

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. A-41, SUB 20

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Bald Head Island Transportation,) PROPOSED ORDER APPROVING
Inc. to Amend Tariff Language Regarding) TARIFF CHANGES REGARDING
Class IX - Baggage Classification and Charges) BAGGAGE

BY THE COMMISSION: On December 22, 2021, Bald Head Island Transportation, Inc. (BHIT) filed an application with the Commission requesting approval of changes in its tariff concerning the applicability of the Item No. 40-D Class IX oversize baggage fare and the applicability and magnitude of the Item No. 40-D Class IX excess baggage fare.

Also on December 22, 2021, BHIT filed letters of support for the changes from Riverside Adventure Company, Always Ready Cars, Cary Cart Company, Bald Head Island Vacations, Tiffany's Beach Properties, Intracoastal Realty Corporation, The Inn at Bald Head Island, The Hammocks Association, Bald Head Association, and Village of Bald Head Island.

The current language for the Class IX - Baggage fare is:

a. Oversized **\$23.00**

Applicable to each bicycle or any other non-carry-on item too large, heavy, or cumbersome to fit into baggage dollies, and to items longer than seven (7) feet. This charge is in addition to the fare for transporting the person.

b. Excess **\$5.00**

Applicable to each checked item greater than the allowance as set forth below. This charge is in addition to the fare for transporting the person. No allowance shall be permitted on tickets purchased for the sole purpose of avoiding payment of Excess charges.

Every day throughout the year the allowance is six (6) checked items per passenger.

Items not checked as baggage must be suitable for transport on board by a single passenger and must not interfere with the comfort and safety of other passengers, in the judgment of BHI Transportation staff. Passengers may not carry-on Oversized items as defined above.

BHIT's proposed language for the Class IX - Baggage fare is:

a. Oversized **\$23.00**

Applicable to each bicycle, or any other non-carry-on item too large (~ coolers larger than 48-quart size), too heavy (i.e., more than 50 pounds), or too cumbersome (i.e., cannot fit into a baggage dolly), or to items longer than seven (7) feet. This charge is in addition to the fare for transporting the person.

b. Excess **\$23.00**

Applicable to each checked item greater than the allowance as set forth below. This charge is in addition to the fare for transporting the person. No allowance shall be permitted on tickets purchased for the sole purpose of avoiding payment of Excess charges.

Every day throughout the year the allowance is three (3) checked items per passenger.

Items not checked as baggage must be suitable for transport on board by a single passenger and must not interfere with the comfort and safety of other passengers, in the judgment of BHI Transportation staff. Passengers may not carry-on Oversized items as defined above.

BHIT stated that its proposed amendment to Class IX, section "a. Oversized" is intended to clarify the definition of "Excess Baggage" by adding size and weight limitations to the previously undefined terms of "large" and "heavy."

BHIT stated that its proposed amendment to Class IX, section "b. Excess Baggage" to reduce the number of allowed checked bags per customer and to increase the excess baggage fee is necessary due to physical capacity limitations of the dollies, personnel, ferries, and trams associated with the increase in passenger ridership, and due to the desire to maintain and improve on-time performance and the baggage handling service quality provided by BHIT.

BHIT stated that it proposes, at a minimum, to provide notice of the amended tariff by the same methods of notice and communications as ordered by the Commission in Docket A-41, Sub 9, specifically:

"A. Providing an "alert" and/or scrolling banner notification of the new tariff provisions, with a link to the new provisions, on the websites <https://baldheadlandferry.com/> and <http://www.baldheadisland.com/island/ferry> no later than 14 calendar days prior to their effective date.

B. Posting a Notice to Customers about these tariff changes at both the Deep Point and Bald Head Island ferry terminals no later than 14 calendar days prior to their effective date.

C. Publishing in a newspaper having general coverage in its service area a Notice to Customers about these tariff changes within 10 days of the date of the Commission's Order in this docket. The Notice to Customers shall cover no less than one-sixth of a page.

D. Providing a copy the Commission's Order to the President of the Bald Head Island Club, the President of the Bald Head Association, the Mayor and Manager of the Village of Bald Head Island, and each of the stakeholders listed in paragraph 14 above no later than two business days after the date of the Order."

The Public Staff presented this matter at the Commission's Regular Staff Conference on February 21, 2022 (Staff Conference). The Public Staff indicated that there was no known opposition to BHIT's proposed tariff changes and recommended approval.

Counsel for BHIT, along with two officers of Bald Head Island, Ltd., appeared at Staff Conference and answered questions from the Commission on behalf of BHIT. They described the process by which BHIT informed and involved interested parties in the Bald Head Island community regarding the requested tariff change prior to BHIT filing its application. They explained that the proposed tariff represented the consensus among those parties.

IT IS, THEREFORE, ORDERED as follows:

1. That, effective April 1, 2022, BHIT's Class IX-Baggage tariff shall be revised as shown in Appendix A to this Order. Within ten days after the date of this Order, BHIT shall file with the Commission a new supplement to its tariff (Supplement No. 12 to NCUC No. 7) that reflects the changes approved in this Order.

2. That, unless otherwise indicated below, BHIT shall, at its own expense and no later than two days after the date of this Order:

- a. Provide an "alert" and scrolling banner notification of the new tariff provisions, with a link to this Order, on the websites <https://baldheadislandferry.com/> and <http://www.baldheadisland.com/island/ferry>;
- b. Post a copy of the Notice to Customers, attached hereto as Appendix B, at the Deep Point and Bald Head Island ferry terminals of Bald Head Island Transportation, Inc. located in Southport, North Carolina;
- c. Publish the Notice to Customers in a newspaper having general coverage in its service area within 10 days of the date of the Commission's Order in


this docket. The Notice to Customers shall cover no less than one-sixth of a page; and

- d. Provide a copy of the Commission's Order to the President of the Bald Head Island Club, the President of the Bald Head Association, and the Mayor and Manager of the Village of Bald Head Island, as well as to Riverside Adventure Company, Always Ready Cars, Cary Cart Company, Bald Head Island Vacations, Tiffany's Beach Properties, Intracoastal Realty Corporation, The Inn at Bald Head Island, The Hammocks Association, and every other business of which Bald Head Island Transportation, Inc., is aware that provides property management services on Bald Head Island.

ISSUED BY ORDER OF THE COMMISSION.

This the 23rd day of February, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Erica N. Green". The signature is written in a cursive, flowing style.

Erica N. Green, Deputy Clerk

Appendix A

BALD HEAD ISLAND TRANSPORTATION, INC.

Class IX – Baggage

a. Oversized \$23.00

Applicable to each bicycle, or any other non-carry-on item too large (~ coolers larger than 48-quart size), too heavy (i.e., more than 50 pounds), or too cumbersome (i.e., cannot fit into a baggage dolly), or to items longer than seven (7) feet. This charge is in addition to the fare for transporting the person.

b. Excess \$23.00

Applicable to each checked item greater than the allowance as set forth below. This charge is in addition to the fare for transporting the person. No allowance shall be permitted on tickets purchased for the sole purpose of avoiding payment of Excess charges.

Every day throughout the year the allowance is three (3) checked items per passenger.

Items not checked as baggage must be suitable for transport on board by a single passenger and must not interfere with the comfort and safety of other passengers, in the judgment of BHI Transportation staff. Passengers may not carry-on Oversized items as defined above.

Appendix B

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. A-41, SUB 20

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Bald Head Island Transportation,)
Inc. to Amend Tariff Language Regarding) NOTICE TO CUSTOMERS
Class IX - Baggage Classification and Charges)

NOTICE IS HEREBY GIVEN that on FEB 23, 2022, the North Carolina Utilities Commission entered an Order approving changes to Bald Head Island Transportation, Inc.'s Class IX Baggage tariff. The approved Class IX- Baggage tariff reads as follows:

Class IX – Baggage

a. Oversized \$23.00

Applicable to each bicycle, or any other non-carry-on item too large (~ coolers larger than 48-quart size), too heavy (i.e., more than 50 pounds), or too cumbersome (i.e., cannot fit into a baggage dolly), or to items longer than seven (7) feet. This charge is in addition to the fare for transporting the person.

b. Excess \$23.00

Applicable to each checked item greater than the allowance as set forth below. This charge is in addition to the fare for transporting the person. No allowance shall be permitted on tickets purchased for the sole purpose of avoiding payment of Excess charges.

Every day throughout the year the allowance is three (3) checked items per passenger.

Items not checked as baggage must be suitable for transport on board by a single passenger and must not interfere with the comfort and safety of other passengers, in the judgment of BHI Transportation staff. Passengers may not carry-on Oversized items as defined above.

These changes shall be effective on and after April 1, 2022.

ISSUED BY ORDER OF THE COMMISSION.

This the 23rd day of February 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Erica N. Green". The signature is written in a cursive style with a large initial "E".

Erica N. Green, Deputy Clerk

(SEAL)

**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. A-41, SUB 20

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Bald Head Island Transportation,)
Inc. to Amend Tariff Language Regarding) ERRATA ORDER
Class IX - Baggage Classification and Charges)

BY THE CHAIR: On December 22, 2021, Bald Head Island Transportation, Inc. (BHIT) filed an application with the Commission requesting approval of changes in its tariff concerning the applicability of the Item No. 40-D Class IX oversized baggage fare and the applicability and magnitude of the Item No. 40-D Class IX excess baggage fare.

The Public Staff presented this matter at the Commission's Regular Staff Conference on February 21, 2022. The Public Staff recommended that the Commission enter an order approving the revised tariff.

On February 23, 2022, the Commission issued an Order that approved the tariff changes regarding baggage. It has come to the Commission's attention, however, that the Commission's Order was incorrectly captioned as "Proposed Order Approving Tariff Changes Regarding Baggage."

In addition, the date was inadvertently left blank in the first line of the first paragraph of the Notice to Customers, Appendix B.

The Commission's Order otherwise reflected the approval of the Public Staff's recommendation and the Commission's intent to approve the tariff changes regarding baggage. The Chairman, therefore, finds good cause to issue this Errata Order amending the caption of the Commission's Order to read, "Order Approving Tariff Changes Regarding Baggage" and correcting the first line of the first sentence of Appendix B to read:

NOTICE IS HEREBY GIVEN that on February 23, 2022, the North Carolina Utilities Commission entered an Order approving changes to Bald Head Island Transportation, Inc.'s Class IX Baggage tariff.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 25th day of February, 2022.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in cursive script that reads "Erica N. Green".

Erica N. Green, Deputy Clerk