

# Schacht & McElroy

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April 16, 2014

HAND-DELIVERED

Luly Massaro, Clerk  
Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

Re: A&R Marine Corp., d/b/a Prudence & Bay Islands Transport – Initial Rate Application

Dear Luly:

As you know, this office represents A&R Marine Corp. (A&R).

Enclosed for filing are the original and nine (9) copies of a proposed initial tariff for A & R. This tariff is identical to the tariff currently being used by Prudence Ferry, Inc. A&R committed to initially use the same tariff as Prudence Ferry, Inc. when A&R filed its application for a Certificate of Public Convenience and Necessity (CPCN) with the Division.

We request that these initial rates become effective without a hearing in thirty (30) days (May 17, 2014) in accordance with R.I.G.L. § 39-3-11. A & R will file a full rate case when A&R has gathered sufficient actual operating information.

Also enclosed are the following:

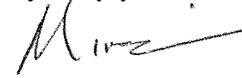
1. A&R's Initial Rate Application.
2. A proposed Notice for your review and comment.
3. A Petition for Relief from certain filing requirements.

Please also inform me as to any publication requirements for the public notice pursuant to ¶2.4 of your Rules of Practice and Procedure. I assume publication will be made in the *Providence Journal*. Please let me know when the Notice has been approved.

Digital files will also be emailed to you.

Please let me know if you need any further information or documentation.

Very truly yours,



Michael R. McElroy

MRMc:tmg

cc: Thomas Ahern, Administrator  
Steve Scialabba  
Leo Wold, Esq.  
Stephen Antaya  
Kevin P. Gavin, Esq.  
Terence Tierney, Esq.  
Michael Ursillo, Esq.  
Andrew Teitz, Esq.  
Cynthia Wilson-Frias, Esq.  
John C. Klimm, Portsmouth Town Administrator  
James A. Seveney, Portsmouth Town Council President  
Antonio A. Teixeira, Bristol Town Administrator  
Mary A. Parella, Bristol Town Council Chairman

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: A&R MARINE CORP., d/b/a : DOCKET No.: \_\_\_\_\_  
PRUDENCE & BAY ISLANDS TRANSPORT :

**INITIAL RATE APPLICATION**

Pursuant to R.I.G.L. § 39-1-1 et seq., A&R Marine Corp., d/b/a Prudence & Bay Islands Transport, hereby applies for authorization and permission to charge initial rates as shown on the proposed tariffs filed herewith. These are the same rates as are currently being charged by Prudence Ferry, Inc.

The following is provided pursuant to Rule 1.9 of the Rules of Practice and Procedure:

1. NAME OF APPLICANT: A&R Marine Corp., d/b/a Prudence & Bay Islands Transport, a Rhode Island corporation.
2. PLACE OF BUSINESS: The Company's principal Rhode Island operations are in Bristol and Portsmouth. However, the Company's mailing address is P.O. Box 1017, Bristol, RI 02809.
3. NOTICES: Correspondence or communications in regard to this Application should be addressed to:

Michael R. McElroy, Esq.  
Schacht & McElroy  
P.O. Box 6721  
Providence, RI 02940-6721  
Tel: (401) 351-4100  
Fax: (401) 421-5696  
Email: [Michael@McElroyLawOffice.com](mailto:Michael@McElroyLawOffice.com)

Respectfully submitted,  
A&R Marine Corp.,  
By its attorney

Date: April 16, 2014

  
\_\_\_\_\_  
Michael R. McElroy #2627  
Schacht & McElroy  
21 Dryden Lane  
P.O. Box 6721  
Providence, RI 02940-6721  
Tel: (401) 351-4100  
Fax: (401) 421-5696  
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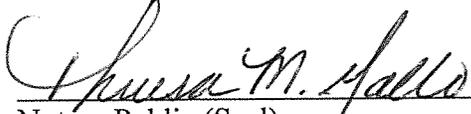
VERIFICATION

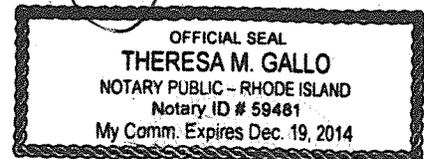
Michael R. McElroy, being first duly sworn deposes and says that the information presented in this Application is true to the best of his knowledge, information, and belief.

  
\_\_\_\_\_  
Michael R. McElroy

STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

Sworn to and subscribed before me this 16<sup>th</sup> day of April, 2014.

  
\_\_\_\_\_  
Notary Public (Seal)



NOTICE OF FILING

A&R Marine Corp., d/b/a Prudence & Bay Islands Transport (A&R) hereby gives notice that on April 16, 2014, A&R filed with the Rhode Island Public Utilities Commission (the "Commission") initial rates and schedules for its proposed ferry service between Bristol and Hog and Prudence Islands (Docket No. \_\_\_\_\_).

If approved as filed, the rates would be the same as those currently being charged by Prudence Ferry, Inc.

In addition to the tariffed rates, a statutory fuel surcharge will be added when applicable. The current fuel surcharge is \$0.55 per one-way ticket for the period April 15, 2014 through May 14, 2014.

These rates are proposed to take effect on May 17, 2014. However, the Commission has authority to suspend the effective date of the proposed rates if it chooses to do so.

A copy of the filing is available at the offices of A&R's attorney, Michael R. McElroy, 21 Dryden Lane, P.O. Box 6721, Providence, RI 02940-6721, and at the Public Utilities Commission, 89 Jefferson Boulevard, Warwick, RI 02888, and may be examined by the public during business hours. This notice is given pursuant to the Commission's Rules of Practice and Procedure.

A&R Marine Corp., d/b/a  
Prudence & Bay Islands Transport

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: A & R MARINE CORP., d/b/a : DOCKET No.: \_\_\_\_\_  
PRUDENCE & BAY ISLANDS TRANSPORT :

**PETITION OF A & R MARINE CORP., d/b/a**  
**PRUDENCE & BAY ISLANDS TRANSPORT, FOR CERTAIN WAIVERS**

Prudence Ferry, Inc.'s lease for the Bristol dock owned by the Town expires on June 14, 2014. A & R Marine Corp., d/b/a Prudence & Bay Islands Transport (A & R) hopes to begin handling lifeline ferry services between Bristol, Hog Island, and Prudence Island on or about June 15, 2014. A & R has obtained approval for a conditional Certificate of Public Convenience & Necessity (CPCN) from the Division of Public Utilities and Carriers (Division) for this run. (See Order No. 21363 in Docket D-13-105). One of the primary conditions is: "That A & R Marine must have a Public Utilities Commission approved tariff in effect before it provides any ferry services authorized under the authority granted herein." (at p. 76, ¶4).

In A & R's filing with the Division for the CPCN, A & R committed that it would initially run at the same rates currently being charged by the existing Prudence Ferry, Inc.<sup>1</sup> These rates are very low. They have not increased in more than 20 years (since June 8, 1993). However, because A & R has no past history to put together a test year, A & R has agreed to keep those rates in effect (plus the statutory fuel surcharge) as A & R's initial rates. Upon information and belief, A & R believes that the existing Prudence Ferry, Inc. will probably not be operating after June 14, 2014, because that is when its lease expires for the docking facility in Bristol owned by the Town. As of June 15, 2014, A & R hopes that it will have a lease from the Town of Bristol for that docking facility, and that A & R will be the company providing lifeline ferry services from Bristol to Hog and Prudence Islands.

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<sup>1</sup> A & R "would initially charge the same rates. However . . . a rate increase may be required after ridership data becomes available." (Order No. 21363, p. 10).

In order for there to be uninterrupted lifeline service, therefore, A & R needs to have a Commission-approved tariff in effect no later than June 15, 2014. Because A & R is a newly formed entity with no history, and because A & R is initially not proposing to increase the existing rates, A & R believes that there is good cause and it is in the public interest for the Commission to waive the usual rules and to establish initial rates for A & R that are identical to the existing rates currently in effect for Prudence Ferry, Inc. A & R will gather statistical information as it begins the run, and when it has enough information to put together a full rate filing, it will do so.

Therefore, because it is necessary to keep the lifeline operating without interruption, and because there is no other practical way to establish initial rates, A & R respectfully requests that the rates filed with this Petition be approved and that the Commission, for good cause shown:

1. Waive the requirement of R.I.G.L. § 39-3-11 that a rate change filing be the subject of a public hearing. (Note that there is no proposed “change” in existing rates);
2. Allow the A & R tariff to go into effect without suspension on May 17, 2014; and
3. Waive the rate filing requirements set forth in the Commission’s Rules of Practice and Procedure, including, but not limited to, those requirements set forth in Rule 1.9 and in Part Two of the aforesaid Commission Rules.<sup>2</sup>

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<sup>2</sup> R.I.G.L. § 39-3-12 specifically gives the Commission the authority, for good cause, to “allow changes within less time than required by the notice specified in § 39-3-11, and without holding the hearing and investigation therein provided for, or modify the requirements of § 39-3-11 with respect to filing and publishing tariffs either in the particular instance or by general order applicable to special or particular circumstances or conditions, or may enter an interim order prescribing a temporary schedule of rates, tolls, and charges pending the completion of its investigation.”

Respectfully submitted,  
A & R Marine Corp.,  
By its attorney

Date: April 16, 2014

  
\_\_\_\_\_  
Michael R. McElroy #2627  
Schacht & McElroy  
21 Dryden Lane  
P.O. Box 6721  
Providence, RI 02940-6721  
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Email: [Michael@McElroyLawOffice.com](mailto:Michael@McElroyLawOffice.com)

# TARIFF

A&R MARINE CORP., d/b/a PRUDENCE & BAY ISLANDS TRANSPORT  
Effective: May 17, 2014

Rhode Island Public Utilities Commission Docket No. \_\_\_\_\_

## TARIFF SCHEDULES

### Schedule

- |   |                                   |
|---|-----------------------------------|
| A | Passenger rates - Prudence Island |
| B | Passenger rates - Hog Island      |
| C | Passenger Vehicle rates           |
| D | Vehicle Tariffs                   |
| E | Commodities rates                 |
| F | Rules and Regulations             |

Schedule A  
Passenger Rates  
Docket No. \_\_\_\_\_  
Rhode Island Public Utilities Commission  
Effective: May 17, 2014

Between

Bristol  
and  
Prudence Island

One-Way Single Fare Adult	\$ 2.85
One-Way Single Fare Child under 12 (See Note A)	\$ 1.00
Twenty One-Way Trip Commuter Tickets - Non Transferable - (Good for 60 days) Per ticket	\$ 35.00
Ten One-Way Trip Commuter Tickets - Non Transferable (Good for 30 days) \$ 18.50	

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Note A	Children between five (5) and not over twelve (12) years will be charged at the rates named below: One-Way between Bristol and Prudence Island	\$ 1.00
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Rules and Regulations

Rule No. 1      Passengers will not be allowed to take animals considered as pets aboard the vessel unless such animal is under leash. Also, animals cannot be carried in the passenger cabin.

Rule No. 2      The operations of the Company's vessel between the points named in this tariff are also subject to the rules and regulations of the United States Coast Guard. No gasoline, propane gas, or any other explosive materials or empty container for carriage of same may be carried aboard this ship on Special Gas Runs.

Schedule B  
Passenger Rates  
Docket No. \_\_\_\_\_  
Rhode Island Public Utilities Commission  
Effective: May 17, 2014

Between

Bristol  
and  
Hog Island

One-Way Single Fare Adult \$ 2.85

One-Way Single Fare Child under 12 \$ 1.00

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Note A Children between five (5) and not over twelve (12) years will be charged at the rates named below:

One-Way between Bristol and Hog Island \$ 1.00

Commuter Tickets are available for Hog Island Passengers equal to the Prudence rates on Schedule A.

Schedule C  
 Passenger Vehicle Rates  
 Docket No. \_\_\_\_\_  
 Rhode Island Public Utilities Commission  
 Effective: May 17, 2014

Between

Bristol  
 and  
 Prudence and Hog Islands

	<u>One-Way</u>	<u>Round-Trip</u>
Junk Passenger Cars	\$ 12.50	Not Applicable
Passenger Cars with Driver	\$ 15.50	\$ 31.00
	6/\$75-00*	
Passenger Cars with Driver Tuesday or Wednesday same day round trip Originating from Prudence Island On Stand-by Basis only	12/\$100-00*	

\* Not transferable between passenger cars.

Schedule D  
 Vehicle Tariffs  
 Docket No. \_\_\_\_\_  
 Rhode Island Public Utilities Commission  
 Effective: May 17, 2014

Pick-up Trucks: up to 1 ton	\$ 31.00 R/T
Other 1 Ton (rated capacity) Pickups & Vans	\$ 43.00 R/T
2-3 Ton (rated capacity) Pickups & Vans	\$ 68.00 R/T
Other Trucks 4 - 5 Tons	\$ 75.00 R/T
Other Trucks 5 - 10 Tons	\$ 124.00 R/T
Other Trucks 10 - 20 Tons	\$ 155.00 R/T
Other Trucks 20 - 30 Tons	\$ 248.00 R/T

Moving Vans, U-Haul, Cube Trucks	- refer truck category
Cement Trucks	- refer truck category
Camp Trailers	- refer truck category
Recreational self propelled vehicles	- refer truck category

Trailers & Tent Trailers	
Utility - up to 10'	\$ 31.00 R/T
Utility - 10' to 20'	\$ 37.00 R/T
Utility - over 20'	\$ 50.00 R/T

Boats - only - up to 10'	\$ 31.00 R/T
Boats - only - 10' to 20'	\$ 37.00 R/T
Boats - only - over 20'	\$ 50.00 R/T

Boat & Trailer - up to 10'	\$ 37.00 R/T
Boat & Trailer - 10' to 20'	\$ 50.00 R/T
Boat & Trailer - over 20'	\$ 75.00 R/T

Note: Multiple trip vehicle tickets do not apply to above.

Schedule E  
Index of Commodities

<u>Commodity</u>	<u>Item</u>	<u>Commodity</u>	<u>Item</u>
Automobiles	5	Mattresses	
Baby carriages	10	Milk	165
Backhoes	15	Minibikes, mopeds	170
Bathtubs	20	Motorcycles, bikes	170
Beds	25	Newspapers	175
Beer	250	Oil	
Bicycles	30	Outboard motors	180
Block, cinder, cement	35	Paneling	
Boats	40	Paper, building, roofing	185
Boat trailers	45	Peat moss	
Bottled gas	50	Pianos	200
Box springs	25	Personal Effects	190
Buckets	60	Picnic tables	210
Bulldozers	15	Pipe, brass, steel, copper	215
Bureaus	65	Pipe, PVC	220
Calcium chloride	70	Pipe, transite	225
Chairs	80	Pipe, well	230
Cows	155	Plywood	235
Couches	85	Ponies	
Deer	90	Ranges	
Doors	95	Refrigerators	240
Dishwashers	280	Riding mowers	
Dryers	280	Road salt	
Drywall	235	Rototillers	
Fertilizer	150	Shingles, wooden	245
Fruit	105	Slate-coated	245
Furring	100	Sheep	
Gasoline	110	Sheetrock	
Goats	155	Shower stall - tub units	
Groceries	115	Soda	250
Grain	120	Stoves	255
Hay	125	Television sets	260
Horses	155	Toilet sets	265
Hot water heaters	180	Trucks	270
Household utensils	190	Vegetables	275
Ice Cream	135	Wallboard	
Kerosene	110	Washing machines	280
Lavatories	140	Wine	285
Lawn mowers	145	Woodstove	
Lime	150	Rugs	295
Livestock	155	Windows	300
Lumber	160		

**Abbreviations**

NOIBN	Not otherwise indexed by name
R.I.P.U.A.	Rhode Island Public Utility Administrator
Ea.	Each
Cu.	Cubic

Schedule E  
Rates between Bristol, RI and  
Prudence Island, RI and Hog Island, RI  
Rhode Island Public Utilities Commission  
Docket No. \_\_\_\_\_  
Effective: May 17, 2014

<u>Item No.</u>	<u>Commodity</u>	<u>Rate</u>
5	Automobiles (includes 1 ton trucks & vans)	\$ 15.50
	Automobiles (R/T)	\$ 31.00
	6 trip car	\$ 75.00
	12 trip car	\$ 100.00
	Junk automobiles	\$ 12.50 ea.
10	Baby carriages and similar conveyances	\$ 0.60 ea.
15	Backhoe, bulldozer	
	Under 3 tons	\$ 37.25 ea.
	3 - 5 ton	\$ 43.50 ea.
20	Bathtubs	\$ 3.75 ea.
	Showerstall tub unit	\$ 3.75 ea.
25	Bed, mattresses, box springs, per piece	\$ 1.25
30	Bicycles	\$ 0.55 ea.
35	Blocks, cement or cinder, loose	\$ 0.20 ea.
40	Boats, dinghies	\$ 0.30 per ft.
45	Boat trailer	\$ 9.95 ea.
50	Bottled gas, in tanks	\$ 1.50 ea.
	Note: Empty containers returned without compensation	
55	Brick, building (per hundred)	\$ 1.50
60	Buckets, 5 gallon, of paint, etc.	\$ 0.50 ea.
	NOIBN	
65	Bureaus                   small	\$ 0.60 ea.
	large	\$ 1.25 ea.
70	Calcium chloride (road salt), in bags	\$ 0.35 ea.
75	Cement in bags	\$ 0.35 ea.
80	Chairs                   frame	\$ 0.50 ea.
	stuffed	\$ 1.25 ea.
85	Couches	\$ 2.50 ea.

Schedule E  
Rates between Bristol, RI and  
Prudence Island, RI and Hog Island, RI  
Rhode Island Public Utilities Commission  
Docket No. \_\_\_\_\_  
Effective: May 17, 2014

<u>Item No.</u>	<u>Commodity</u>	<u>Rate</u>
90	Deer (carcass)	\$ 2.90 ea.
95	Door	\$ 0.60 ea.
100	Furring, in bundles	\$ 0.35 ea.
105	Fruit, in boxes or crates	\$ 0.35 ea.
110	Gasoline, kerosene and oil	\$ 0.05 per gal.
115	Groceries, in boxes	\$ 0.35 ea.
120	Grain, in bags	\$ 0.35 ea.
125	Hay, in bales	\$ 0.35 ea.
130	Hot water heaters	\$ 6.21 ea.
135	Ice cream in cartons	\$ 1.00 ea.
140	Lavatories	\$ 1.10 ea.
145	Lawnmowers	\$ 0.75 ea.
	Riding mowers	\$ 2.90 ea.
	Rototillers	\$ 2.50 ea.
150	Lime, in bags	\$ 0.35 ea.
	Fertilizer, in bags	\$ 0.35 ea.
	Peatmoss, in bags	\$ 0.35 ea.
155	Livestock: cows and horses	\$ 7.45 ea.
	ponies, goats, sheep	\$ 3.75 ea.
160	Lumber, NOIBN. Per thousand board feet	\$ 7.45
165	Milk - in cases of 16 qts.	\$ 0.35 ea.
170	Motorcycles	\$ 3.75 ea.
	Motorbikes, minibikes, mopeds	\$ 1.55 ea.
175	Newspapers, in bundles	\$ 0.35 ea.
180	Outboard motors - up to 50 h.p.	\$ 1.10 ea.
	over 50 h.p. ea.	\$ 2.25 ea.

Schedule E  
Rates between Bristol, RI and  
Prudence Island, RI and Hog Island, RI  
Rhode Island Public Utilities Commission  
Docket No. \_\_\_\_\_  
Effective: May 17, 2014

<u>Item No.</u>	<u>Commodity</u>	<u>Rate</u>
185	Paper, building, roofing, in rolls	\$ 0.35
190	Personal effects, household	
	Utensils, in foot locker	\$ 1.25 ea.
	in large trucks	\$ 3.10 ea.
200	Pianos loose or crated	\$ 18.65 ea.
210	Picnic tables	\$ 1.25 ea.
215	Pipes - brass, steel, or copper	
	Up to 3/4" (per length)	\$ 0.20
	over 3/4" to 1 1/2" (per length)	\$ 0.30
	over 1 1/2" (per length)	\$ 0.60
220	Pipe - PVC up to 10' (per length)	\$ 0.20
	over 10' (per length)	\$ 0.45
225	Pipe - transite (per length)	\$ 0.60
230	Pipe - well - Lip to 10' lengths	
	24" diameter and over see Rule #2	\$ 1.25 per ft.
235	Plywood, wallboard, paneling, drywall, sheetrock	\$ 0.25 per sheet
240	Refrigerators	
	less than 5 12 cu. ft.	\$ 2.90 ea.
	5 1/2 to 9 cu. ft.	\$ 8.75 ea.
	over 9 cu. ft.	\$ 12.40 ea.
245	Shingles, wooden, in bundles	\$ 0.35 ea.
	Slate-coated, in bundles	\$ 0.35 ea.
250	Soda, beer, in cases	\$ 0.35 ea.
	Cases of empty containers	\$ 0.20 ea.
255	Stoves, ranges, woodstoves	\$ 2.90 ea.
260	Television sets, portable to 15"	\$ 0.35 ea.
	portable over 15"	\$ 1.00 ea.
	floor models	\$ 2.50 ea.

Schedule E  
Rates between Bristol, RI and  
Prudence Island, RI and Hog Island, RI  
Rhode Island Public Utilities Commission  
Docket No. \_\_\_\_\_  
Effective: May 17, 2014

<u>Item No.</u>	<u>Commodity</u>	<u>Rate</u>
265	Toilet sets	\$ 1.10 ea.
270	Trucks, 4 - 5 tons	\$ 37.25
275	Vegetables, in boxes	\$ 0.35 ea.
280	Washing machines, dishwashers	\$ 2.90 ea.
285	Wine, in cases	\$ 0.50 R/T
	Note: Cases of full wine bottles shipped to the mainland during the one year period in excess of the # of empty cases shipped to the island during the same year period shall be charged at the rate of \$0.20 per case.	
290	Freight, except articles covered elsewhere specifically: in packages, parcels, or boxes up to 24" x 24" x 24"	\$ 0.35 ea.
295	Rugs, in rolls	
	length to 12 ft. dia to 1 ft.	\$ 1.25
	length to 12 ft. dia over 1 ft.	\$ 2.50
	length over 12 ft. dia to 1 ft.	\$ 2.50
	length over 12 ft. dia over 1 ft.	\$ 5.00
300	Windows sash	\$ 0.60
	bay, sliding	\$ 3.75

## Schedule F

### Rules and Regulations

- Rule No. 1 Shipment of kerosene, gasoline, and any other inflammable material or empty containers for same will be accepted for transportation on Company's vessels subject to United States Coast Guard Regulations.
- Rule No. 2 Shipments of well pipe as described in Item No. 120 will not be accepted for transportation on Company's vessels, when cubic dimension exceeds nine (9) cubic feet.
- Rule No. 3 Packages containing personal effects and household utensils, for which rates are published in Item No. 40, will be securely packaged and containers will be strongly secured to prevent damage.
- Rule No. 4 Refrigerators, when shipped loose, will be accompanied by matting to prevent any damage to exterior of the refrigerator.
- Rule No. 5 Shippers of livestock will provide feed and water and will accompany such animals, when transportation is effected.
- Rule No. 6 Rates published in this tariff are subject to a minimum charge of fifty (50) cents per shipment.
- Rule No. 7 Motor vehicles will be moved between the points named in this tariff, only when the navigable waters are at full tide.
- Rule No. 8 Commodities shall not be subjected to rate charges if carried onto the vessel in a single boarding by a fare-paying passenger or vehicle and carried off the vessel in a single debarking by a fare-paying passenger or vehicle.