

**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)	ORDER REQUIRING
Ferry Transportation, LLC, for Approval of)	RESPONSES TO MOTION
Transfer of Common Carrier Certificate to)	TO HOLD PROCEEDING
Bald Head Island Ferry Transportation, LLC,)	IN ABEYANCE
and Permission to Pledge Assets)	

BY THE PRESIDING COMMISSIONER: On July 14, 2022, Bald Head Island Transportation, Inc. (BHIT), Bald Head Island Limited, LLC (BHIL), and Bald Head Island Ferry Transportation, LLC (BHIFT, and collectively with BHIT and BHIL, the Applicants), a wholly owned subsidiary of Pelican Legacy Holdings, LLC (Pelican), and managed by SharpVue Capital, LLC (collectively with Pelican, SharpVue), filed an application pursuant to N.C. Gen. Stat. § 62-111 for approval (1) to transfer to BHIFT BHIT's Common Carrier Certificate, in order to operate the passenger ferry transportation services to and from Bald Head Island and the tram services on the island, and (2) for BHIFT or SharpVue to pledge assets and borrow/issue debt pursuant to N.C. Gen. Stat. §§ 62-160 and 62-161 as may be necessary to finance the transaction.

On August 24, 2022, the Commission issued an Order Scheduling Hearing, Establishing Procedural Deadlines, and Requiring Public Notice (Scheduling Order), which among other things established deadlines for the filing of direct testimony by intervenors and rebuttal testimony of the Applicants and scheduled public witness and expert witness hearings on the transfer application. The public witness hearing was held as scheduled. The expert witness hearing was scheduled to begin on Tuesday, January 17, 2023.

On December 21, 2022, the Commission issued an Order Holding Proceeding in Abeyance, which held this proceeding in abeyance pending final decision in Docket No. A-41, Sub 21 (Sub 21), and stated that the expert witness hearing would be rescheduled by further order of the Commission.

On December 30, 2022, the Commission issued an Order Ruling on Complaint and Request for Determination of Public Utility Status (Order Ruling on Complaint) in the Sub 21 docket.

On January 20, 2023, the Commission issued an Order Rescheduling Hearing and Establishing Additional Procedures, which among other things, rescheduled the expert witness hearing in this proceeding to begin on Tuesday, March 7, 2023.

On January 30, 2023, BHIL, BHIT, and SharpVue filed notice of appeal of the Commission's December 30, 2022 Order Ruling on Complaint in the Sub 21 docket.

On February 3, 2023, the Village of Bald Head Island (VBHI or Village), a party in both this proceeding and Sub 21, filed a Motion to Hold Proceeding in Abeyance and Request for Expedited Ruling on the Motion (Motion to Hold Proceeding in Abeyance).

Based upon the foregoing, the Presiding Commissioner concludes that good cause exists to require that BHIT, BHIL, SharpVue, and the Public Staff – North Carolina Utilities Commission (Public Staff) respond to the Motion to Hold Proceeding in Abeyance. Other parties are permitted, but not required, to file responses. Responses shall be filed on or before Wednesday, February 8, 2023.

IT IS, THEREFORE, SO ORDERED..

ISSUED BY ORDER OF THE COMMISSION.

This the 6th day of February, 2023.

NORTH CAROLINA UTILITIES COMMISSION

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

Erica N. Green, Deputy Clerk