

STATE OF RHODE ISLAND  
DIVISION OF PUBLIC UTILITIES AND CARRIERS

IN RE: RHODE ISLAND FAST FERRY, INC.

DOCKET No. D-13-51

***MOTION OF THE TOWN OF NEW SHOREHAM TO  
RECONSIDER THE DIVISION'S ORDER OF DECEMBER 13, 2017***

The Division's Order of December 13, 2017 ("Order") effectively denies the Town of New Shoreham ("Town") the ability to obtain the information requisite to obtain a full and fair hearing in this matter. While the Town has clearly preserved its objections to the rulings in the Order, the purpose of this motion is to point out that one of the effects of the Order is that the Town and Interstate are not even able to obtain from RIFF a copy of the application which was filed with the Army Corps of Engineers ("ACOE").

Although RIFF purported to produce the ACOE application, the only document actually produced was a letter dated May 15, 2017 addressed to the ACOE with reference to a Section 408 request for permission for a dock in Old Harbor; however, this is only a portion of the application. This letter references documentation which was part of the application and which was included with the letter but was not produced. Production of the full application is essential to a determination of the issues presented in this proceeding, and the Town, through the Order, has been denied even the application itself. In addition, to properly proceed in this matter, the documentation requested must be reviewed by the Town's experts.

For the foregoing reasons, the Town respectfully requests that the Order be reconsidered and that RIFF be ordered to produce to the Town the full ACOE application.

TOWN OF NEW SHOREHAM

By its attorneys,

Merolla, Accetturo & Lough

/s/Katherine A. Merolla

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**CERTIFICATION**

I hereby certify that on December 22, 2017, 2017, I emailed a true copy of the foregoing document to those persons listed on the attached service list:

/s/Katherine A. Merolla