

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DIVISION OF PUBLIC UTILITIES AND CARRIERS

In re: A&R Marine Corp., d/b/a Prudence &  
Bay Islands Transport – Application for  
Certificate of Public Convenience and  
Necessity

Docket #: D-13-105

**POST HEARING BRIEF OF PRUDENCE FERRY, INC.**

At the conclusion of the evidentiary hearings in this matter of December 5, 2013, it was agreed that any post-hearing briefs would need to be filed within forty-five (45) days from December 5, 2013, i.e., on or before January 20, 2014.

Prudence Ferry, Inc. elects to adopt the closing arguments delivered by its undersigned counsel at the December 5, 2013 hearing as its Post Hearing comments in this matter.

Counsel for Prudence Ferry, Inc. is informed and believes that the hearing officer and counsel of record are already in possession of the relevant transcripts in the above matter.

Counsel for Prudence Ferry, Inc. would note that both the within Post Hearing Brief and that submitted by counsel for A&R Marine Corp., are simply arguments of counsel.

Counsel for A&R Marine Corp., in its closing argument, attempted to pepper his argument with rumor, innuendo, and other unsubstantiated allegations regarding Prudence Ferry, Inc., which are nowhere to be found in the record, and upon which it is suggested, that the hearing officer should not rely.

Prudence Ferry, Inc. urges the hearing officer to disregard comments by counsel for A&R Marine Corp. which strayed from the factual presentation, as well as the witnesses and associated evidence submitted regarding the A&R Marine Corp. hearing. All other argument of counsel for A&R Marine Corp., is essentially extraneous and not evidence.

Prudence Ferry, Inc. respectfully requests that the Application of A&R Marine be denied in that A&R Marine has not established that it is fit, willing and able to provide the ferry service to Prudence Island. Further, A&R Marine has not demonstrated that the public convenience and necessity require the service of A&R Marine and Prudence Ferry, Inc. suggests that the application of A&R Marine fails to comport with the standards set forth in the matter of *Abbott vs. Public Utilities Commission*, 136 A.490, 491-92 (RI 1927).

Respectfully submitted, Prudence Ferry, Inc.  
By its attorney,

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Dated: 1/13/14

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