

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH

DOCKET NO. A-41, Sub 22

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
Joint Application of Bald Head Island,	)	
Transportation, Inc. and Bald Head Island	)	<b>PETITION TO INTERVENE</b>
Ferry Transportation, LLC, for Approval	)	
Of Transfer of Common Carrier Certificate	)	
To Bald Head Island Ferry Transportation,	)	
LLC and Permission to Pledge Assets	)	

NOW COMES the Bald Head Island Club (“BHI Club” or “Petitioner”) and petitions the Commission, pursuant to Commission Rule R1-19, for leave to intervene in this proceeding.

In support of its petition, the BHI Club states the following:

1. The name and mailing address of the Petitioner is:

Bald Head Island Club  
P.O. Box 3070  
Bald Head Island, NC 28461

2. The name and address of Petitioner's attorney is:

Daniel C. Higgins  
Burns, Day & Presnell, P.A.  
P.O. Box 10867  
Raleigh, N.C. 27605

3. The BHI Club is a North Carolina non-profit corporation, organized for social and recreational purposes on Bald Head Island.

4. The BHI Club requests that any notices, filings or other communications with respect to this Petition be served on the following:

Daniel C. Higgins  
Burns, Day & Presnell, P.A.  
P.O. Box 10867  
Raleigh, NC 27605  
[dhiggins@bdppa.com](mailto:dhiggins@bdppa.com)

and

David Sawyer  
Chief Executive Officer  
Bald Head Island Club  
PO Box 3070  
Bald Head Island, NC 28461  
[dsawyer@bhiclub.net](mailto:dsawyer@bhiclub.net)

5. On July 14, 2022, Bald Head Island Transportation, Inc. ("BHIT") and Bald Head Island Ferry Transportation, LLC ("BHI Ferry Transportation" and collectively with BHIT, the "Applicants"), filed an Application for Transfer of Common Carrier Certificate ("Application").

6. According to that Application, BHI Ferry Transportation is a wholly owned subsidiary of Pelican Legacy Holdings, LLC, and managed by Sharp Vue Capital, LLC ("SharpVue Capital"). BHI Ferry Transportation is, on information and belief, a newly created limited liability company owned by Pelican Legacy Holdings, LLC, which, in turn, is a newly created limited liability company managed by SharpVue Capital, LLC ("SharpVue"), a private equity firm based in Raleigh.

7. Neither BHI Ferry Transportation nor SharpVue has any known experience in owning, operating or managing a ferry system and no known ties to Bald Head Island. According to its website, SharpVue Capital "operates private real estate and private credit and equity funds on behalf of institutional investors and qualified individuals."

8. The BHI Club's facilities include restaurants, a golf course, tennis courts, a swimming pool and other sports and social facilities. At peak the BHI Club employs over

250 people to operate the BHI Club and its subsidiary, the Shoals Club. The BHI Club has over 1,250 member families, representing over 4,000 member individuals. The BHI Club purchases thousands of ferry tickets from BHIT each year to transport Club employees to and from work on Bald Head Island, and depends on BHIT to transport its employees safely to and from the Island. The Commission's action on the Application will directly impact the BHI Club and its members.

9. The BHI Club and its members are vitally interested in the operation of the ferry system, the tram, the barge service and the parking operations at the Deep Point Marina ferry landing. Those operations are the lifeblood of the Island and the stability of those operations is of vital concern to the BHI residents and businesses, as well as individuals owning property on Bald Head. The BHI Club thus has a direct and substantial interest in the outcome of this proceeding and the future ownership of the ferry and tram operations.

10. The Application proposes transfer of the ferry assets, franchise and operations from a developer-controlled entity with an obvious and vested interest in providing reliable and affordable services in order to facilitate its development efforts on Bald Head Island, to a private equity firm with an obvious incentive to maximize returns for its equity investors.

11. No other party can adequately represent the interests of the BHI Club and its members, and the BHI Club's participation in this docket would be in the public interest. The BHI Club respectfully requests the Commission to permit it to intervene in this docket with all rights attendant thereto.

12. Petitioner agrees to accept electronic service of all filings in this docket.

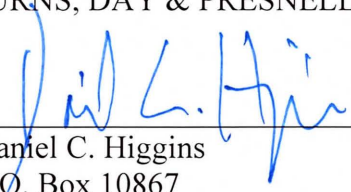
WHEREFORE, the Bald Head Island Club moves the Commission for entry of its Order providing as follows:

1. That Petitioner be permitted to intervene and to become a party to this docket;
2. That Petitioner be permitted to file comments and other papers, call and examine witnesses, cross-examine opposing witnesses and be heard on all matters relative to the issues involved in this docket; and
3. For such other and future relief as the Commission deems just and proper.

This the 18<sup>th</sup> day of October, 2022.

BURNS, DAY & PRESNELL, P.A.

By:



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Daniel C. Higgins  
P.O. Box 10867  
Raleigh, North Carolina 27605  
Telephone: (919)782-1441  
Email: [dhiggins@bdppa.com](mailto:dhiggins@bdppa.com)  
Attorneys for the BHI Club

NORTH CAROLINA  
BRUNSWICK COUNTY

VERIFICATION

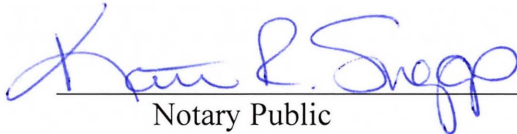
David Sawyer, being first duly sworn, deposes and says that he is Chief Executive Officer of the Bald Head Island Club, the Petitioner, that he has read the foregoing Petition and that the same is true of his own knowledge, except as to those matters and things therein alleged upon information and belief, which he believes to be true.

This the 10 day of October, 2022.



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Sworn to and subscribed before me  
this the 10<sup>th</sup> day of October, 2022.



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Notary Public

KATHERINE R. SUGGS  
NOTARY PUBLIC  
JOHNSTON COUNTY, N.C.

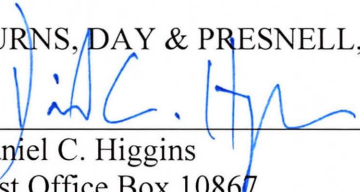
My Commission expires: 7/27/25

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing document, has been served on all counsel of record for all parties in this docket, if any, and the Public Staff, by either depositing same in a depository of the United States Postal Service, first-class postage prepaid and mailed by the means specified below, or by electronic delivery.

This the 18<sup>th</sup> day of October, 2022.

BURNS, DAY & PRESNELL, P.A.

  
\_\_\_\_\_  
Daniel C. Higgins  
Post Office Box 10867  
Raleigh, NC 27605