



## TARIFF 9000 :: PERCENTAGE BASED FUEL COST ADJUSTMENT FUEL SURCHARGE

Item 1

In the event that the average monthly price of West Texas Intermediate Crude Oil exceeds US \$24<sup>00</sup> per barrel: calculated using the daily price of West Texas Intermediate Crude Oil (WTI) as traded on the New York Mercantile Exchange (NYMEX), as published by Bloomberg Media, CP will assess and the shipper shall, in addition to all other charges, pay a fuel surcharge on all linehaul freight charges.

The applicable fuel surcharge percentage shall be applied to each shipment having a shipment date on or after the 1st day of the second calendar month following the calendar month of a given WTI average price calculation. The fuel surcharge will change monthly.

Effective January 01, 2009

In the event that the average price of West Texas Intermediate (WTI) Crude Oil exceeds US \$24<sup>00</sup> per barrel for the applicable 15 day period: calculated using the daily price of West Texas Intermediate Crude Oil as traded on the New York Mercantile Exchange (NYMEX), as published by Bloomberg Media, CP will assess and the shipper shall, in addition to all other charges, pay a fuel surcharge on all linehaul freight charges.

The applicable fuel surcharge percentage shall be applied to each shipment having a shipment date on or after the 1st day of the Application Period of a given Average WTI Price calculation.

The Application Periods are: the 1st through the 15th day of each month; and the 16th through the last day of each month.

For the application period of the 1st through the 15th of each month, the 15 day Average WTI Price prior to 20 days preceding the 1st day of the month shall determine the fuel surcharge.

For the application period of the 16th through the last day of each month, the 15 day Average WTI Price prior to 20 days preceding the 16th day of the month shall determine the fuel surcharge.

When the WTI Average Price equals or exceeds US \$24<sup>00</sup>, the applied fuel surcharge will be 2% of the linehaul freight charges. When the WTI Average Price equals or exceeds US \$27<sup>00</sup>, the applied fuel surcharge will be 4% of the linehaul freight charge. For each additional \$1.00 per barrel of WTI above US \$27<sup>00</sup>, the fuel surcharge will increase an incremental 0.4%, and will be applied to the linehaul freight charges.

The WTI Average Price for a given period will be determined by adding the daily prices of West Texas Intermediate Crude Oil, as traded during that period on the NYMEX, as published by Bloomberg Media, and dividing the result by the number of days so traded in that period. The result will be rounded to the nearest cent.

Notice of changes in the fuel surcharge will be published on CP's Website [www.cpr.ca](http://www.cpr.ca).

This tariff is applicable only in connection with tariff publications and/or contracts making reference to this tariff and to the extent indicated in such tariff publications and/or contracts.

