



# S T A C K F A C T S

**June 2, 2004**  
**Electronic Bulletin No. 509**  
**Re: West Coast Embargo Per Diem Relief**

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Pacer Stacktrain has made a decision to grant limited relief of per diem charges incurred by Motor Carriers due to the refusal of owner operators to pick up loads at the Union Pacific rail terminals in Lathrop (SCK) and Oakland (OAK) as well as at Pacer Stacktrains' paper ramp in Sacramento (SAC).

On loads that were outgated at Lathrop or Sacramento on or between 4-29-04 and 5-10-04, Pacer Stacktrain will use the outgate date as the clock start date on the free time.

In situations where the notification occurred for pickup at Lathrop or Sacramento on or between 4-29-04 and 5-10-04, and the outgate occurred after 5-10-04, Pacer will use 5/10/04 as the clock start date on the free time.

On loads that were outgated at the Oakland ramp on or between 4-30-04 and 5-13-04, Pacer Stacktrain will use the outgate date as the clock start date on the free time.

In situations where notification occurred for pickup at Oakland on or between 4-29-04 and 5-13-04, and the outgate occurred after 5-13-04, Pacer will use 5/13/04 as the clock start date on the free time.

Once a container has been outgated, regular per diem rules will commence. The outgate will act as the "new" notification of availability, and start the clock on the applicable free time, as per our Per Diem rules addendum to the UIIA.

In situations where a load could not be returned due to the Embargo, Pacer Stacktrain will offer the following per diem relief:

For Westbound loads with a destination of Sacramento (SAC), and Lathrop (SCK), additional free days will be granted for the days that unit was outgate on or between 4-29-04 through 5-12-04. For example if a unit went out the gate on 4-30-04 and was not returned until 5-20-04, an additional 13 Free days (from 4-30-04 through 5-12-04) will be granted.

For Westbound loads with a destination of Oakland (OAK) additional free days will be granted for the days that unit was outgate on or between 4-30-04 through 5-17-04.

For Eastbound loads with an origin of Sacramento (SAC), or Lathrop (SCK), there will be no additional free time granted as the UPRR ended their Eastbound embargo 12 hours after it was imposed on 4/30/04.

For Eastbound loads with an origin of Oakland (OAK), additional free days will be granted on loads that ingated during or after the Embargo was lifted, but were outgate prior to or between 4-30-04 through 5-21-04. For example, if a container was outgated on 4-15-04 and not returned until 5-25-04, an additional 22 Free days (from 4-30-04 through 5-21-04) will be granted.