

## RULES TARIFF 14-G

RULE	GENERAL RULES AND REGULATIONS
	CLAIMS
	PART I - LOSS AND/OR DAMAGE (Continued)
	<p>1. (a) Claims in writing required. A claim for loss, damage, injury, or delay to cargo, shall not be voluntarily paid by carrier, unless filed in writing, as provided in paragraph 1(b) of this Item, with carrier, within the specified time limits applicable thereto and as otherwise may be required by law, the terms of the bill of lading or other contract of carriage, and all tariff provisions applicable thereto.</p> <p>(b) Minimum filing requirements. A communication in writing from a claimant, filed with carrier within the time limits specified in the bill of lading or contract of carriage for transportation, and (1) containing facts sufficient to identify the shipment (or shipments) of property involved, (2) asserting liability for alleged loss, damage, injury, or delay, and (3) making claim for the payment of a specified or determinable amount of money, will be considered as sufficient compliance with the provisions for filing claims embraced in the bill of lading or contract of carriage.</p> <p>(c) Documents not constituting claim. Appraisal reports of damage, notations of shortage or damage, or both, on freight bills, delivery receipts, or other documents, or inspection reports issued by carrier or its inspection agencies, whether the extent of loss or damage is indicated in dollars and cents or otherwise, will, standing alone, not be considered by carrier, as sufficient to comply with the minimum claim filing requirements specified in paragraph 1(b) of this Item.</p> <p>(d) Claims filed for uncertain amounts. Whenever a claim is presented against carrier for an uncertain amount, such as "\$100 more or less" carrier will determine the condition of the shipment involved at the time of delivery by it, if it was delivered and shall ascertain as nearly as possible the extent, if any, of the loss or damage for which it may be responsible. It will not, however, voluntarily pay a claim under such circumstances unless and until a formal claim in writing for a specified or determinable amount of money will have been filed in accordance with the provisions of paragraph 1(b) of this Item.</p> <p>(e) Other claims. If investigation of a claim develops that one or more other carriers has been presented with a similar claim on the same shipment, carrier will communicate with each such other carrier and, prior to any agreement entered into between or among them as to the proper disposition of such claim or claims, will notify all claimants of the receipt of conflicting or overlapping claims and will require further substantiation, on the part of each claimant of his title to the property involved or his right with respect to such claim.</p>
19 Con- tin- ued.	

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19 Con- tin- ued.	<p style="text-align: center;">CLAIMS</p> <p>PART I - LOSS AND/OR DAMAGE (Continued)</p> <p>2. (a) Acknowledgment of claims. Carrier will upon receipt in writing of a proper claim in the manner and form described in these regulations, acknowledge the receipt of such claim in writing to the claimant within 30 days after the date of its receipt by carrier unless carrier shall have paid or declined such claim in writing within 30 days of the receipt thereof. Carrier will indicate in its acknowledgment to the claimant what, if any, additional documentary evidence or other pertinent information may be required by it further to process the claim as its preliminary examination of the claim, as filed, may have revealed.</p> <p>(b) Carrier will at the time each claim is received create a separate file and assign thereto a successive claim file number and note that number on all documents filed in support of the claim and all records and correspondence with respect to the claim, including the written acknowledgment of receipt. At the time such claim is received, carrier shall cause the date of receipt to be recorded on the face of the claim document, and the date of receipt shall also appear in carrier's written acknowledgment of receipt to the claimant. Carrier will also cause the claim file number to be noted on the shipping order, if in its possession, and the delivery receipt, if any, covering such shipment, unless carrier has established an orderly and consistent internal procedure for assuring (1) that all information contained in shipping orders, delivery receipts, tally sheets, and all other pertinent records, made with respect to the transportation of the shipment on which claim is made, is available for examination upon receipt of a claim; (2) that all such records and documents (or true and complete reproductions thereof) are in fact examined in the course of the investigation of the claim (and an appropriate record is made that such examination has in fact taken place); and (3) that such procedures prevent the duplicate or otherwise unlawful payment of claims.</p> <p>3. (a) Investigation of claims. Prompt investigation required. Each claim filed against carrier in the manner prescribed herein will be promptly and thoroughly investigated if investigation has not already been made prior to receipt of the claim.</p> <p>(b) Supporting documents. When a necessary part of an investigation, each claim must be supported by the original bill of lading, evidence of the freight charges, if any, and either the original invoice, a photographic copy of the original invoice or an exact copy thereof, or an extract made therefrom, certified by the claimant to be true and correct with respect to the property and value involved in the claim; or certification of prices or values, with trade or other discounts, allowance, or deductions reflected thereon; provided, however, that where the property involved in a claim has not been invoiced to the consignee shown on the bill of lading or where an invoice does not show price or value, or where the property involved has not been sold, or where the property has been transferred at book-keeping values only, carrier will, before voluntarily paying a claim thereon, require the claimant to establish the destination value in the quantity, shipped, transported, or involved and to certify the correctness thereof in writing.</p> <p>(c) Verification of loss. When an asserted claim for loss of an entire package or an entire shipment cannot be otherwise authenticated upon investigation, carrier will obtain from the consignee of the shipment involved a certified statement in writing that the property for which the claim is filed has not been received from any other source.</p>

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RULE	GENERAL RULES AND REGULATIONS
<p>19 Con- tin- ued.</p>	<p style="text-align: center;">CLAIMS</p> <p>PART I - LOSS AND/OR DAMAGE</p> <p>4. Disposition of claims. When carrier receives a written claim for loss, damage, injury, or delay to property transported, it will pay, decline, or make a firm compromise settlement offer in writing to the claimant within 120 days after receipt of the claim by carrier provided, however, that, if the claim cannot be processed and disposed of within 120 days after the receipt thereof, carrier will at that time and at the expiration of each succeeding 60 day period while the claim remains pending, advise the claimant in writing of the status of the claim and the reason for the delay in making final disposition thereof and it shall retain a copy of such advice to the claimant in its claim file thereon.</p> <p>5. (a) Processing of salvage. Whenever material, goods, or other property transported by carrier subject to the provisions herein contained, is damaged or alleged to be damaged and is, as a consequence thereof, not delivered or is rejected or refused upon tender thereof to the owner, consignee, or person entitled to receive such property, carrier after giving due notice, whenever practicable to do so, to the owner and other parties that may have an interest therein, and unless advised to the contrary after giving such notice, will undertake to sell or dispose of such property directly or by the employment of a competent salvage agent. Carrier will only dispose of the property in a manner that will fairly and equally protect the best interests of all persons having an interest therein. Carrier will make an itemized record sufficient to identify the property involved so as to be able to correlate it to the shipment or transportation involved, and claim, if any, filed thereon. Carrier also will assign to each lot of such property a successive lot number and note that lot number on its record of shipment and claim, if any claim is filed thereon.</p> <p>(b) Whenever disposition of salvage material or goods shall be made directly to an agent or employee of carrier or through a salvage agent or company in which carrier or one or more of its directors, officers, or managers has any interest, financial or otherwise, carrier's salvage records shall fully reflect the particulars of each transaction or relationship, or both, as the case may be.</p> <p>(c) Upon receipt of a claim on a shipment on which salvage has been processed in the manner herein before stated, carrier will record in its claim file thereon the lot number assigned, the amount of money recovered, if any, from the disposition of such property, and the date of transmittal of such money to the person or persons lawfully entitled to receive the same.</p>

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RULE GENERAL RULES AND REGULATIONS

CLAIMS

PART I - LOSS AND/OR DAMAGE (Concluded)

- 6. Concealed damage or shortage. Carrier must be promptly notified after discovery of concealed damage or shortage and given reasonable opportunity to inspect the shipment and packing. Carrier will promptly and thoroughly investigate the claim and will establish a claim file in connection therewith.
- 7. Constructive weight of packed interior shipping containers. When the liability of the carrier is to be measured by the weight of the article lost or damaged, and such article is packed in an interior shipping container, in the absence of specific evidence to the contrary, such interior shipping container will be deemed to have the following weight:

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Container	Wt. Per Container (In Lbs.)
DRUM, DISH-PACK. . . . .	60
CARTONS: Less than 3 cu. ft. . . . .	25
3 cu. ft. or more, but less than 4 1/2 cu. ft. . . . .	30
4 1/2 cu. ft. or more, but less than 6 cu. ft. . . . .	35
6 cu. ft. or more, but less than 6 1/2 cu. ft. . . . .	45
6 1/2 cu. ft. or more. . . . .	50
Wardrobe Carton . . . . .	50
Mattress or Box Spring Carton (Not exceeding 39" x 80") . . . . .	55
Mattress or Box Spring Carton (Not exceeding 54" x 75") . . . . .	60
Mattress or Box Spring Carton (Exceeding 54" x 75") . . . . .	80
Crib Mattress Carton. . . . .	22

NOTE 1 - Cartons containing books or phonograph records will be deemed to weigh 50 pounds.  
 NOTE 2 - Cartons containing lamp shades will be deemed to weight 10 pounds.  
 NOTE 3 - Items not identified on the inventory as to contents will be settled for the heaviest weight on the schedule for the container.

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RULE	GENERAL RULES AND REGULATIONS
19 Con- tin- ued.	<p style="text-align: center;">CLAIMS</p> <p>PART II - PROCEDURES GOVERNING THE PROCESSING, INVESTIGATION AND DISPOSITION OF OVERCHARGE OR DUPLICATE PAYMENT CLAIMS (Continued)</p> <p>Section 1 - Definitions:</p> <p>(a) "Carrier" means an authorized motor carrier of property.</p> <p>(b) "Overcharge" means charges for transportation services in excess of those applicable thereto under rate publication lawfully on file with the Commission. It also includes duplicate payments as defined in Paragraph (c) of this Section when a dispute exists between parties concerning such charges.</p> <p>(c) "Duplicate payment" means two or more payments for transporting the same shipment. Where one or more payment is not in the exact amount of the applicable rates and charges, refunds shall be made on the basis of the excess amount over the applicable rates and charges.</p> <p>(d) "Unidentified Payment" means a payment which a carrier has received but which the carrier is unable to match with its own open accounts receivable or otherwise identify as being due for the performance of transportation services.</p> <p>(e) "Claimant" means any shipper or receiver, or its authorized agent, filing a request with a carrier for the refund of an overcharge or duplicate payment.</p> <p>Section 2 - Filing and processing of claims:</p> <p>(a) A claim for overcharge or duplicate payment shall not be paid unless filed in writing with the carrier that collected the transportation charges. The collecting carrier shall be the carrier to process all such claims. When a claim is filed with another carrier that participated in the transportation, that carrier shall transmit the claim to the collecting carrier within 15 days after receipt of the claim. If the collecting carrier is unable to dispose of the claim for any reason, the claim may be filed with or transferred to any participating carrier for final disposition.</p> <p>(b) A single claim may include more than one shipment provided the claim on each shipment involves (1) the same rate publication issue or authority or circumstances, (2) single-line service by the same carrier, or (3) service by the same interline carriers.</p>

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## CLAIMS

## PART II - PROCEDURES GOVERNING THE PROCESSING, INVESTIGATION AND DISPOSITION OF OVERCHARGE OR DUPLICATE PAYMENT CLAIMS (Continued)

## Section 4 - Investigation of claims:

- (a) Upon receipt of a claim, whether written or otherwise, the processing carrier shall promptly initiate an investigation and establish a file, as required by Section 5.
- (b) If a carrier discovers an overcharge or duplicate payment, which has not been the subject of a claim, it shall promptly initiate an investigation and comply with the provisions in Section 8.
- (c) In the event the carrier processing the claim requires information or documents in addition to that submitted with the claim, the carrier shall promptly notify the claimant and request the information required. This includes notifying the claimant that a written claim must be filed before the carrier becomes subject to the time limits for settling such a claim under Section 7.

## Section 5 - Claim records:

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At the time a claim is received the carrier shall create a separate file and assign it a successive claim file number and note that number on all documents filed in support of the claim and all records and correspondence with respect to the claim, including the written acknowledgment of receipt required under Section 6. If pertinent to the disposition of the claim, the carrier shall also note that number on the shipping order and delivery receipt, if any, covering the shipment involved.

## Section 6 - Acknowledgment of claims:

Upon receipt of a written claim, the carrier shall acknowledge its receipt in writing to the claimant within 30 days after the date of receipt except where the carrier shall have paid or declined the claim in writing within that period. The carrier shall include the date of receipt in its written acknowledgment and shall also enter this date on the face of the written claim which shall be placed in the file for that claim.

## Section 7 - Disposition of claims:

The processing carrier shall pay, decline to pay, or settle each written claim within 60 days after its receipt by the carrier, except where the claimant and the carrier agree in writing to a specific extension based upon extenuating circumstances. If the carrier declines to pay a claim or makes settlement in an amount different from that sought, the carrier shall notify the claimant, in writing, of the reason(s) for its action, citing rate publication authority or other pertinent information developed as a result of its investigation.

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19 Con- clu- ded.	<p style="text-align: center;">CLAIMS</p> <p>PART II - PROCEDURES GOVERNING THE PROCESSING, INVESTIGATION AND DISPOSITION OF OVERCHARGE OR DUPLICATE PAYMENT CLAIMS (Concluded)</p> <p>Section 8 - Disposition of unidentified payments, overcharges and duplicate payments not supported by claims:</p> <p>(a) (1) Carrier shall establish procedures for identifying and properly applying all unidentified payments. If a carrier does not have sufficient information with which properly to apply such a payment, the carrier shall notify the payor of the unidentified payment within 60 days of receipt of the payment and request information which will enable us to identify the payment. If the carrier does not receive the information requested within 90 days from the date of the notice, the carrier may treat the unidentified payment as a payment in fact of freight charges owing to it. Following the 90 day period, the regular claims procedure under this part shall be applicable.</p> <p>(2) Notice shall be in writing and clearly indicate that it is a final notice and not a bill. Notice shall include: the check number, amount, and date; the payor's name; and any additional basic information the carrier is able to provide. The final notice also must inform payor that: (a) applicable regulations allow the carrier to conditionally retain the payment as revenue in the absence of a timely response by the payor; and (b) following the 90 day period the regular claims procedure shall be applicable.</p> <p>(3) Upon a carrier's receipt of information from the payor, the carrier shall, within 14 days: (a) make a complete refund of such funds to the payor; or (b) notify the payor that the information supplied is not sufficient to identify the unapplied payment and request additional information; or (c) notify the payor of the carrier's determination that such payment was applicable to particular freight charges lawfully due the carrier. Where no refund is made by the carrier, the carrier shall advise the payor of its right to file a formal claim for refund with the carrier in accordance with the regular claim procedure under this part.</p> <p>(b) When a carrier which participated in a transportation movement, but did not collect the transportation charges, finds that an overpayment has been made, that carrier shall immediately notify the collecting carrier. When the collecting carrier (whether single or joint-line) discovers or is notified by such a participating carrier that an overcharge or duplicate payment exists for any transportation charge which has not been the subject of a claim, the carrier shall create a file as if a claim had been submitted and shall record in the file the date it discovered or was notified of the overpayment. The carrier that collected the charges shall then refund the amount of the overpayment to the person who paid the transportation charges or to the person that made duplicate payment within 30 days from the date of such discovery or notification.</p>

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