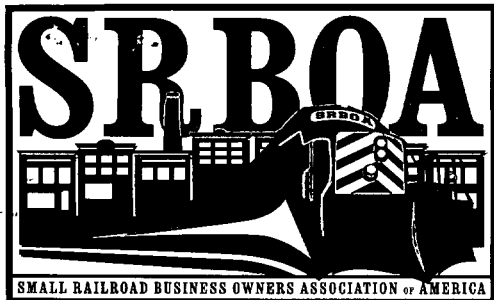




John W. Gohmann, President



October 13, 2006

Via US Mail

Mr. Vernon L. Williams, Secretary,
US Surface Transportation Board
Washington, DC

217836

RE: Ex PARTE 661, Fuel Surcharge

Dear Mr. Williams

Enclosed is the original and 14 copies of our response and comments to
the filings in this case.

Thank you very much.

Sincerely,

John W. Gohmann, President

Attachments

ENTERED
Office of Proceedings

OCT 17 2006

Part of
Public Record

SMALL RAILROAD BUSINESS OWNERS OF AMERICA
MINNESOTA COMMERCIAL RAILWAY COMPANY

Comments in Response to Filings in STB Exparte 661, Fuel surcharge

We have gone through many of the customer (shipper) responses filed. They all have a common thread – they are in large part using these proceedings to complain about higher rates, and some, about being captive or other special situations.

Years ago, prior to deregulation, the so called “rate increases” – where the railroads would have to file with the old ICC to take rate increases, prompted such kinds of responses as we now see here – everyone with different kinds of ideas of how to apply formulas, what kind of indexes and formulas to use, and, additional reporting by railroads to the regulatory agencies each month to justify such increases. The names of the actors are largely different – but the “play” is the same – this is a throwback to regulation, plain and simple.

Cries for standardized mileage allowances, which index to use, all kinds of algorithms and mathematic equations – all can be summarized in one word – reregulation of rates – the foot is opening the door.

We again submit that any form of a regulatory surcharge will reduce capital spending by the industry, as the end result is more administrative expense and the loss of some revenue. The rail industry is spending 10 billion this year on capital and infrastructure improvements – UP is building new yards and double tracking the old SP Sunset Route, the BNSF, double tracking the entirety of the Chicago to California mainline and other locations, and much more – all designed to increase capacity and improve service and efficiency over the years to come.. And, in large part, the spending is attempting to make up, as much as can be spent with ROI's at current levels, with thirty years of public policy which subsidized other, far less fuel efficient modes of transport and spent nothing on railroads. While the STB's function is to protect rail customers, its overriding mission is to foster a healthy and competitive rail system in the USA. With gridlock close at numerous locations in our rail system, that has to be paramount. Montanans are complaining about high shipping rates to the Pacific Northwest - but fail to understand that moving trains over two mountain ranges with ruling grades close to 3% can burn three times as much fuel per ton mile than operating the same train on the flatlands. The petroleum interests complain of high tank car rates – but did they ever stop to think that federal regulations require special placement and handling of hazmat cars in trains, that such traffic, in today's world, is viewed as dangerous, risky, subject to terrorist concerns, and, raises insurance rates for doing business dramatically, and, further, is as we speak, under substantial FRA and Homeland Security safety review right now. Such commodities require extra handling, including special train placement and position which adds extra switching and fuel costs, special monitoring, and, special inspections, as well

For intermodal shippers, who would otherwise use truck, do they understand that operating an intermodal train upwards of 50 mph up towards 80 mph (important to meet or come close to truck schedules) can increase fuel consumption and horsepower demands by 100 to 200% over operating the same trains at speeds of around 40 mph, where the wind shear is far less dramatic..

Also, the cost of terminal handling of a rail freight car consumes far more fuel per ton mile than while on the road. Cuts of cars have to be switched and classified several times at slow speeds – 5 to 10 miles per hour, moved between railroad terminals and others, or customer sidings.

For coal customers, the cost of moving coal isn't inexpensive. To operate trains efficiently, modern, well surfaced heavy rail is required, and, that burns millions of gallons a year of fuel in maintenance of way machinery like tampers, ballast regulators, ballast cleaners, and many more similar machines. And, such routes to and from the Powder River Basin encounter hills and mountain ranges to reach many of the destinations, where fuel consumption again skyrockets.

Exhibit B is a copy of the ABF Truck line Fuel Surcharge Tariff – comparable to tariffs of many other US truck lines. With trucks moving about 80% of all interstate commerce (as opposed to tonnage), with 15 to 20% increases in rates just due to fuel surcharges, why has no one asked for reregulation of trucking and some kind of regulated fuel surcharge? We submit the cost to the public is far greater due to these truck charges, overall, than the surcharges in the rail industry. Or, for that matter, why haven't these shippers gone to the heart of the problem, the oil companies and petroleum interests, and attempted to regulate the amount of increases in the cost of oil. Exhibit A is from the financial section of The Wall Street Journal of October 8th. Not only is there a story indicating that the price of oil may be going down (and this issue may become less important if true), but, there are quotes for wholesale petroleum products in New York Harbor –one of the major indices used by many to price retail.. Note there is only an 8 cent a gallon spread in the cost of regular unleaded gasoline and heating oil – with the spread a little higher, at about 18 cents a gallon, between unleaded regular gas and LOW SULPHUR diesel fuel.. Yet, at fueling facilities all around the country, you will easily see a spread of as much as 50 cents a gallon higher diesel fuel! (One major truck stop in Illinois, on October 9th, offered regular unleaded at \$2.15 a gallon but diesel fuel at \$2.55). While perhaps refining costs may be a couple cent a gallon factor sometimes, the salient truth is that oil companies are pricing diesel fuel at margins double those of gasoline in many cases because the trucker will pay it and pass it on to the consumer and the railroad also has to do so...But, the oil companies are experiencing record profits – at the expense of the consumer and there are no cries to “Regulate” the spread of their products, gasoline versus diesel. Why don't we regulate the source of the problem?

We sympathize with captive shippers – but their remedies do not lay in fighting or seeking a regulated a fuel surcharge. We sympathize with petroleum interests – but it's their companies reaping record earnings all the time as we consumers have to pay more.

Recently, we priced a one way airline ticket between Milwaukee, WI and Cincinnati – It was \$1000.00 during a business week day. Hundreds of other examples exist where those who have a business need to fly on short notice are being charged premium prices. But, no one is trying to reregulate airlines...or trucks, for that matter.

Of all the industries who need as much capital as is possible to improve infrastructure, it's the railroad industry – the only industry whose roadway infrastructure and/or major terminals are not provided by public financing and who, according to AAOSHTO calculations, will be coming up about 2.5 billion a year short of earning a sufficient ROI each year to spend for infrastructure to avoid gridlock. Also, rail fuel surcharges are not as high as those of trucks, so for what reason do transportation users single out the railroads... Probably because there are no other regulatory agencies left, or any who have any interest or authority other than maintaining a market based system...

As a terminal and switching railroad, with over 100 customers that originate or terminate about 25,000 carloads a year, we might be a bellweather of overall trends. While some of our customers have been driven to truck because of higher rail rates and surcharges on shorter distance moves, overall, rail car loadings to them are up –they are using more rail rather than less, because the railroads are again able to acquire new equipment, run more frequent service and offer better service because they are starting to address infrastructure and equipment needs for the future. The Board should leave rail freight fuel surcharges alone – costs vary so greatly in terms of fuel consumed per ton mile that no one singular charge or index can be applied with any certainty. As is the case with all other modes of transport, let the market place and actual costs dictate the charges. Any attempts to meddle with what's proven to start generating massive capital expenditures for capacity improvements by this Board will only hurt the industry but more importantly, the capacity of what's beginning to again be recognized as still the lowest cost of any surface transportation in our Country.

Respectfully submitted:

John W. Gohmann

Response Exhibit A

Wholesale Price of Fuel Oil, Low Sulphur Diesel and
Regular Unleaded gasoline New York Harbor, October 6, 2006

NY Harbor point of entry is excellent index used by many in determining retail levels. Note, however, that while Fuel Oil (almost the same as #2 diesel) is \$1.6320, and, Regular Unleaded gasoline, \$1.55, the spread of about eight cents per gallon, the spread at retail is much greater -

In Northern Illinois, over the weekend, large service facilities and truck stops selling regular unleaded gasoline for \$2.15 were selling Diesel for \$2.55 - a spread of 40 cents. While some refining costs may make a couple cents difference in some cases in favor of one or the other, the evidence is clear that the oil companies are marking up diesel substantially more than gasoline because the automobile industry usage is substantially more than truckers, and, the "truckers will pay" because the price is passed on in diesel fuel surcharges to the customers..

	0.7886	517.12	27.9500	0.007333	0.005994	0.005994	63.5022	65.2400
Panama (Balboa)				1.0000	1.0000		3710.0	4330.0
Papua New Guinea				2.9416	2.9112		250.000	250.000
Zambia (Kwacha)								
Zimbabwe (Dollar)								

ig Spotlight

al Trades

regulators last week)

SYMBOL	INSIDER'S NAME	TITLE	\$ VALUE (000)	NO. OF SHRS IN TRANS (000)	RANGE OF SHR VALUES	TRANS DATES
PBY	J. Mitarotonda	ODI	5,953	462	12.85-13.00	9/28-29/06
PNBK	D. Opatrny	UT	4,994	227	22.00	9/29/06
TIE	H. Simmons	CEO	4,762	200	23.81	10/03/06
MFLX	M. Roth	BI	1,888	77	24.35-24.61	9/29/06
CAG	G. Rodkin	CEO	1,836	75	24.48	10/03/06
MFLX	M. Roth	BI	1,581	62	25.04-25.50	9/29/06
MFLX	M. Roth	BI	1,458	60	24.01-24.34	9/29/06
TOFC	J. Henry	D	1,350	76	17.80	10/04/06
MFLX	M. Roth	BI	1,239	50	24.62-25.03	9/29/06
MFLX	M. Roth	BI	1,211	50	24.07-24.65	9/26/06
ORCL	D. Williams	O	29,125	1,650	17.65-17.66	10/03/06
AIG	M. Greenberg	BI	20,189	303	66.74	10/03/06
SMA	R. Morris	BI	17,080	1,100	15.50	9/29/06
AIG	M. Greenberg	BI	13,143	198	66.55	9/26/06
HDIX	J. Salem	BI	12,346	1,106	11.16	9/26/06
HDIX	G. Holley	DO	11,926	1,069	11.16	9/26/06
VZ	I. Seidenberg	CEO	10,825	285	37.12-37.22	10/02/06
GS	D. Vinari	CFO	9,354	55	170.05-170.10	9/29/06
CSX	M. Ward	CEO	7,856	235	32.58	9/27/06
AHM	J. Johnston	OD	7,330	209	35.00-35.71	10/02-04/06

ctor
es in reports received through Friday, in dollars)

BUYING	SELLING	SECTOR	BUYING	SELLING
5,020,131	8,385,230	Finance	9,959,258	107,611,448
228,700	16,013,347	Health Care	605,209	86,982,492
0	0	Industrial	10,277,286	13,956,201
831,259	10,302,897	Media	13,750	4,914,886
2,306,755	28,068,177	Utilities	55,305	14,964,452
997,065	38,241,754	Technology	803,572	136,632,682
2,248,473	8,272,062	Transportation	4,325	12,794,373

al Trades

Thomson Financial on October 5)

SYMBOL	INSIDER'S NAME	TITLE	\$ VALUE (000)	NO. OF SHRS IN TRANS (000)	RANGE OF SHR VALUES	TRANS DATES
CAG	G. Rodkin	CEO	1,836	75	24.48	10/03/06
TOFC	J. Henry	D	1,350	76	17.80	10/04/06
CSA	J. Cogdell	DO	499	24	20.89-21.47	10/02-04/06
CSA	F. Spencer	CEO	374	18	20.80-21.58	10/02-04/06
GLD	C. Clough	AI	382	20	17.60	10/04/06
CAG	R. Sharpe	O	270	11	24.52-24.54	10/03/06
GSS	P. Bradford	CEO	239	100	2.36-2.42	10/04/06
SCD	R. Gendelman	OX	178	10	17.79	10/04/06
HAF	M. Morrison	CEO	143	16	8.75-9.00	10/04/06
GDP	J. Austin	DOI	131	5	26.10	10/04/06
AHM	J. Johnston	OD	7,330	209	35.00-35.71	10/02-04/06
ETR	D. Hintz	D	6,400	80	80.00	10/03/06
VAR	R. Levy	D	6,124	120	51.03	10/02/06
MCK	J. Hammergren	CEO	5,361	100	53.35-53.70	10/03-04/06
HTG	D. Gaw	CFO	3,687	100	36.46	9/29/06
TPX	R. Trussell	DI	2,158	124	17.16-17.51	10/02/06
COH	K. Monda	P	2,130	60	35.50	10/04/06
ISE	D. Kreil	CEO	1,960	40	49.00	10/04/06
UNS	D. Nelson	O	1,803	55	33.06	10/02/06
BBY	J. Walden	O	1,691	30	56.38	10/04/06

ndirect. AI-affiliate of investment advisor. BI-beneficial owner of more than 10% of a security
ective officer. CFO-chief financial officer. CO-chief operating officer. D-director. DO-director
rector and beneficial owner. Hindirect transaction filed through a trust, insider spouse, minor
sr and director. OX-divisional officer. P-president. UT-unknown. VP-vice president. Excludes

Cash Prices

	LO/HI RANGE	FRI	THU	YEAR AGO
Grains and Feeds				
Barley, top-quality Mpls. bu	u3.35	sp	3.3	2.55
Bran, wheat middlings, KC ton	u80	83	67	59
Corn, No. 2 yel. Cent. III. bu	bpu2.47	sp	2.47	1.85
Corn Gluten Feed, FOB Midwest, ton	u56.36	sp	56.36	51
Cottonseed Meal, ton	u56.135	sp	135	137.5
Hominy Feed, Cent. III. ton	u54	63	58.5	39.5
Meat-Boonemead, 50% pro III. ton	u130	140	135	167.5
Oats, No. 2 millings, Mpls. bu	u2.3025	2.3025	2.3175	1.88
Sorghum, (Milo) No. 2 Gulf cwt	u5.82	sp	6.065	4.33
Soybean Meal, Cent. III, rail, ton 48%	u164.8	170.8	174.8	165.6
Soybeans, No. 1 yel Cent. III, bu	bpu5.295	sp	5.305	5.23
Wheat, Spring 14W-pro Mpls bu	u5.0475	5.1475	5.155	4.995
Wheat, No. 2 str red, St.Lou. bu	bpu4.305	sp	4.285	2.755
Wheat, hard, KC, bu	5.3375	sp	5.365	4.4925
Wheat, No. 1 str wht, del Port Ore	u4.77	sp	4.76	3.64
Foods				
Beef, Carcass Equiv. Index Value, choice 1-3,600-900 lbs.	u136.13	sp	136.1	133.18
Beef, Carcass Equiv. Index Value, select 1-3,600-900 lbs.	u127.27	sp	127.33	121.52
Broilers, Dressed "A" lb.	u7	7	7.463	
Broilers, 12-City Comp Wtd Av	u6.6224	sp	6.6224	6.948
Butter, AA, Chgo. lb.	u1.3325	sp	1.325	1.64
Cheddar Cheese, blocks, Chgo lb.	u124.5	sp	127.25	139.25
Cheddar Cheese, barrels, Chgo lb.	u121.25	sp	121.25	142.75
Milk, Non-fat Dry, Chgo	1.05	sp	1.05	96.25
Cocoa, Ivory Coast, Smetric ton	1.728	sp	1.752	1.575
Coffee, Brazilian, Comp.	n.994	sp	992	8926
Coffee, Colombian, NY lb.	n.11209	sp	1.1191	9927
Flour, Lge white, Chgo doz	u.49	53	535	52
Flour, hard winter KC cwt	13.2	sp	13.35	11.8
Hams, 17-20 lbs. Mid-US lb fob	u.8	sp	z	77
Hogs, Iowa-S.Minn. avg. cwt	u64.28	sp	63.77	65.4
Hogs, Sioux Falls, SD avg cwt	u49	sp	49.25	48
Pork Bellies, 12-14 lbs Mid-US lb	u.72	sp	z	72
Pork Loin, 13-19 lbs. Mid-US lb	u2	sp	1.02	1.075
Steers, Tex.-Olda. ch avg cwt	u2	sp	z	2
Steers, Feeder, Old City, av cwt	u2	sp	116.31	120.88
Sugar, cane, raw, world, lb fob	11.51	sp	11.58	12.4
Fats and Oils				
Corn Oil, crd wet/dry mill	u.524	25	24.5	27.5
Grease, choice white, Chgo lb.	b.165	sp	165	n.165
Lard, Chgo. lb.	u.26	sp	285	165
Soybean Oil, crd, Central III. lb.	u.2275	24	23.195	24.045
Tallow, bleachable, Chgo lb.	.175	sp	17375	.17
Tallow, edible, Chgo lb.	.2	sp	2	.17
		FRI	THU	YEAR AGO

Fibers and Textiles

Burlap, 10 oz 40-in NY yd	nw.44	44	436
Cotton, 1 1/16 str hw-md Mpls lb	4534	4594	5043
Wool, 64s Staple, Terr. Del. lb.	uwna		1.3
Miscellaneous			
Hides, dry native steers lb. fob	u86.75-92.5	86-92.5	80.825
Precious Metals			
Gold, troy oz.	562.35	574.92	474.15
Engelhard indus bullion			

Complete futures prices and futures
options data can be
found at wsj.com/free

Dow Jones Specialty Indexes

	CLOSE	NET CHG	% CHG	YTD CHG	YTD
U.S. Select Dividend*	837.00	-3.51	-0.42	+11.89	3.48
Select Microcap	1189.73	-5.70	-0.48	+6.20	...
BRIC 50	414.34	-1.97	-0.47	+31.93	...
Islamic Market	1934.17	-9.28	-0.48	+6.79	1.65
Islamic Emerging	1739.52	-0.44	-0.03	+8.96	2.74
Islamic Technology	2288.18	-6.24	-0.27	+4.58	0.82
Islamic U.S.	2021.86	-5.32	-0.26	+5.35	1.33
Islamic Titans 100	2157.99	-7.65	-0.35	+7.83	1.92
France Titans 30 <	345.46	-0.86	-0.25	+12.14	2.00
Germany Titans 30 <	341.19	+0.58	+0.17	+9.81	1.90
Hong Kong Titans 30 <	5800.27	-2.53	-0.04	+20.09	2.60
Italy Titans 30 <	3980.18	-2.12	-0.05	+10.05	2.84
Japan Titans 100 <	3546.60	+15.95	+0.45	+4.72	1.09
U.K. Titans 50 <	246.03	-0.13	-0.05	+6.36	3.40
Arabia Titans 50	346.54	-1.19	-0.34	-13.04	3.41
Sustainability	1181.03	-5.38	-0.45	+12.65	2.29
Composite REIT*	829.84	-6.63	-0.79	+25.26	4.33
Equity REIT*	934.42	-8.11	-0.86	+25.97	3.88
Composite Internet	92.23	-0.73	-0.79	-2.12	...
Internet Commerce	137.52	-0.85	-0.61	-5.29	...
Internet Services	56.40	-0.59	-1.04	+17.67	...
CBOT Treasury	130.26	-0.70	-0.53	-1.39	...
Corporate Bond*	192.23	-0.97	-0.50	+2.04	5.77
US Cold-Rld Steel Sep-m	731.75	+2.84	+0.39	+15.87	...
US Hot-Rld Steel Sep-m	630.63	+0.70	+0.11	+14.50	...
Portfolio Indexes					
	U.S. CLOSE	MTD PERCENT	GLOBAL CLOSE	MTD PERCENT	
Target Today	175.58	+0.11	+255.93	+0.04	

c-index in local currency; *Total return; m-monthly data

October 6, 2006

	FRI	THU	YEAR AGO
Engelhard fabric prods	604.53	618.04	569.72
Handy & Harman base price	560.75	573.30	472.70
Handy & Harman fabric price	605.61	619.16	510.52
London fixing AM 570.60 PM	560.75	573.30	472.70
Krugerrand, whol	ae578.50	576.50	479.00
Maple Leaf, troy oz.	ae602.18	594.36	492.81
American Eagle, troy oz.	ae602.18	594.36	492.81
Platinum, (Free Mkt.)	1070.00	1085.00	930.00
Platinum, indus (Engelhard)	1074.00	1088.00	930.00
Platinum, fabr prd (Engelhard)	1174.00	1188.00	1083.00
Palladium, indus (Engelhard)	297.00	301.00	197.00
Palladium, fabr prd (Engelhard)	397.00	401.00	297.00
Silver, troy oz.			
Engelhard indus bullion	11.030	11.110	7.685
Engelhard fabric prods	13.236	13.332	9.068
Handy & Harman base price	11.020	11.100	7.710
Handy & Harman fabric price	13.224	13.320	9.098
London Fixing (In pounds)			
Spot, (U.S. equiv. \$11.0100)	5.6889	5.8189	4.3100
Coins, whol \$1,000 face val	a7.886	7.808	5.590

	FRI	THU	YEAR AGO
Aluminum Comex lb.	1.151	1.1325	0.888
Antimony, RN Spot, \$/lb.	62.52-55	2.6-45	1.61
Copper, high gr lb, Cmi sp price	3.3835	3.2995	1.9005
Lead, RN NA Solder, cts/lb.	491.459	90.573	66.983
St. Steel Scrap, US, \$/gross ton	z	z	14.73
Tin, RN NA Solder, cts/lb.	6591.899	586.647	433.456
Zinc, RN NA Dealer, cts/lb.	6171.756	166.087	70.269

a-Asked. b-Bid. bp-County elevator bids to producers. c-Corrected. d-Ryan's Notes
n-Reuters. e-Warfar, Torrella & Brookes, Inc. n-Nominal. na-Not available. r-Rail bids.
s-high price - asked, low price - bid. u-U.S. Dept. of Agriculture. w-weekly price. x-less than truckloads. z-Not quoted. z-o.b. tankcars. sp-Single price.

Oil Prices

	FRI	THU	YEAR AGO
CRUDE GRADES			
European "Spot" or free market prices			
Forties	57.30	58.58	58.93
Brent	57.00	58.28	58.63
Bonny It.	58.50	59.68	60.68
Urals-Medit.	53.95	55.18	54.48

	FRI	THU	YEAR AGO
Offshore-d			
European "Spot" or free market prices			
Forties	57.30	58.58	58.93
Brent	57.00	58.28	58.63
Bonny It.	58.50	59.68	60.68
Urals-Medit.	53.95	55.18	54.48

	FRI	THU	YEAR AGO
Domestic-f			
Spot market			
W. Tex. Int Cush (5225-5960) (Nov.)	59.77	60.04	61.84
W. Texsour, Midl (4800-5552)	55.72	56.14	56.03
LA sweet StJames (5450-5825)	60.22	60.69	62.79
Al. No. Slope Pacific Del.	54.49	54.73	59.94
Open-Market crude oil values in Northwest Europe around 17:50 GMT in dls per barrel, for main loading ports in country of origin for prompt loading, except as indicated.			

Raw Products			
Natural gas Henry Hub, \$ per mmbtu	4.390	4.670	13
a-Asked. b-Bid. c-Corrected. d-As of 11 a.m. ET in NW Europe. f-As of 4 p.m. ET. Rest posted buying prices in parentheses. g-ChemConnect's current price m-Midday price. Not available. z-Not quoted. n-Nominal. r-Revised. Source: Dow Jones Energy Service			

Response Exhibit B

Current fuel surcharge of ABF Truck Lines - very common and similar to that used by other truck lines. At \$2.55 per gallon, the surcharge is 16.4%.

There is no thought or movement of regulating truckers and their fuel surcharges, nor is there any thought of regulating the margins oil companies make on the various brands of petroleum products.


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Rules And Special Service Charges (ABF 111-X)

[Resource Center](#)

Effective: 08/16/2005 | Inquiry: 10/08/2006

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Item 161 : Fuel Surcharge - Computation and Application

Unless otherwise specifically provided, a fuel surcharge as shown in the table shall apply on all line haul charges when the U.S. National Average Fuel Index is:

At Least	But Less Than	Fuel Surcharge Amt	
		LTL	TL
90	91	-1.0%	-2.0%
91	92	-0.9%	-1.8%
92	93	-0.8%	-1.6%
93	94	-0.7%	-1.4%
94	95	-0.6%	-1.2%
95	96	-0.5%	-1.0%
96	97	-0.4%	-0.8%
97	98	-0.3%	-0.6%
98	99	-0.2%	-0.4%
99	100	-0.1%	-0.2%
100	101	0.0%	0.0%
101	102	0.0%	0.0%
102	103	0.0%	0.0%
103	104	0.0%	0.0%
104	105	0.0%	0.0%
105	106	0.0%	0.0%
106	107	0.0%	0.0%
107	108	0.0%	0.0%
108	109	0.0%	0.0%
109	110	0.0%	0.0%
110	111	0.0%	0.0%
111	112	0.0%	0.0%
112	113	0.0%	0.0%
113	114	0.3%	0.6%
114	115	0.4%	0.8%
115	116	0.5%	1.0%
116	117	0.6%	1.2%
117	118	0.7%	1.4%
118	119	0.9%	1.8%
119	120	1.0%	2.0%
120	121	1.1%	2.2%
121	122	1.3%	2.6%
122	123	1.4%	2.8%
123	124	1.5%	3.0%

At Least	But Less Than	Fuel Surcharge
		LTL
182	183	9.1%
183	184	9.2%
184	185	9.3%
185	186	9.4%
186	187	9.5%
187	188	9.6%
188	189	9.7%
189	190	9.8%
190	191	9.9%
191	192	10.0%
192	193	10.1%
193	194	10.2%
194	195	10.3%
195	196	10.4%
196	197	10.5%
197	198	10.6%
198	199	10.7%
199	200	10.8%
200	201	10.9%
201	202	11.0%
202	203	11.1%
203	204	11.2%
204	205	11.3%
205	206	11.4%
206	207	11.5%
207	208	11.6%
208	209	11.7%
209	210	11.8%
210	211	11.9%
211	212	12.0%
212	213	12.1%
213	214	12.2%
214	215	12.3%
215	216	12.4%

124	125	1.6%	3.2%
125	126	1.8%	3.6%
126	127	1.9%	3.8%
127	128	2.0%	4.0%
128	129	2.2%	4.4%
129	130	2.3%	4.6%
130	131	2.4%	4.8%
131	132	2.5%	5.0%
132	133	2.7%	5.4%
133	134	2.8%	5.6%
134	135	2.9%	5.8%
135	136	3.1%	6.2%
136	137	3.2%	6.4%
137	138	3.3%	6.6%
138	139	3.4%	6.8%
139	140	3.6%	7.2%
140	141	3.7%	7.4%
141	142	3.8%	7.6%
142	143	4.0%	8.0%
143	144	4.1%	8.2%
144	145	4.2%	8.4%
145	146	4.3%	8.6%
146	147	4.5%	9.0%
147	148	4.6%	9.2%
148	149	4.7%	9.4%
149	150	4.9%	9.8%
150	151	5.0%	10.0%
151	152	5.1%	10.2%
152	153	5.2%	10.4%
153	154	5.4%	10.8%
154	155	5.5%	11.0%
155	156	5.6%	11.2%
156	157	5.8%	11.6%
157	158	5.9%	11.8%
158	159	6.0%	12.0%
159	160	6.2%	12.4%
160	161	6.3%	12.6%
161	162	6.4%	12.8%
162	163	6.6%	13.4%
163	164	6.7%	13.6%
164	165	6.8%	12.8%
165	166	6.9%	13.8%
166	167	7.1%	14.2%
167	168	7.2%	14.4%
168	169	7.3%	14.6%
169	170	7.5%	15.0%
170	171	7.6%	15.2%
171	172	7.7%	15.4%
172	173	7.9%	15.8%

216	217	12.5%
217	218	12.6%
218	219	12.7%
219	220	12.8%
220	221	12.9%
221	222	13.0%
222	223	13.1%
223	224	13.2%
224	225	13.3%
225	226	13.4%
226	227	13.5%
227	228	13.6%
228	229	13.7%
229	230	13.8%
230	231	13.9%
231	232	14.0%
232	233	14.1%
233	234	14.2%
234	235	14.3%
235	236	14.4%
236	237	14.5%
237	238	14.6%
238	239	14.7%
239	240	14.8%
240	241	14.9%
241	242	15.0%
242	243	15.1%
243	244	15.2%
244	245	15.3%
245	246	15.4%
246	247	15.5%
247	248	15.6%
248	249	15.7%
249	250	15.8%
250	251	15.9%
251	252	16.0%
252	253	16.1%
253	254	16.2%
254	255	16.3%
255	256	16.4%
256	257	16.5%
257	258	16.6%
258	259	16.7%
259	260	16.8%
260	261	16.9%
261	262	17.0%
262	263	17.1%
263	264	17.2%
264	265	17.3%

173	174	8.0%	16.0%
174	175	8.1%	16.2%
175	176	8.2%	16.4%
176	177	8.4%	16.8%
177	178	8.5%	17.0%
178	179	8.6%	17.2%
179	180	8.8%	17.6%
180	181	8.9%	17.8%
181	182	9.0%	18.0%

265	266	17.4%
266	267	17.5%
267	268	17.6%
268	269	17.7%
269	270	17.8%
270	271	17.9%
271	272	18.0%
272	273	18.1%
273	274	18.2%
274	275	18.3%

When diesel fuel prices equal or exceed \$2.75 per gallon, the LTL fuel surcharge continues to increase 0.1% with every one-cent increment. For example, if the index is at least 275 but less than 276, the LTL surcharge will be 18.4% when the index is at least 276 but less than 277, the LTL surcharge will be 18.5%.

When diesel fuel prices equal or exceed \$2.75 per gallon, the TL fuel surcharge continues to increase 0.2% with every one-cent increment. For example, if the index is at least 275 but less than 276, the TL surcharge will be 36.8% when the index is at least 276 but less than 277, the TL surcharge will be 37.0%.

Application:

1. The fuel surcharge level will be adjusted on Wednesday of each week based on the U.S. National Average Fuel Index of the prior Monday. The National Average Fuel Index is published by the Energy Information Administration of the Department of Energy and is available by telephone at 1-202-586-6966 or Internet at www.eia.doe.gov.
2. For the purposes of this item, 'TL' shall be defined as any shipment:
 - A. effectively occupying more than 28 linear feet of line-haul equipment space; or
 - B. having actual weight of 20,000 lbs or more (Note 1); or
 - C. moving as a Capacity Load (Items 390 and 390-1) (Note 2).

Note 1 – Not applicable for shipments moving under a Volume Price Quote.

Note 2 – Only applicable when the shipment exceeds 28 linear feet of line-haul equipment space or has an actual weight of 20,000 lbs. or more. Both the portion of the shipment subject to the capacity load minimum charge and the portion designated as overflow, as defined in Items 390 and 390-1 (Capacity Loads - Minimum Charge) will be subject to the TL fuel surcharge.

3. In applying the surcharge, first determine the freight charges that would otherwise be applicable without the effect of the surcharge, including the alternate process and any applicable discount or reduction. Once determined, the charge will then be subject to increase by the amount of

surcharge. The surcharge will be shown as a separate line entry on the bill.

4. Freight charges for line haul transportation shall include line haul, ocean and delivery charges such as, but not limited to, minimum charges, charges calculated from class or exception rates, density minimum charges, absolute minimum charges, minimum truckload charges, exclusive use minimum capacity load minimum charges, per vehicle charges and per pup charge as otherwise provided the increase will not apply to charges for special services. Where a through rate is constructed by combining two or more factors, the surcharge shall be applied to the resulting total charges.

Current Fuel Surcharge

ABF 111-X, Item 161

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October 8, 2006 

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