

**Transportation System Litigation Status**

Date: 5-9-24

Proceeding	Subject Matter	Village Role	Milestones	Status
Sub 21 (NCUC)  Utilities Commission regulation of Parking & barge services. <a href="#">(Link)</a>	NCUC regulatory authority over parking and barge	Petitioner / Appellee	Petition filed 2-16-22 Order granting petition issued 12-30-22 Notice of appeal filed by Limited and Sharpvue on 1-20-23 Argued in Court of Appeals on 11-29-23	Awaiting decision of Court of Appeals.
Sub 22 (NCUC)  Utility Commission regulatory requirements upon a transfer of ownership. <a href="#">(Link)</a>	Proposed transfer to SharpVue	Intervenor / Appellant	Transfer application filed 7-14-22 Order approving transfer with conditions issued 8-22-23 Village notice of appeal filed 10-20-23 Appellant brief filed on 4-9-24 Appellee brief due 5-13-24	Oral argument in Court of Appeals not yet calendared.
Sub 23 (NCUC)  Proposed ferry services schedule amendment. <a href="#">(Link)</a>	BHIT petition to revise ferry schedule	Intervenor	6-28-24 - BHIT testimony due 7-18-24 - Public Staff/Intervenor testimony due 8-7-24 - BHIT rebuttal testimony due 8-13-24 - Public witness hearing 8-27-24 - Expert witness hearing	Pending before NCUC; no decision before September 2024.  Potential settlement discussions w/ BHIT/ BHL, intervenors, and NCUC Public Staff began on 5/6/24.
A-100, Sub 1 (NCUC)  Ferry regulation generally. <a href="#">(Link)</a>	Inquiry initiated by Commission to consider possible regulatory reform for ferry operators.	Intervenor	10-4-23 – Order initiating inquiry 3-1-24 – Comments 3-15-24 – Reply comments	Awaiting decision/further guidance from Commission.
ROFR (Superior Court)  Village’s right of first refusal to purchase the transportation system.	Limited lawsuit seeking declaration that Village’s ROFR is invalid	Defendant	1-19-23 - Complaint filed 3-14-24 - Summary Judgment granted Plaintiffs 4-8-24 - Tort claims dismissed by Plaintiffs 4-11-24 - Village Notice of Appeal filed	Pending before Court of Appeals. Awaiting District Court Transcripts (7/24) Preparing Proposed Record Submittal (projected 8/24)

(NOTE: NC Court of Appeals release of decisions occurs on every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month)