

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS
89 JEFFERSON BOULEVARD
WARWICK, RHODE ISLAND 02888

IN RE: Application by Rhode Island Fast :
Ferry, Inc. for Water Carrier Authority : Docket No. D-13-51

ORDER

(In response to Motion for extension of time)

Whereas: On July 2, 2013, Rhode Island Fast Ferry, Inc., 1347 Roger Williams Way, North Kingstown, Rhode Island (“RIFF” or “Applicant”), filed an application with the Rhode Island Division of Public Utilities and Carriers (“Division”) seeking authority to operate as a seasonal “fast ferry” water carrier of passengers between Quonset Point, North Kingstown and Old Harbor, Block Island. RIFF’s application was filed pursuant to Rhode Island General Laws, Sections 39-3-3 and 39-3-3.1, which require the issuance of a “certificate of public convenience and necessity” (“CPCN”) by the Division before “water carrier” services can be provided between points within the State.

Whereas: The Division established an initial procedural schedule in this docket during a scheduling conference conducted on August 21, 2013. This schedule was later modified in response to an October 3, 2013 request by RIFF for an extension of time to file pre-filed direct testimony.¹ The modified schedule was later held in abeyance, at RIFF’s request, after a Division decision denying two intervention requests was appealed to the Superior Court.² After this appeal was denied and dismissed on February 17, 2014, RIFF agreed, on

¹ See Order No. 21189.

² See Order No. 21170.

May 2, 2014, to attend another scheduling conference for the purpose of establishing another revised procedural schedule. Subsequently, during a scheduling conference conducted on June 18, 2014, the Division established a new procedural schedule in this docket.

Whereas: On August 1, 2014, the Applicant filed a motion for an extension of time “due to the temporary unavailability of an expert witness required for preparation of the pre-filed testimony.” In furtherance of its request, the Applicant proffered a revised schedule that seeks an additional 35 days to file its pre-filed direct testimony and a corresponding shift of approximately two (2) months for each of the remaining deadlines to the procedural schedule. In support of its motion, the Applicant states that “we have discussed this proposed revision with all the parties to this proceeding, and we can represent that there are no objections to these revised dates.”

Whereas: The Division has considered the Applicant’s stated reason for the requested extension, and in view of the lack of any opposition from the other Parties, finds the request reasonable. The relevant scheduling changes are reflected below:

- September 22, 2014 - Deadline for RIFF to file pre-filed direct testimony;
- October 30, 2014 - Deadline for Intervenors and Advocacy Section to propound discovery;
- November 21, 2014 - Deadline for RIFF to answer discovery;
- December 19, 2014 - Deadline for Intervenors and Advocacy Section to file pre-filed direct testimony;
- January 5, 2015 - Deadline for RIFF to propound discovery in response to pre-filed direct testimony from Intervenors and Advocacy Section (OPTIONAL);

- January 26, 2015 - Deadline for Intervenors and Advocacy Section to answer discovery;
- February 9, 2015 - Deadline for RIFF to file rebuttal testimony (OPTIONAL);
- March 2, 2015 - Deadline for Intervenors and Advocacy Section to file surrebuttal testimony;
- March 23, 24 and 25, 2015* - Public Hearings (10:00 A.M.) – at 89 Jefferson Blvd;
- April 27, 2015* - Deadline for submitting briefs (50-page limit; 12-font min.); and
- May 11, 2015* - Deadline for submitting reply briefs (10-page limit; 12-font min.).
- **NOTE: If RIFF elects to waive its 1/5/15 discovery option and/or its 2/9/15 rebuttal testimony option, the Division may advance the current schedule.**

* As RIFF's proposed revised schedule did not include specific dates for hearings and briefs, specific dates were inserted by the Division.


Now, therefore, it is

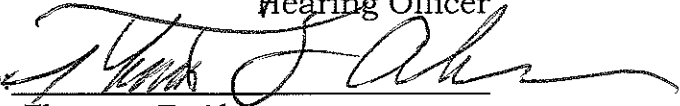
(21541) ORDERED:

1. The motion for an extension of time to file pre-filed direct testimony, filed by Rhode Island Fast Ferry, Inc., is hereby granted.
2. The Parties are instructed to follow the amended schedule provided herein.

Dated and Effective at Warwick, Rhode Island on August 1, 2014.

Division of Public Utilities and Carriers


 John Spirito, Jr., Esq.
 Hearing Officer

APPROVED: 
 Thomas F. Ahern
 Administrator