

September 17, 2015

Via E-mail/Hand-Delivery

Ms. Luly Massaro  
Division Clerk  
Division of Public Utilities and Carriers  
89 Jefferson Boulevard  
Warwick, Rhode Island 02888

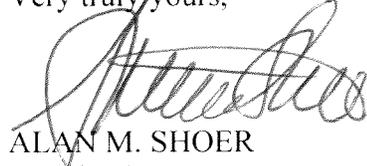
In re: Rhode Island Fast Ferry, Inc. – Docket No. D-13-51

Dear Luly:

On behalf of Rhode Island Fast Ferry, Inc. (“RIFF”), please find an original and four (4) copies of the enclosed Surreply to Intervenor’s Joint Response to RIFF’s Objection to Intervenor’s Motion to Modify Procedural Schedule for filing in the above docket.

Please let me know if you have any questions.

Very truly yours,



ALAN M. SHOER  
[ashoer@apslaw.com](mailto:ashoer@apslaw.com)

Enclosures

**STATE OF RHODE ISLAND**

**DIVISION OF PUBLIC UTILITIES AND CARRIERS**

**IN RE: RHODE ISLAND FAST FERRY, INC.:**

**Docket No.: D-13-51**

**RIFF'S SURREPLY TO INTERVENOR'S JOINT RESPONSE  
TO RIFF'S OBJECTION TO INTERVENOR'S  
MOTION TO MODIFY PROCEDURAL SCHEDULE**

Rhode Island Fast Ferry, Inc. "RIFF" requests leave of the Hearing Officer to submit this brief surreply to the September 16, 2015 Joint Response of the Town of New Shoreham and Interstate Navigation ("Intervenors") to the RIFF objection of the Intervenor's Motion to Modify the Procedural Schedule

In support of the Intervenor's request for further discovery and extension of time, and as a further challenge to the RIFF Declaration of September 11, 2015 the Intervenors now take issue with, among other things, the statement in the Affidavit of Paul Filippi that Bluewater, LLC has acquired from the riparian owners the right to wharf out at the location known as the Northerly Ell of the stone jetty at the Inner Harbor. In particular, the Town now claims that Bluewater, LLC cannot assert any riparian rights to any of the property leased to RIFF because an apologetic e-mail from Mr. Steve Filippi to the Town Manager (dated September 11, 2015) asserts that neither Ballards Inn, Marion Filippi, or Blake Filippi support the Bluewater LLC / RIFF Lease and business arrangements. And, the Town further asserts that only Marion Filippi or Blake Filippi are "authorized" to sign on behalf of the record owners of the property identified in the Paul Filippi Affidavit. And also, the Town bases these claims on its cursory review of a cover page to the R.I. Secretary of State corporations web site.

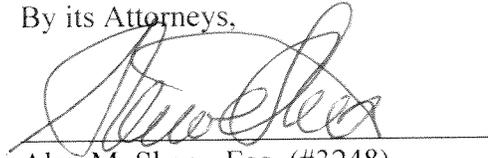
Putting aside the fact that the Secretary of State's cover page web site is not the operative document that identifies any and all authorized members or managers of an LLC who

may act on behalf of the company, the reliance on the apologetic e-mail of Steve Filippi as factual support for the Town's latest assertions is completely misplaced and wrong. For example, and attached to this Surreply as Exhibit "A," is an assignment document, dated September 16, 2015, whereby "T & C Holdings LLC assigns Bluewater LLC the riparian rights of lot 158 plat 6 in the Town of New Shoreham to build docks and wharf out into Old Harbor." According to the Town real estate documents relied upon by the Town T & C Holdings LLC is the entity that the Town asserts is the record owner of one of the Lots identified in the Paul Filippi Affidavit, identified as Lot 158, plat 6.

Thus, this assignment document (Exhibit "A") completely contradicts the Town's assertion that the Bluewater LLC / RIFF Lease arrangement is not based on legitimate facts and support. To the extent necessary, this assignment document provides the Division with further support to the RIFF Declaration (and the Lease and business arrangements) between Bluewater, LLC and RIFF for dockage of the RIFF high speed ferry in the Old Harbor within the Town of New Shoreham.

Respectfully submitted,

RHODE ISLAND FAST FERRY, INC.,  
By its Attorneys,



Alan M. Shoer, Esq. (#3248)  
James A. Hall, Esq. (#6167)  
ADLER POLLOCK & SHEEHAN, P.C.  
One Citizens Plaza, 8<sup>th</sup> Floor  
Providence, RI 02903-1345  
Tel: 401-274-7200  
Fax: 401-751-0604  
Dated: September 17, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that on September 17, 2015, I delivered a true copy of the foregoing document via electronic mail to the parties on the attached service list.

A handwritten signature in black ink is written over a horizontal line. The signature is cursive and appears to read "M. H. [unclear]".

A

This agreement is between Bluewater LLC and T+C holdings LLC.  
In exchange for valuable consideration, T&C Holdings LLC  
assigns Bluewater LLC the riparian rights of lot 158 plat 6 in the Town of New  
Shoreham to build docks and wharf out into Old Harbor.

This agreement is effective as of:

9/16/2015.

  
Marion Filippi T+C Enterprises

  
Paul Filippi Bluewater LLC