

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. A-41, SUB 19

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Application of Bald Head Island)	ORDER REVERTING TO
Transportation, Inc., to Implement)	REGULAR FERRY SCHEDULES
Temporary Ferry Schedule and Policies)	BUT MAINTAINING EMERGENCY
and for Expedited Approval of Application)	OPERATING PROCEDURES

BY THE COMMISSION: On May 22, 2020, Bald Head Island Transportation, Inc. (BHIT or Applicant), filed with the Commission a Motion seeking expedited approval to rescind the temporary modified ferry schedules (Modified Ferry Schedules) and to revert to the regular summer schedules for ferry operations as previously approved by the Commission in Docket No. A-41, Sub 18 (Regular Ferry Schedules), but to maintain emergency operating procedures (Emergency Operating Procedures) limiting the maximum passengers per trip and requiring face covering, as previously approved in the above-captioned docket by Order dated May 8, 2020, and that have been effective for the regular passenger ferry since Saturday, May 9, and for the contractor ferry since Monday, May 11.

In support of its motion, BHIT states that: (1) Governor Roy Cooper issued Executive Order No. 141 (EO141), easing restrictions on travel, business operations, and mass gatherings during Phase 2; (2) EO141 maintains certain provisions of the previously issued Executive Order 138 but does allow the opening of beaches and designated businesses with restrictions; (3) EO141 takes effect at 5:00 pm on Friday, May 22, 2020; and (4) BHIT has been able to successfully and smoothly implement the Emergency Operating Procedures approved by the Commission in its May 8, 2020 Order. In light of EO141, BHIT moves to rescind the Modified Ferry Schedule and revert to the previously approved Regular Ferry Schedules, labelled and attached as Appendix B3 for Contractor Ferry Services, and Appendix C3 for Passenger Ferry and Tram Services.

BHIT also proposes maintaining the Emergency Operating Procedures for both the Contractor Ferry and Passenger Ferry and Tram Operations as follows:

- A. Maintaining the maximum number of passengers per trip at 75. This number is fifty percent (50%) of the 150-passenger capacity of the vessels, consistent with EO141, Sec. 6.B.1; and
- B. Requiring all passengers to wear a “hands free” facial mask/covering that is consistent with the definition of “Face Covering” in EO141, Sec. 1.4, at all times on passenger vessels and on all trams,

consistent with EO141, Sec. 3.B.2 (“inside all public settings . . . and outdoors when you cannot maintain at least six (6) feet distancing”).

BHIT believes that these measures are needed and constitute an appropriate balance between meeting customer transportation demand and protecting public health and safety.

BHIT further asks that these measures be maintained until the earliest of (1) a further amendment, modification, or rescission by order of the Commission or (2) the expiration of the last applicable Executive Order by the State of North Carolina, Brunswick County, City of Southport, or Village of Bald Head Island pertaining to restrictions on travel, business operations, or mass gatherings arising from the COVID-19 pandemic.

According to BHIT the Public Staff has reviewed BHIT’s motion and proposed changes and does not oppose their implementation.

Based on the foregoing, and the position of the Public Staff, the Commission finds good cause to rescind the previously Modified Ferry Schedule and revert to the Regular Ferry Schedules as previously approved by the Commission in Docket No. A-41, Sub 18. The Commission also finds good cause to maintain the Emergency Operating Procedures limiting maximum passengers per trip and requiring face covering, as previously set out by the May 8, 2020 Order in the above-captioned docket, until further order by the Commission.

IT IS, THEREFORE, ORDERED as follows:

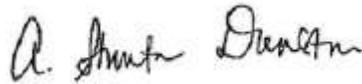
1. That the previously approved Modified Ferry Schedules be rescinded and revert to the Regular Ferry Schedules as previously approved by the Commission in Docket No. A-41, Sub 18, as proposed by BHIT and attached to its motion as Appendices B3 and C3, and be effective within 48 hours after the issuance of this Order;
2. That the Emergency Operating Procedures approved by the Commission’s May 8, 2020 Order, and as set out above, be maintained until further order by the Commission;
3. That BHIT shall file with the Commission in the above-captioned docket notice when, and if, the Modified Ferry Schedule is rescinded and the Regular Ferry Schedules become effective; and

4. That BHIT shall provide notice of these changes by posting a copy of this Order and the Regular Ferry Schedules and Emergency Operating Procedures at the Deep Point and Bald Head Island ferry terminals and on the Bald Head Island website, send mass e-mails to island property owners, and inform passengers who call to make ferry reservations.

ISSUED BY ORDER OF THE COMMISSION.

This the 22nd day of May, 2020.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script, appearing to read "A. Shonta Dunston".

A. Shonta Dunston, Deputy Clerk