

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. A-41, Sub 23

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of	)	
Application of Bald Head Island	)	
Transportation, Inc. For Approval of	)	<b>PETITION TO INTERVENE</b>
Revisions to Regular Passenger Ferry	)	
Schedules to 45-Miunte Departures	)	

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 attorneys:

Daniel C. Higgins  
Walter C. Tuttle  
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  
Walter C. Tuttle  
Burns, Day & Presnell, P.A.

P.O. Box 10867  
Raleigh, NC 27605  
[dhiggins@bdppa.com](mailto:dhiggins@bdppa.com)  
[wtuttle@bdppa.com](mailto:wtuttle@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 February 19, 2024, Bald Head Island Transportation, Inc. ("BHIT") filed an Application for Revisions to Ferry Schedules in this docket ("Application").

6. According to that Application, BHIT seeks Commission approval to change its passenger ferry schedules by eliminating from six to eight passenger ferry runs per day.

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 it depends on BHIT to transport its employees safely to and from the Island. The BHI Club believes itself to be BHIT's single largest customer and 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 and the tram system (as well as the barge service and the parking operations at the Deep Point Marina ferry landing). Those various transportation services are the

lifeblood of the Island and the stability and function of those operations is of vital concern to BHI residents and businesses, as well as individuals owning property on Bald Head. Given the growth on the Island and the increased ridership reported in the Application, the BHI Club is concerned as to how the proposed reduction in the level of service, by eliminating six to eight passenger ferry runs per day, can improve the ferry's on-time performance while meeting passenger and luggage demands.

10. The BHI Club thus has a direct and substantial interest in the outcome of this proceeding and how any changes in passenger ferry schedules would impact its operations, members and the Island.

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.

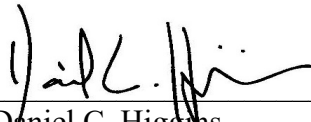
12. Petitioner agrees to accept electronic service of all filings in this docket.

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 4<sup>th</sup> day of March, 2024.

BURNS, DAY & PRESNELL, P.A.

By:   
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

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Mar 05 2024

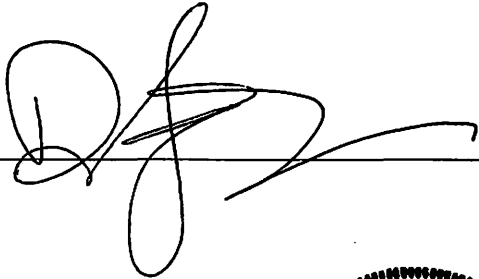
NORTH CAROLINA

BRUNSWICK COUNTY

VERIFICATION

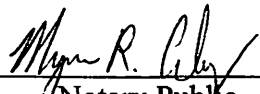
David Sawyer, being first duly sworn, deposes and says that he is Chief Executive Officer of the Bald Head Island Club, the Petitioner, that he has read the foregoing Petition and that the same is true of his own knowledge, except as to those matters and things therein alleged upon information and belief,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

This the 4 day of March, 2024.



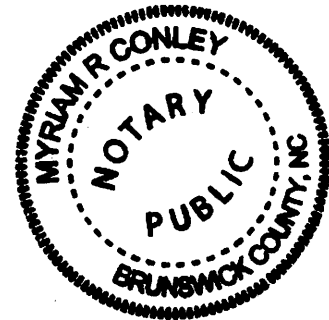
A handwritten signature in black ink, appearing to be 'David Sawyer', is written over a horizontal line.

Sworn to and subscribed before me  
this the 4 day of March, 2024.



A handwritten signature in black ink, appearing to be 'Myram R. Conley', is written over a horizontal line.

Notary Public



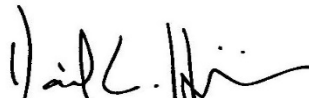
My Commission expires: 9/25/28

## 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 4<sup>th</sup> day of March, 2024.

BURNS, DAY & PRESNELL, P.A.

A handwritten signature in black ink, appearing to read "Daniel C. Higgins", written over a horizontal line.

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