



# **S T A C K F A C T S**

**April 30, 2004**

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**RE: Announcement on per diem at Lathrop and Sacramento**

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## **PER DIEM CHARGES AT LATHROP AND SACRAMENTO**

On Monday April 26th drivers contracted by Drayage companies began refusing to pickup or deliver Pacer Stacktrain containers at the UP rail ramp at Lathrop and Pacer Stacktrain's paper ramp in Sacramento. This action continues to cause serious congestion at these facilities and is affecting the ability of the UP railroad to operate efficiently. This situation has in no way been caused by any action of PST.

We have had many inquiries regarding the application of our per diem rules related to the loaded containers at these locations. Pacer Stacktrain bills per diem charges on our containers directly to the Drayage company under the rules of the UIIA. Charges are based on the addendum attached to the UIIA that is signed with the involved Drayage company. This addendum provides a set amount of free time given from the time of notification of availability for each container. After the expiration of free time, per diem charges are incurred and are the responsibility of the Drayage company that was the notify party. Pacer Stacktrain is NOT altering any of its rules as a result of the situation at Lathrop or Sacramento or any other ramp facility that may be affected as a result of this situation.

This is to advise our customers and Drayage companies involved, that PST intends to assess and collect any per diem charges that are incurred on all containers that are at these locations (as well as all others) which notification of availability has been sent to the notify party.