

SECTION I: DEFINITION OF TECHNICAL TERMS

| TERM                         | DEFINITION  | ITEM NO.     |
|------------------------------|---|--------------|
|                              |   | (D)<br>01105 |
| <b>Assembled Cargo</b>       | Any commodity or commodities, from one shipper to one consignee, moving on one vessel.  | 01110        |
| <b>Board</b>                 | The Board of Port Commissioners of the City of Oakland, a municipal corporation of the State of California, also herein referred to as the Port of Oakland or Port, shall be understood as being interchangeable with the term "City of Oakland", said Board being the legislative and administrative body of said city with authority to act for and represent it in all matters pertaining to the operation and governing of the Port and its facilities. The Executive Director is and shall be in respect to the matters herein mentioned the chief executive and administrative officer of said Board. | 01115        |
| <b>Break-Bulk Cargo</b>      | General cargo conventionally stevedored and stowed; as opposed to bulk, unitized, or containerized cargo.   | 01120        |
| <b>Bulk Cargo or In Bulk</b> | Commodities, which by nature of their unsegregated mass, are usually handled by shovels, scoops, buckets, forks, magnets or mechanical conveyors, and which are loaded or unloaded and carried without wrappers or containers and received and delivered by carriers without transportation mark or count. (Will not apply when subject to piece count.)  | 01125        |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: December 2, 2003

EFFECTIVE: January 1, 2004

THE BOARD OF PORT COMMISSIONERS  
 PORT OF OAKLAND  
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| Captain of the Port     | U.S. Coast Guard Officer Commanding a Captain of the Port (Marine Safety) Zone as specified in 33 CFR Part 3.60. The Captain of the Port Zone for San Francisco comprises the land masses and waters of California North of Santa Barbara, Kern and San Bernardino Counties and selected parts of Nevada and Utah. For the purposes of this tariff, the Captain of the Port is the Captain of the Port Zone for San Francisco.   | 01130        |
| Cargo                   | Goods, wares, freight, liquids, articles and materials of every kind whatsoever, including bulk materials, cargo containers as described in Item 01145 of this tariff, live animals, vessel's stores, supplies and bunkers.  | 01135        |
| Checking                | The service of counting and checking cargo against appropriate documents for the account of cargo or the vessel.   | 01140        |
| Container or Cargo Vans | "Containers" or "Cargo Vans" (including cargo containerized for "shipper's or vessel's convenience",) shall mean a single-rigid, non disposable, intermodal, dry cargo, insulated, refrigerated, flat, liquid tank or open-top container, demountable, having not less than 6.37 cubic meters capacity, certified and marked in accordance with international regulatory conventions, furnished or approved by an ocean carrier specifically and primarily for the ongoing transport of cargo aboard its vessels. It also includes flat racks and collapsible containers (open-sided, usually designed with corner post for structural supports) used for the carriage of special commodities such as lumber, tractors, etc. | (*)<br>01145 |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: February 20, 1996

EFFECTIVE: March 1, 1996

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| TERM                                    | DEFINITION   |  |  |   | ITEM NO.     |               |
|---|--|--|--|---|--------------|---------------|
| <p><b>Container Size</b></p>            | <p>Container size means the exterior length of a container (See Item 01145 for definition of Container). Per container charges will be based on the overall exterior length of the container as defined below:</p>   |  |  |   | <p>01150</p> |               |
|   | <p>Container Length in feet:</p>   | <p>Includes Container Being:</p>             |  |   |              |               |
|   |  | <p>OVER</p>                                  |  | <p>BUT NOT OVER</p>                       |              |               |
|   |  | <p>FEET</p>                                  | <p>METERS</p>                            | <p>FEET</p>                               |              | <p>METERS</p> |
| <p>20'<br/>24'<br/>40'<br/>Over 40'</p> | <p>0<br/>24'0<br/>35'0<br/>40'0</p>  | <p>0.000<br/>7.315<br/>10.668<br/>12.192</p> | <p>20'0"<br/>27'0"<br/>40'0"<br/>---</p> | <p>6.096<br/>8.230<br/>12.192<br/>---</p> |              |               |
| <p><b>Direct</b></p>                    | <p>A continuous operation between barge, car or truck and vessel when performed by vessel's stevedores.</p>  |  |  |   | <p>01155</p> |               |
| <p><b>Dockage</b></p>                   | <p>The charge, calculated in accordance with the dockage rates named in this tariff, assessed against a vessel for berthing at a wharf, pier, bulkhead structure, or bank, or for mooring to a vessel so berthed.</p>  |  |  |   | <p>01160</p> |               |
| <p><b>Executive Director</b></p>        | <p>(a) Whenever the term "Executive Director" is used in this tariff, such term shall be understood as being interchangeable with the term "Chief Executive Officer" and shall include his duly authorized representative, agent or designee.</p> <p>(b) Whenever this tariff gives or vests in the Executive Director power or authority to do or perform any act, his duly authorized designee shall have like power and authority.</p> <p>(c) Any action taken by the duly authorized designee of the Executive Director under or pursuant to this tariff shall be of the same force as if taken by the Executive Director.</p> |  |  |   | <p>01165</p> |               |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: April 16, 1991

EFFECTIVE: July 1, 1991

THE BOARD OF PORT COMMISSIONERS  
 PORT OF OAKLAND  
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| TERM                | DEFINITION   | ITEM NO.                                   |
|---------------------|--|--|
| Free Time           | Specified number of days or part thereof during which cargo received on wharf may occupy wharf premises without payment of wharf demurrage of wharf storage charges.   | 01170                                      |
| Hazardous Materials | For the purpose of this tariff, Hazardous Materials and/or Dangerous Cargoes are defined as materials which have been designated by the U.S. Department of Transportation (DOT), the International Maritime Organization (IMO), the City of Oakland Fire Marshall, Captain of the Port or any other Federal, State or Municipal regulatory agency, as capable of posing a risk to health, safety or property when transported or stored, or which qualify as hazardous by reason of their characteristics and as dangerous and/or hazardous and referenced in the governing publications listed in Item 03110.   | 01175                                      |
| Handling            | Handling means the service of physically moving cargo between point of rest and any place on the terminal facility, other than the end of the ship's tackle.   | 01180                                      |
| Heavy Lift          | Cargo exceeding normal loading equipment design capacities and requiring special equipment or rigging techniques for handling such cargo.  | 01185                                      |
| Holiday             | <p>The term "Holiday" shall mean and include the following:</p> <p>January 1, New Years Day<br/>           January, the third Monday - Martin Luther King's Birthday<br/>           February 12, Lincoln's Birthday<br/>           February, the third Monday - Washington's Birthday<br/>           May, the last Monday - Memorial Day<br/>           July 4<sup>th</sup>, Independence Day<br/>           July - Bloody Thursday<br/>           September, the first Monday - Labor Day<br/>           September 9<sup>th</sup>, Admission Day<br/>           November 11<sup>th</sup>, Veteran's Day<br/>           November the fourth Thursday - Thanksgiving Day<sup>^</sup><br/>           December 25, Christmas Day;</p> <p>And, any other Holiday that may be proclaimed by State or Federal Authority. When any Holiday falls on Sunday, the Monday following will be observed as the Holiday.</p> | <p>(<sup>^</sup>)<br/>           01190</p> |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: October 17, 1995

EFFECTIVE: November 1, 1995

THE BOARD OF PORT COMMISSIONERS  
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| TERM                                   | DEFINITION   | ITEM NO. |
|--|--|----------|
| Inbound Cargo                          | Cargo which is being or has been discharged from a vessel.   | 01195    |
| Item Number                            | The numbers used herein opposite any line or paragraph in the column bearing the heading of "Item Number" shall be understood as indicating the item numbers of this ordinance. Omitted numbers are reserved for such future addition of item or items as may be required. Amendments to any of the provisions of this ordinance shall be made and published in the manner provided by Section 210 of the Charter of the City of Oakland, by referring to the appropriate item of the ordinance so amended, added or repealed. | 01200    |
| Loading and Unloading                  | Loading and unloading means the service of loading or unloading cargo between any place on the terminal and railroad cars, trucks, lighters or barges or any other means of conveyance to or from the terminal facility.   | 01205    |
| Local                                  | The term "Local" applies on cargo originating or destined to ports and points in the states of Alaska, Washington, Oregon, California, Arizona, Nevada, Utah, Idaho, Wyoming, and ports and points in the provinces of Saskatchewan, Alberta, British Columbia and the Yukon territory.  | 01210    |
| Non-operative facility                 | Any wharf, pier, seawall structure, bank, mooring and port terminal facility area, as determined by the Executive Director, alongside of which vessels may lie that are not actively working vessels for the loading, unloading, assembling, distribution or handling of cargo.  | 01215    |
| Non-operative vessel                   | A vessel to be scrapped, in the process of being scrapped or not intended for any future use in handling cargo.  | 01220    |
| OCP Territory (Overland Common Points) | OCP means Overland Common Point. For the purpose of this tariff Overland and OCP are synonymous. OCP Territory is defined as, and OCP rates apply to, cargo with origins or destinations in the states of North Dakota, South Dakota, Nebraska, Colorado, New Mexico and States east thereof; and ports and points in the provinces of Manitoba and Northwest Territories and provinces east thereof.  | 01225    |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: September 20, 1988

EFFECTIVE: November 1, 1988

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| TERM              | DEFINITION  | ITEM NO. |
|-------------------|---|----------|
| Outbound Cargo    | Cargo which is being loaded, or is waiting to be loaded to a vessel.  | 01230    |
| Package           | The producer's or manufacturer's covering wrapper which uniformly seals and contains cargo units. The package may be, but is not limited to, a carton, bag, barrel, drum, crate, bale, box, bundle, pail, flask or basket. Cargo may be conveyed in its package or as packages in a container (defined in Item 01145) or as unitized cargo (defined in Item 01300)                                    | 01235    |
| Person            | The term "person" shall be construed to include any person, firm, corporation, association, carrier or terminal operator, singular or plural.   | 01240    |
| Pipeline          | The rates made subject to this Item will only apply when the cargo involved is handled through a stationary pipeline direct between vessel and shore storage facilities; or, private loading or unloading facilities.   | 01245    |
| Port              | For the purpose of this tariff, Port shall be construed to mean the Board and the Port of Oakland as defined in Item 01115.   | 01250    |
| Port Area         | For the purpose of this tariff, the Port Area is that area in the Charter of the City of Oakland defined as the Port Area, as enlarged or diminished by Ordinances of the City Council and the Board of Port Commissioners, within which exist facilities for the transshipment of cargo from, to and between domestic carriers and/or carriers engaged in coastwise, intercoastal, or foreign trade. | 01255    |
| Space Assignments | The assignment of space, areas, facilities, land or buildings that are under the jurisdiction of the Port of Oakland.   | 01260    |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: September 20, 1988

EFFECTIVE: November 1, 1988

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|--------------------------|--|----------|--------------------------|--------------------|-----|-----------------------------|-----|-------------------------------|-----|-----------------------------|
| Terminal                 | (a) The term "Terminal" as used herein includes all piers, wharves, docks, public landings, or other terminal structures owned or operated by, or under lease or assignment from the Board of Port Commissioners of the City of Oakland.<br>(b) Except as otherwise specifically provided, the term "terminal facility" shall not include the facilities of the Metropolitan Oakland International Airport.  | 01265    |                          |                    |     |                             |     |                               |     |                             |
| Terminal Storage         | The service of providing warehouse or other terminal facilities for the storage of inbound or outbound cargo after the expiration of free time; including wharf storage, shipside storage, closed or covered storage and refrigerated storage, after storage arrangements have been made. See also Item 01335, Wharf Storage.  | 01270    |                          |                    |     |                             |     |                               |     |                             |
| Ton                      | (a) The term "Weight Ton" means 1,000 kilograms, gross weight, unless otherwise specified.<br>(b) The term "Measurement Ton" means one (1) cubic meter, unless otherwise specified. Measurement Tons may be based on water carrier cargo freight bills and/or ship's manifest or computed by using the full outside dimensions of all sides of the package, unless otherwise specified.<br>(c) The term "Revenue Ton" when used as a basis for assessing charges or recording tonnage (see also page 11, Standard Factors for Converting to Revenue Tons), is defined as either a weight ton (1,000 kilograms), a measurement ton (1 cubic meter), or combination thereof.                                       | 01275    |                          |                    |     |                             |     |                               |     |                             |
| "TEU"                    | Twenty - foot equivalent container (as defined in item 01145) unit. This is used to facilitate the conversion of the various sizes (lengths) of containers in service into equivalent container units to provide a common basis for comparison. Rates per TEU are assessed as follows:   | 01278    |                          |                    |     |                             |     |                               |     |                             |
|                          | <table border="1"> <thead> <tr> <th data-bbox="365 1528 803 1554">Container Length In Feet</th> <th data-bbox="803 1528 1347 1554">Assessment Per TEU</th> </tr> </thead> <tbody> <tr> <td data-bbox="365 1564 803 1591">20'</td> <td data-bbox="803 1564 1347 1591">1 Times Tariff Rate Per TEU</td> </tr> <tr> <td data-bbox="365 1591 803 1619">24'</td> <td data-bbox="803 1591 1347 1619">1.2 Times Tariff Rate Per TEU</td> </tr> <tr> <td data-bbox="365 1619 803 1646">40'</td> <td data-bbox="803 1619 1347 1646">2 Times Tariff Rate Per TEU</td> </tr> <tr> <td data-bbox="365 1646 803 1673">45'</td> <td data-bbox="803 1646 1347 1673">2.25 Times Tariff Rate Per TEU</td> </tr> </tbody> </table> |          | Container Length In Feet | Assessment Per TEU | 20' | 1 Times Tariff Rate Per TEU | 24' | 1.2 Times Tariff Rate Per TEU | 40' | 2 Times Tariff Rate Per TEU |
| Container Length In Feet | Assessment Per TEU   |          |                          |                    |     |                             |     |                               |     |                             |
| 20'                      | 1 Times Tariff Rate Per TEU  |          |                          |                    |     |                             |     |                               |     |                             |
| 24'                      | 1.2 Times Tariff Rate Per TEU  |          |                          |                    |     |                             |     |                               |     |                             |
| 40'                      | 2 Times Tariff Rate Per TEU  |          |                          |                    |     |                             |     |                               |     |                             |
| 45'                      | 2.25 Times Tariff Rate Per TEU   |          |                          |                    |     |                             |     |                               |     |                             |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: April 18, 1995

EFFECTIVE: June 1, 1995

SECTION I: DEFINITION OF TECHNICAL TERMS

| TERM                            | DEFINITION   | ITEM NO. |
|---------------------------------|--|----------|
| Transferred Cargo               | Cargo received at a Port of Oakland terminal from rail car, truck or other land vehicle and removed from a Port of Oakland terminal by rail car, truck or other land vehicle.  | 01280    |
| Transshipped Cargo              | Cargo discharged from a vessel at a Port of Oakland terminal and then reloaded to another vessel from the same or another Port of Oakland terminal.  | 01285    |
| U.S. Government Sponsored Cargo | U.S. Government Sponsored Cargo is defined as cargo moving under U.S. Government contracts, where the shipper bears direct responsibility for the payment of all charges until title passes to the U.S. Government. Cargo moving under this definition is considered commercial cargo, and subject to published tariff rates and charges.  | 01295    |
| Unitized Cargo                  | Cargo secured to pallets, platforms or skids, when the individual component shipping packages are banded, shrink-wrapped or otherwise securely held together to form a single unit that has been prepared by the shipper, in order to facilitate handling, weighing not less than 907 kgs. nor more than 2,041 kgs. and which can be handled with mechanical equipment. The weight of the pallets, platforms or skids will be excluded when computing the weights on which charges are assessed. | 01300    |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: September 20, 1988

EFFECTIVE: November 1, 1988



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| Usage                 | Usage means the use of terminal facility by any person when such person performs their own car, lighter or truck loading or unloading, or the use of any facilities for any other gainful purpose for which a charge is not otherwise specified.  | 01305    |
| Wharf                 | Any pier, wharf, quay, landing or other structure to which a vessel may make fast or may be utilized in the transit or handling of cargo. It includes all the area between the pierhead and bulkhead lines; except, however, such locations as may be designated and set apart as public landings or for private use.   | 01310    |
| Wharfage              | Charge assessed against the cargo passing or conveyed over, onto, or under any wharf or wharf premises. Said charge also applies on cargo passage between vessels (to or from barge, lighter, or water) when berthed at wharf or when berthed adjacent to vessel so berthed or moored. Wharfage is assessed solely for use of wharf and does not include charges for any other service or facility. | 01315    |
| Wharf Area (Premises) | Defined to mean and include, in addition to the area included in the term "Wharf" (Item 01310), other Port Terminal Facility areas, alongside of which vessels may lie or which are suitable for and are used in the direct loading, unloading, assembling, distribution or handling of cargo under, over, or onto a wharf.   | 01320    |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: September 20, 1988

EFFECTIVE: November 1, 1988

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| TERM             | DEFINITION   | ITEM NO.   |
|------------------|--|------------|
| Wharf Assignment | <p>(a) A PREFERENTIAL WHARF ASSIGNMENT gives the assignee the right to preferential non-exclusive use of a certain berth, wharf, wharf area or facility as designated in the assignment application and on a month to month basis.</p> <p>(b) SECONDARY WHARF ASSIGNMENT gives the assignee the right to secondary use of a certain berth, wharf, wharf area or facility as designated in the assignment application. Such right is subordinate to that of a preferential assignee. The secondary assignee must share with the preferential assignee, by agreement, the costs and expenses incidental to the Assignment as herein provided, if so requested by the preferential assignee.</p> <p>(c) A TEMPORARY WHARF ASSIGNMENT gives the assignee the right to temporary use of a certain berth, wharf, wharf area or facility as designated in the assignment application. The assignment shall be for the single berthing of vessel, on a ship-by-ship basis. A Temporary Wharf Assignment shall apply to berthing of non-operative vessels when so specified on the Temporary Wharf Assignment Form (Form MT-150 Standard Application Form for Tariff Assignment and Tariff Assignment).</p> | 01325      |
| Wharf Demurrage  | <p>Penalty charge assessed against cargo which remains on wharf premises beyond specific free time.</p> <p>NOTE: Does not include demurrage assessed by the ocean carrier. Equipment owned or leased by ocean carrier(s) for the transportation of cargo is subject to demurrage (or detention) charges and free time provisions as provided for in individual ocean carrier tariffs.</p>  | ^<br>01330 |
| Wharf Storage    | Charges assessed against cargo after expiration of free time, when it has been declared and accepted for storage, on either a daily or monthly basis.  | 01335      |

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: June 6, 1989

EFFECTIVE: July 7, 1989

SECTION I: DEFINITION OF TECHNICAL TERMS

ITEM  
 NO.

CLASSIFICATION OF TRADES

For the purpose of applying certain rates and provisions of this tariff, vessels and the cargo handled are classified in trades in which the vessels are engaged and the cargo transported (See Note 1).

| CLASSIFICATION            | SERVICE BETWEEN THE PORT OF OAKLAND AND:  |
|---------------------------|---|
| <b>FOREIGN</b>            |   |
| European                  | Western Europe, Central Europe, Balkan Countries, European Countries bordering the Mediterranean Sea  |
| Far East                  | Japan, Hong Kong, Korea, Taiwan<br>(Does not include Eastern Russia nor People's Republic of China)   |
| Other Asia                | East Indies (Singapore, Malaysia, Indonesia, Papua New Guinea, Brunei, Borneo), Pacific Islands (does not include Hawaiian Islands nor Guam), Eastern Russia, People's Republic of China, Philippines, India, Thailand, Burma |
| Australia and New Zealand | Australia, New Zealand, Tasmania  |
| +Other Foreign            | Middle East, Canada, Mexico, Central America, South America, Africa   |
| <b>DOMESTIC</b>           |   |
| Hawaii                    | Hawaiian Islands  |
| Inland Waterways          | U.S. Inland Waterways   |
| Other Domestic            | Guam, Alaska, U.S. East Coast, U.S. Gulf Coast, Coastwise (Ports on the Pacific Coast of California, Oregon, and Washington), Puerto Rico.  |

01340

NOTE 1: When transshipment is substituted for direct call of vessel the charge on cargo so handled shall be the same as that applicable to cargo handled on direct vessels.

For explanation of abbreviations and reference marks see Page 10.

ADOPTED: January 17, 1989

EFFECTIVE: January 20, 1989