



February 5, 2010

Ms. Luly E. Massaro, Clerk
Division of Public Utilities & Carriers
89 Jefferson Boulevard
Warwick, RI 02888

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PUBLIC UTILITIES COMMISSION

Re: Aquidneck Ferry & Charter Inc.
Docket # D-10-01
Oldport Marine Services Inc. , Newport, RI
Motion to Intervene

Dear Ms. Massaro,

Enclosed for filing are one original and five copies of the Motion of Oldport Marine Services Inc. for intervention as a Full Party/Protestant in the Docket # D-10-01.

I can be contacted at any time if you have any questions.

Sincerely,
Matthew P. Gineo
Matthew P. Gineo
General Manager
Oldport Marine Services Inc

**STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

RE: AQUIDNECK FERRY & CHARTER INC. - DOCKET # D-10-01

**MOTION OF OLDPORT MARINE SERVICES INC. NEWPORT, RHODE ISLAND
FOR INTERVENTION AS A FULL PARTY/ PROTESTANT**

Pursuant to Rules 17 and 19 of the Rules of Practice and Procedure of the Division of Public Utilities and Carriers, Oldport Marine Services Inc. and through it's undersigned counsel, moves to intervene as a full party protestant in this matter.

Oldport Marines Services Inc. has been the operator of the Oldport Launch Service and the Oldport Harbor Shuttle since 1974 and is opposed to the application filed by Aquidneck Ferry & charter Inc. for a certificate of Public Convenience and Necessity to operate a water ferry service in Newport Harbor and Narragansett Bay.

Oldport Marine Services Inc. is the current holder of PUC permits # W-1146 & W-1138 to operate a water ferry service which provides virtually the same service as is being sought to be provided by Aquidneck Ferry & Charter Inc. The overlap in service by Aquidneck Ferry Inc. includes stops at Perrotti Park, Goat Island, Fort Adams State Park, Bowen's Wharf, Ann Street Pier and IYRS.

Oldport Marine Services has been providing reliable and safe service at a very reasonable cost in Newport Harbor since 1974. The launch/ shuttle service operates night and day in most weather conditions from May through October. During busy periods such as Folk and Jazz Festivals, Tall Ships, Fourth of July etc, Oldport Marine will add additional vessels in order to keep up with the increased passenger volume.

The cannibalization that would result from granting a Certificate of Operating Authority to Aquidneck Ferry Inc. would more than likely end Oldport Marine's ability to operate their existing Harbor Shuttle service in Newport Harbor. A very important part of Newport's longstanding water transportation service would effectively be destroyed.

Oldport Marine and Connanict Marine (Jamestown Ferry) have been covering the routes more than adequately and there is no "public convenience and necessisty which can be shown that would require the new service proposed by Aquidneck Ferry Inc. mandated by R.I.G.L 39-3-3 and rule 15.

A 65 foot vessel can not safely and efficiently operate in the confined and congested areas throughout Newport Harbor. The schedule proposed by Aquidneck Ferry Inc. can not be met in ideal weather conditions. In adverse weather conditions such as fog, strong winds etc. the schedule will be impossible to maintain. The vessel is not properly suited or fit for the type of service being proposed.

Oldport Marine Services Inc. moves to intervene in this matter as a full party/protestant and respectfully requests that the applicant's request for a Certificate of Public Convenience and Necessity be denied.

Respectfully submitted

Matthew P. Gineo



General Manager

Oldport Marine Services Inc.

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