

January 12, 2005

Cynthia Wilson  
Legal Counsel  
Public Utilities Commission  
89 Jefferson Avenue  
Warwick, Rhode Island 02888

**Re: Docket 3656**

Dear Ms. Wilson,

I am writing on behalf of the Division of Public Utilities (“Division”) in the above-entitled matter. The proposed tariff advice seeks to limit the use of “commuter” tickets to Prudence Island residents. To implement this aim, the utility would require ticket holders to present a Rhode Island driver’s license with a Prudence Island address (zip code 02872) each time the holder uses a “commuter” ticket. These tickets are purchased in bulk (a group of 10 One-Way for \$18.50 or 20 One-Way tickets for \$35.00) at what amounts to a discounted price per ticket.

The proposed eligibility requirement is allegedly patterned on the eligibility requirements for commuter tickets that the Public Utilities Commission (“Commission”) approved for Interstate Navigation Company d/b/a the Block Island Ferry (“Interstate”). However, there are important differences between Interstate’s and the proposed Prudence Ferry, Inc. (“Prudence Ferry”) tariff. The Town of New Shoreham accepts responsibility for providing passenger ID cards to “eligible commuters”—full time Block Island residents who drive a vehicle and possess a Block Island address on their license and registration. Presentation of the passenger ID card and appropriate ticket allows these commuters to qualify for a special “commuter vehicle rate” under Interstate’s tariff.

Neither Prudence Ferry’s existing nor proposed tariff contains a separate “commuter vehicle” rate. Further, the proposed eligibility requirement may have two detrimental effects. First, it may unfairly disadvantage Rhode Islanders who do not possess a Prudence Island address on their driver’s license but who nonetheless commute to and from the island on a regular basis. These customers will be required to purchase One-Way Single Fare Adult or Child tickets (at higher fares per ticket) in order to travel

back and forth to Prudence Island. Secondly, the proposed tariff change may result in a *de facto* rate increase for Prudence Ferry due to the elimination of the commuter discount and concomitant increase in travel cost for this group of customers.

Based on the foregoing, the Division requests that the Commission suspend the proposed tariff pending further investigation by the Division.

Very truly yours,

Leo J. Wold  
Special Assistant Attorney General