

STATE OF RHODE ISLAND
BEFORE THE DIVISION OF PUBLIC UTILITIES AND CARRIERS

IN RE: ISLAND HI-SPEED FERRY, LLC

DOCKET No. 3669

**MOTION TO INTERVENE
OF THE TOWN OF NEW SHOREHAM**

Comes now the Town of New Shoreham and moves, pursuant to Commission Rule of Practice 1.13, to intervene in the above referenced matter against the petition of Island Hi-Speed Ferry for the following reasons:

- (1) The Town, having the right to receive notice of this petition, Rhode Island General Laws 39-3-11 (b), and the right to file a complaint attacking rates it feels are unjust, Rhode Island General Laws 39-4-3, has clearly been determined by the General Assembly to have a direct interest.

In the event the Commission denies this motion to intervene, the Town moves this be considered a formal complaint pursuant to Rhode Island General Laws 39-4-3.

- (2) While the Town shares some common ground with the general public in this instance, the Town's interest in the setting of rates below twenty-six dollars (\$26.00) here is far higher because it is left holding the bag of higher rates for its lifeline service.

The Town was previously denied intervention when it claimed that IHSF penetration of Interstate's customer market would lead directly to an application for a rate increase by Interstate because, to the Commission, "It appears that since the

inception of IHSF, neither Interstate nor the residents of New Shoreham have experienced an adverse financial impact from IHSF's service." *Order Docket #3495 April 24, 2003 at 10-11* Since that Order, Interstate has applied for an received a whopping one and a half million dollar (\$1,500,000.00) rate increase which draws most heavily on the wallet of the Island resident, that is to say, 365 a day versus the public at large, the impact of which is felt by only those who actually visit the Island and, of those visitors, only as long as they choose to vacation on the Island and who control the duration of their stay. As surely as Interstate's application for a rate increase followed the original CPCN, another application will follow here. The townspeople simply can not bear another rate increase from its lifeline service.

The Town has it on the best of authority that this petition is premature and should be discussed given this very Commission's position that, "...if IHSF were to seek to lower its rates below \$26.00, it would need to petition the Division for a change in the terms of its operating certificate." Order 17452 issued 24 April 2003 at 14, n. 44 and that is something IHSF has not done.

Respectfully submitted,
The Town of New Shoreham
By its attorneys:
PACKER & O'KEEFE

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CERTIFICATION

I hereby certified that I e-mailed and mailed a true copy of the within on the 20th day of May 2005 to the following:

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STATE OF RHODE ISLAND
BEFORE THE DIVISION OF PUBLIC UTILITIES AND CARRIERS

IN RE: ISLAND HI-SPEED FERRY, LLC

DOCKET No. 3669

MOTION TO CONVENE
HEARING ON BLOCK ISLAND

Comes now the Town of New Shoreham acting through its duly elected Council and moves this Court pursuant to Rhode Island General Laws 39-4-7 to convene at least one day of the hearings in the Town of New Shoreham.

Respectfully submitted,
The Town of New Shoreham
By its attorneys:
PACKER & O'KEEFE

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