

EWR, Inc.
Grain
Tariff and Conditions
2010-2011

By using the services of EWR, Inc. after the issuance of this tariff, user agrees that these Tariff provisions become a part of the agreement between EWR, Inc. and the user.

This tariff is effective from August 1, 2010 through July 31, 2011. No element of this tariff is applicable to electronic cotton receipts or electronic peanut receipts.

Warehouse

The grain entity will pay an annual subscription fee of \$500 per warehouse license plus \$100 for each functional unit(location) after the first for which receipts are issued (maximum of 20 functional units per license up to a maximum of \$2,500 per license). There is no additional fee based on facility capacity.

The fee covers use of the EWR electronic receipt system during the effective period of this tariff. This entire fee is applicable regardless of the actual amount of time that the receipt system is utilized. The subscription fee is applicable every year that the warehouse has active electronic receipts on the EWR system.

Each grain warehouse subscribing to use EWR will pay \$2 for each regular electronic grain receipt that it issued on the EWR system. This amount covers issuance of the receipt, transfers of the receipt between holders, maintenance of the receipt by the issuing warehouse, and cancellation of the receipt by the issuing warehouse. There is no minimum number of receipts which must be issued in a year.

If receipts are transferred to another Provider, there is a one-time fee per receipt of \$12.50.

Financial Institutions

Financial institutions handling electronic grain receipts for collateral purposes will pay a subscription fee of \$400 which covers use of the EWR electronic receipt system during the effective period of this tariff. This entire fee is applicable regardless of the actual amount of time that the receipt system is utilized.

U. S. Department of Agriculture

Any fee will be negotiated with USDA and will comply fully with the Provider Agreement, all other applicable agreements, regulations, and laws.

Holders Other Than Warehouses and Financial Institutions

There is no fee at this time.

Customer Support

Telephone support during week days is available at *no charge* to the user. On-site support is available for a fee plus all travel expenses when a support staff person is available.

Other Items For Which There Is NO CHARGE To Holders

Use of the EWR web site.

Providing new passwords and other security codes.

Place receipts in the CCC loan or request and LDP.

Charge for minutes online.

Charge for files transmitted.

Transfer receipts in from another Provider.

Charge to store receipt records.

Initiation fee.

Other Services

Users may request a special service(s) from EWR and, if EWR agrees to provide that special service, the user will pay a fee for each special service. The fee will be negotiable between the user and EWR.

In addition to special services, EWR will consider developing special reports for users at their request. Fees for such reports will be negotiated between EWR and the user.

Other Terms and Conditions

From time to time EWR Inc. receives requests and subpoenas from third parties for information including information concerning the transfer of electronic receipt holdership. Any party notified of such a request or subpoena shall have five days to commence legal action to prevent

disclosure of the information. If a party fails to do so within five days then EWR Inc. is authorized to provide such information to the requesting or subpoenaing party.

It is the responsibility of the holder to keep track of what he holds and it is not EWR Inc.'s responsibility. If EWR Inc. provides receipt summary reports to its users as a service, user agrees that EWR does not take responsibility for the accuracy of those reports.

Electronic receipt records will be retained for the period of time specified in USDA regulations or directives.

All electronic receipts on the EWR system are considered to be negotiable but may be defined as otherwise by the warehouse in the receipt record upon issuance. All electronic grain receipts on the EWR system incorporate these terms: *Upon surrender of an electronic grain receipt and payment of all liens due the warehouse operator, the commodity represented by the specific electronic grain receipt will be deliverable to the order of the holder as defined in 7 CFR Part 735.*

Pilot Project: If EWR Inc. and USDA agree to participate in electronic grain receipt pilot project involving the FSA county offices then, for the duration of the pilot, EWR may lower its fee structure for those parties participating in the pilot project only.