the loading location or yard, CN will re-direct railcars to the storage location indicated in the OT5 application. Storage costs or asset use fees, as well as freight charges for a revenue empty move to or from the storage location, will apply.	To promote efficient asset utilization.
CN 9000-AC	November 2, 2018	January 1, 2019	8000	Increased hold fees for Canada and US Customs from \$700 to \$1,000 per railcar.	To promote efficient asset utilization.
			8020	New item, transferred from 8000, imposing hold fees of \$2,500 per railcar for incomplete or erroneous customs documentation.	To promote network fluidity.
			9000, 9050, 9060, 9500, 9370	Fee increases for asset use of railroad provided railcars at loading and unloading, for US grain shipments at unloading, and for customer-assigned pool storage, and for held railcars from \$110 to \$130 per railcar, per day excluding the greater Vancouver and Chicago areas. Fees increased from \$150 to \$170 per railcar per day for Vancouver and Chicago areas. Reduced asset use unloading credits from 2 days to 1 day (item 9050).	To promote efficient asset utilization.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			9200	Fee increase for asset use of private loaded railcars not containing dangerous goods or hazardous materials from \$65 to \$75 per railcar, per day. For the greater Vancouver and Chicago areas, those fees increased from \$110 to \$120 per railcar, per day. Free time changed from "up to a maximum of 24 hours at destination, 0 hours otherwise" to "No free time."	To promote efficient asset utilization.
			9300	Fee increase for asset use of private loaded railcars not containing dangerous goods or hazardous materials from \$65 to \$75 per railcar, per day. For the greater Vancouver, Regina, Edmonton and Chicago areas and for Destrehan, those fees increased from \$110 to \$120 per railcar, per day.	To promote efficient asset utilization.
			9350	Fee increase for asset use for locomotives or railcars moving on own wheels from \$100 to \$110 per railcar, per day.	To promote efficient asset utilization.
			p. 20	Amended title of asset use provision to include railcars held.	To improve clarity.
			13000	Added a fee of \$2,500 per block for intraplant switching	Imposes maximum fee per block of consecutive cars which places a cap on what can be charged for a block of cars.
			13100	Increased fees for incidental switching from \$50 to \$150 per railcar effective January 1, 2019 and from \$150 to \$250 per railcar effective July 1, 2019. Added a fee of \$2,500 per block.	Imposes maximum fee per block of consecutive cars which places a cap on what can be charged for a block of cars.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			13400	Increased switching fees from \$475 to \$500 per car. In Chicago, those fees increased from \$945 to \$990 per car.	To promote network and yard efficiencies.
			p. 33	Regulations: Text change to “Freight Claims Submission – Grain (product loss or damage)” to include all grain movements (as opposed to earlier provision applying solely to Western Canadian movements).	For consistency amongst customers.
CN 9000-AC (S1)	December 21, 2018	February 1, 2019	14300	New item: Imposes loss and damage liability upon customer for damages caused from railcars found to be leaking.	CN's commitment to safety resulted in certain tariff changes related to safety-sensitive shipments.
			9400	Changed the responsible party for OT5 approval for private railcars.	Changed to party that is identifiable on the waybill.
			9405	Removed the responsible party reference from OT5 storage - designated and alternate locations.	Not required as included in item 9400.
CN 9000-AC (S4)	March 26, 2019	April 1, 2019	13100	Incidental Switching to Execute Initial Placement and/or Pull Request At Your Location: Fee of \$150 per railcar extended to December 31, 2019. Effective January 1, 2020, fee is increased to \$250 per railcar.	To promote network and yard efficiencies.

CN 9003 -- Optional Services Tariff -- Dimensional Loads					
Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9003-J	November 9, 2015	January 1, 2016	P. 3	Dimensional Load Services: Added a note to clarify that: "If the actual measurements of a load exceed the maximum dimensions allowable, the customer will be held responsible for modifying the load and will assume all associated costs in the load modification."	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			4000	New item: Optional Special Switch and Special Train Services. Offers customers the option of scheduling special switch or train services that are beyond CN's regularly scheduled services.	To promote network and yard efficiencies.
			4500	New Item: Government and Border Related Fees. Provides that all government and border related fees are applicable to dimensional loads.	To ensure consistency in charges amongst customers.
CN 9003-K	December 1, 2016	February 1, 2017	3500	Railcars Held: Provides examples for clarity on when charges are applied.	To improve clarity.
			4500	Government and Border related Fees and Other Optional Services Fees: Clarity provided on additional charges that may apply.	To improve clarity.
			5000	New Item: Cleaning charges. Imposes cleaning charges where dunnage (blocking, bracing, strapping, or other material used to secure a load) is not removed and a unit is found to be unsuitable for loading by CN or rejected by the next shipper as such.	To promote efficient asset utilization.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			P.8	Regulations: Added "Applicable Taxes" to clarify that the party invoiced for a particular service is responsible for all applicable taxes for that service.	To improve clarity.
CN 9003-L	November 10, 2017	January 1, 2018	3500	Railcars Held: Text clarification provides examples of when CN may hold railcars at an intermediate point en-route.	To improve clarity.
			4000	Increased fees for Optional Special Switch and Special Train Services from \$409 per hour to \$500 per hour for special switches and from \$122 per mile to \$125 per mile for special train services. Cancellation fees were also increased from \$735 to \$750 for special switches cancelled more than 24 hours in advance and from \$2700 to \$3000 for special train services cancelled more than 24 hours in advance. Fees for special trains cancelled upon less than 24 hours notice increased from \$10,700 to \$11,000.	To promote network and yard efficiencies.
			P.9	Regulations: Added “Communications on Tariff Changes” which explains that the tariff is subject to change within 30 days' notice, which shall be provided exclusively by direct communication to subscribers of this publication.	To encourage customers to subscribe to our tariffs to ensure they always have the latest most to date tariff versions.
CN 9003-M	November 2, 2018	January 1, 2019	3000	Asset Use: Text change making a distinction between standard railroad supplied railcars and heavy duty/specialized railroad supplied railcars.	To improve clarity.
			4500	Government and Border Related Fees, Carbon Surcharges and Other Fees: Carbon surcharge fees moved from item 4600 to item 4500.	To simplify tariff.

CN 9004 -- Optional Services Tariff -- Unit Trains					
Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9004-N	November 9, 2015	January 1, 2016	1	Removal or Placement of Locomotive and Crew: increased charge from \$2,750 to \$2,850. Charge now also applies if a unit train cannot be spotted at a terminal due to a customer-related issue and the train is placed on hold and the locomotive power is removed. Item 1 now incorporates items 2 and 7, relating to "pick-up" of empty unit trains of private cars at loading site and removal or placement of locomotive and crew.	To promote efficient asset utilization.
			3	Use fees assessed for asset use and holding a unit train. Added an exception for free time of unit trains loading or unloading crude oil or frac sand. Responsible party is subject to charges should a unit train be staged or placed in hold status due to a customer's request or actions, such as a customer failing to control dust emissions, an unloading receiver unable to accept railcars and bunching of trains due to a customer-related issue. Added an additional \$700 fee per train, per hour for railroad-provided railcars containing dangerous goods, hazardous materials or environmentally sensitive materials where locomotive and crew are included. The fee is reduced to \$400 per train per hour where no locomotive or crew is utilized.	To promote efficient asset utilization.

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			8	Shipment plan changes: New item added for changes made to unit train billing information. Such changes incur charges that range from \$500 per block or train where notification of change is made prior to departure and greater than 72 hours of schedule service, to \$3,000 per block or train for a cancellation request within 24 hours of scheduled release. Customers loading crude oil and frac sand are required to submit a request 96 hours prior to the release of the unit train.	To promote network and yard efficiencies.
			9	Optional Railcar Diversion: New item added that imposes a \$3,500 per block or train charge for a diversion, that is, any change in how the railcar is handled once a railcar is pulled from a siding.	To improve clarity and tariff simplicity.
			10	Buffer Cars: New charges for the provision of buffer cars required for unit trains containing dangerous or hazardous commodities. Charges are \$500 per buffer car per switch; \$500 per buffer car for the movement of the loaded train and its return or follow-up empty movement; \$300 per CN supplied buffer car in addition to the above transportation charges.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			11	Government and Border Related Fees: Imposes all government and border related fees in CN 9000, items 8000 through 8300 upon unit trains.	To ensure consistency in charges amongst customers.
			P.10	Definitions: Changed the definition of a unit train from a set of a minimum of 90 cars to 80 cars.	Reduced car count in unit train definition to be more inclusive of unit trains.
CN 9004-O	December 1, 2016	February 1, 2017	1	Removal or Placement of Locomotive and Crew: Fee increased from \$2,830 to \$3,000 for the removal of a locomotive and crew without railcars or for the placement of a locomotive and crew without railcars.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			3	Asset Use or Holding a Unit Train: reduced the fees imposed after free time ends for asset use (loading or unloading of unit trains) or holding of a unit train.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			6	Applying Side release Agent during Freezing Conditions. Added text that provides: "If and when a train is held due to frozen product, charges in this tariff in addition to fees from CN 9000 may apply."	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			8	Lowered charges for shipment plan changes. The provision now provides: "If CN power has already been assigned to a customer's site 72 hours prior to your scheduled shipment date, charge in CN 9004 Item 1 will apply." A \$500 fee for changes made more than 72 hours in advance of shipment release was removed. Fee of \$2,000 applicable for changes within 48 hours (previously applied for changes within 72 hours).	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			9	Diversion Service: Clarity provided on when charges are applied.	To improve clarity.
			10	Reduced the fees from \$500 per buffer car to \$250 per buffer car where required for unit trains containing dangerous and hazardous commodities.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
CN 9004-P	November 10, 2017	January 1, 2018	3	Asset use (loading or unloading) or holding a unit train charges now are charged based on presence of locomotive, word "crew" removed from charge determination.	To promote efficient asset utilization.
			9	Diversion Service: Added "authorized agent" to the parties that can request diversions.	To improve clarity.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			P.12	Regulations: Added “Communications on Tariff Changes” which explains that the tariff is subject to change within 30 days' notice, which shall be provided exclusively by direct communication to subscribers of this publication.	To encourage customers to subscribe to our tariffs to ensure they always have the latest most to date tariff versions.
CN 9004-P (S1)	June 4, 2018	July 1, 2018	P.9	Billing & Dispute Resolution: Amended billing policy to commit to bill customers within 18 days (as opposed to the prior 21) for optional services, or the service is free.	To promote network fluidity.
CN 9004-P (S4)	August 27, 2018	October 1, 2018	3	Asset Use (Loading or Unloading) or Holding a Unit Train: Note added stating that an additional charge may be applied to foreign railroad-supplied railcars.	To promote efficient asset utilization.
			13	New item pertaining to OT5 Approval for Private Railcars. Imposes a \$200 per railcar charge on a private railcar that does not have OT5 approval. Requires private railcars to be registered and approved using the Railinc OT5 registration system prior to moving on CN's lines.	To ensure uniformity between tariffs.
			14	New item pertaining to OT5 Storage – Designated and Alternate Locations. This provision provides notice to customers that if CN identifies an impending issue with space at the loading location or yard, CN will re-direct railcars to the storage location indicated in the OT5 application. Storage costs or asset use fees, as well as freight charges for a revenue empty move to or from the storage location, will apply.	To promote network fluidity.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			P.12	Regulations: Clause added for foreign railroad-supplied railcars to provide that foreign railroad-supplied railcars may be subject to additional charges to account for capacity utilization on CN's network.	To promote network fluidity.
			P.12	Regulations: Text change to “Freight Claims Submission – Grain (product loss or damage)” to include all grain movements (as opposed to earlier provision applying solely to Western Canadian movements).	For consistency amongst customers.
CN 9004-Q (S1)	January 30, 2019	March 1, 2019	13	OT5 Approval for Private Railcars: Changed the responsible party to payor of freight.	Payor of freight is easily identifiable on the waybill.
			14	OT5 Storage – Designated and Alternative Locations: Removed the responsible party and referenced items 9200, 9250, 9300 and CN 890000, which identify the freight charges and fees that may be applied for asset use.	To simplify tariff.

CN 9100 -- Optional Services Tariff -- Intermodal					
Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9100-P	November 16, 2015	January 1, 2016	5130	Contaminated import containerized shipments destined to the U.S.: Added a fee of \$1,500 per unit for arranging to return the shipment to the port of entry via rail.	To promote efficient asset utilization.
			5200	USDA APHIS Fees: Reduced fee from \$2.02 to 0.52 per container.	Flow through customs fee to customers.
			6500	Steamship units: Daily storage rate in Detroit increased from \$100 to \$150 each for the first 8 chargeable days.	To promote network and yard efficiencies.
			6910	Transfer of loaded intermodal equipment from Memphis: Clarification on the storage calculation.	To improve clarity.
			6920	Transfer of loaded intermodal equipment from Chicago (Harvey): Clarification on the storage calculation.	To improve clarity.
			6930	Transfer of loaded intermodal equipment from Detroit: Addition of the CN Holbrook Yard as a transfer location. Clarification on the storage calculation.	To improve clarity.
			10100	Unsafe to handle: Added a new \$10,000 fee, plus expenses, for shippers tendering containers equipped with flexitanks, in violation of the conditions listed in CN 6800 Item 1200.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			6110	Additional pick-ups, deliveries and re-deliveries: Added wording to confirm the application of fuel surcharge.	To improve clarity.
			8090	Maximum Weights: Payload maximums have been updated.	To promote safety.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			8300	Driver wait charges: Price increase to \$15.75 for each delay of 15 minutes or any portion thereof Added a fee of \$22.50 for each delay of 15 minutes once chargeable wait-time has exceeded 300 minutes.	To promote efficient asset utilization.
			8460	No rail billing or documentation at origin: Added a fee of \$100 per day for each day dwelling at a CN yard waiting for proper billing or documentation.	To promote yard fluidity and efficiencies.
			8530	Overweight handling and loading responsibility: Deleted item as fee covered in CN 9100 Item 10000.	To reflect consistency amongst tariff provisions.
			P.32	eBill disputes: Added: “and pay all non-disputed items on an invoice.”	To promote fairness in the billing dispute process.
CN 9100-R (V2)	January 11, 2017	February 1, 2017	2100	Providing complete and accurate documentation: Transferred minor change fee from item 1100 to item 2100.	To reflect consistency amongst tariff provisions.
			5100	Hold fees for U.S. Customs and Border Protection (CBP): Added reference to CN border crossing.	To ensure tariff accuracy.
			5140	New item: A handling charge of \$500 per unit will be applied to containers held at the border for seized goods or improper loading.	To promote network and yard efficiencies.
			P.10	Clarified that credits have no monetary value, may not be carried over to a future service period, and may not be carried over amongst terminals.	To improve clarity.
			9000	Unauthorized use of CN or railway-controlled units: Added wording to cover use of CN controlled customer equipment.	To improve clarity.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			10000	Fee increase from a range of \$2,000-3,000 to \$5,000 per unit plus asset use fees for moving an overloaded or improperly loaded shipment on the network.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			10100	Fee increase from \$300 to \$500 plus any fees incurred by CN for failure to comply with applicable regulations governing the transportation of dangerous goods/hazardous materials.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
			1100	Diversion: Clarity provided on when charges are applied and minor change fee transferred to item 2100.	To improve clarity.
			8000	Freight refused or returned: Added wording to clarify obligations in addition to stating that any costs associated with product disposal or return will be passed through.	To improve clarity.
			8180	Fee increase for shunting from \$15.00 to \$15.75 per block of fifteen minutes or portion thereof.	To promote network and yard efficiencies.
			8230	Increased the fee for statutory holiday service for helpers (swampers, lumpers) to \$200 per helper per container.	To promote network and yard efficiencies.
			P.33	Billing - On time: Removed exception: "If CN and the customer have entered into a separate billing agreement."	To promote fairness in the billing dispute process.
CN 9100-S	June 30, 2017	August 1, 2017	1100	Diversions: Provided text clarity and stated that diversions should be handled via CN's eBusiness tool.	To improve clarity.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
			6500	Storage of Private Intermodal Steamship Units: Added daily storage charges for reefers of \$200 per unit per day for first 8 chargeable days, and \$350 per unit per day thereafter for Chicago, Detroit, Joliet, and Memphis. Other US terminals charged at \$150 per unit per day. Start of free time clarified to begin once "deramped" rather than "after arrival".	To promote network and terminal efficiencies.
			8800	New item: A fee of \$325 per shipment is imposed when double-stacking units is unachievable because the height of the lading exceeds the height of the corner posts of open top equipment.	To promote network efficiencies.
			10100	Unsafe to handle: Changed responsible party from "Certified loaders" to "Shippers" for the \$25,000 per unit fee.	To ensure appropriate party identified in waybill is billed for fee.
CN 9100-T	August 31, 2017	October 1, 2017	p. 33	Added regulation regarding the application of special surcharges to the rates and provisions, which provides that surcharges may be applied to rates in the tariff.	To improve clarity.
CN 9100-U	September 15, 2017	October 15, 2017	6000	Increased fees for days beyond the first day for asset use of railroad provided units. For each additional day after the first day, charges are as follows per unit, per day: Dry equipment: \$160; Heated Units: \$250; Refrigerated units: \$300; Steamship units: \$100 when CN performs the dray; Insulated equipment: \$250 (November 15 to March 15) and \$160 (March 16 to November 14).	To promote efficient asset utilization.
			8360	Increased fee to \$100 per day per chassis for days beyond the first day for chassis detention.	To promote efficient asset utilization.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9100-V	November 10, 2017	January 1, 2018	1100	Diversions: Added “authorized agent” to the parties that can request diversions.	To ensure authorized agents have appropriate authority to request diversion.
			P.40	Regulations: Added “Communications on Tariff Changes” which explains that the tariff is subject to change within 30 days' notice, which shall be provided exclusively by direct communication to subscribers of this publication.	To encourage customers to subscribe to our tariffs to ensure they always have the latest most to date tariff versions.
CN 9100-V (S1)	December 19, 2017	February 1, 2018	5150	U.S. Customs COBRA fee increased to \$2.31 per unit.	Flow through customs fee to customers.
CN 9100-V (S2)	June 4, 2018	July 1, 2018	P.40	Billing & Dispute Resolution: Amended billing policy to commit to bill customers within 18 business days (as opposed to the prior 21) for optional services, or the service is free.	To promote expedited dispute resolution process.
CN 9100-V (S3)	April 13, 2018	May 15, 2018	6500	Changes to Extended Storage for Steamship Units: Sunday as a free day at U.S. terminals has been eliminated for loads and empties. Holidays have been added as an additional free day (if within the free time period) The per day storage fee for loaded dry and refer containers escalates earlier within the storage period: - o Fees will increase now on the 4th chargeable day rather than the 9th day (Group 1 and 2, Reefer all groups) - o Fees escalate once more on the 8th chargeable day (group 1 and 2, reefer all groups) Reduction of \$50 for each chargeable day (max \$250) for off-peak hours pickup at selective terminals	To promote network and terminal efficiencies.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9100-V (S5)	June 29, 2018	August 1, 2018	6000	Increased fees for asset use of railroad provided units. Charges are as follows per unit, per day: Dry equipment: \$100 first day, \$200 each additional day; Heated Units: \$160 first day, \$300 each additional day; Refrigerated units: \$160 first day, \$300 each additional day; Steamship units: \$50 first day, \$100 each additional day when CN performs the dray; Insulated equipment: \$160 first day, \$300 each additional day (November 15 to March 15) and \$100 first day, \$200 each additional day (March 16 to November 14).	To promote efficient asset utilization.
			6105	Identifies pricing changes for trucking fees for pick up and delivery.	To promote efficient asset utilization.
			6930	Item Deleted: Detroit Intermodal Terminal De-congestion Surcharge (DCS) – Transfer of Loaded Impex Intermodal Equipment from Detroit.	Item removed to reflect current operations.
			8250	New Item: Imposes a \$100 per unit charge for providing a post shipment report on temperature, fuel or operational status for 53' reefer standard intermodal refrigerated containers.	To promote efficient asset utilization.
			8300	Increase driver wait charges to \$15.75 per pickup or delivery for each delay of 15 minutes or any portion thereof. For wait-time exceeding 240 minutes fee increases to \$25.00 for each delay of 15 minutes or any portion thereof.	To promote efficient asset utilization.
CN 9100-V (S7)	August 27, 2018	October 1, 2018	5150	U.S. Customs User Fee (COBRA): Fee increase to \$2.36.	Flow through customs fee to customers.
CN 9100-W (S1)	January 30, 2019	March 1, 2019	P.3	Bill of Lading Requirements: Added “Full commodity description” under “Smooth the way across borders” column.	To improve clarity.

Version	Issue Date of Change	Effective Date of Change	Item(s) Changed	Description of Change	Reasons for Change
CN 9100-W (S2)	February 11, 2019	March 14, 2019	10100	Unsafe to Handle: Containers with improperly mounted clip on / nose mounted gensets will be subject to a fee of \$10,000 per unit plus asset use fees or other expenses incurred by CN.	CN's commitment to safety resulted in certain fee changes related to safety-sensitive and specialty services.
CN 9100-W (S3)	April 29, 2019	June 1, 2019	6000	Text change for clarification that asset use for railroad-provided dry equipment in domestic service includes EMPs used in substitution. Added reference to Blume Global Per Diem Policies for EMPs.	To promote efficient asset utilization.
			6360	New Item: Asset use of EMP intermodal equipment at destination terminals is assessed as per Blume Global, the third party provider that administers the optional services' fees for the EMP program.	Advises customer's of Blume Global Storage Policies for EMP equipment charges.
			8440	New Item: Imposes \$1,000 per unit fee for invalid EMP routing and clarifies which commodities may be shipped across the Canada-US border.	To ensure compliance with cross-border regulations.