

APPLICATION INSTRUCTIONS

TRANSPORTATION OF PASSENGERS VIA FERRY OPERATIONS

Prepare the original and six (6) copies of the application. Mail the original and five (5) copies to the North Carolina Utilities Commission, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325. Keep the other copy for your records. Send check or money order payable to the N. C. Dept. of Commerce/Utilities Commission in the amount of \$25.00 to cover the required filing fee.

The application must be signed by the applicant, if an individual; by a partner, if a partnership; or by an authorized officer, if a corporation. The signature on the original application must be notarized. All the information indicated must be given. If the application is incomplete, it will be returned for the omitted information. This will delay the processing of the application.

The Exhibits are very important and should be prepared with great care. If the application is for regular route authority, please indicate very clearly in writing the route or routes within North Carolina over which you desire to operate. If the application is for charter authority, you must indicate the territory within North Carolina in which you propose to operate.

Upon receipt of the filing fee and the correctly complete application, the Commission will set the application for public hearing near the town or city in which the applicant proposes to operate. An order giving notice of the application and hearing date will be issued and mailed to all ferry operators having authority to conduct operations in the same territory the applicant has requested. If no protests are filed to the application within 10 days prior to the hearing date, the hearing may be cancelled. If protests are filed, the hearing will be held as scheduled. At the time of the hearing, the applicant must establish by proof as set forth in G. S. 62-262(e) that a public demand and need exists for the proposed service in addition to existing authorized service; that the applicant is fit, willing, and able to perform the proposed service; and that the applicant is solvent and financially able to furnish adequate service on a continuing basis. It is essential that the proof with respect to public demand and need be established by the supporting testimony of those who need the applicant's services. The self-serving declarations of the applicant are insufficient. The applicant will need to testify as to its fitness and ability to provide the service requested and its financial status. If no protests are filed to the application and the hearing is cancelled, the above information may be in the form of affidavits or notarized statements of support.

The applicant cannot lawfully transport passengers in ferry operations under the authority requested until the Commission has granted the application. Prior to commencing operations under authority granted by the Commission, the applicant must comply with the filing requirements set forth in the order granting the application.

Any questions about the application or the procedure set forth herein should be directed to the North Carolina Utilities Commission, Operations Division, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325. The telephone number is 919/733-4035. Office hours are 7:30 a.m. to 5:00 p.m. Monday - Friday.

PLEASE NOTE: APPLICATIONS FILED ON BEHALF OF A CORPORATION, AN ASSOCIATION, OR AN LLC SHALL BE SIGNED AND FILED BY AN ATTORNEY LICENSED TO PRACTICE IN THE STATE OF NORTH CAROLINA IN ACCORDANCE WITH RULE R1-5 OF THE RULES AND REGULATIONS ADOPTED BY THE NORTH CAROLINA UTILITIES COMMISSION.