

**GOVERNMENT OF THE VIRGIN ISLANDS
OF THE
UNITED STATES**

PUBLIC SERVICES COMMISSION

IN RE:

**TRANSFER OF CONTROL PROCEEDINGS FOR
TRANSPORTATION SERVICES OF ST. JOHN, INC.)**

**Docket No. 622
Order No. 8/2014**

ORDER

WHEREAS, on October 10, 2013, Samuel A. Walker, Esq., Counsel for Vashti A. P. Boynes filed a Petition with the Virgin Islands Public Services Commission (hereinafter, "PSC" or the "Commission"), seeking authorization for Vashti A. P. Boynes to Transfer Control of Transportation Services of St. John, Inc. (hereinafter "Transportation Services") to Clifton A. Boynes, Jr.; and

WHEREAS, on October 17, 2013, the Commission received an Opposition to Vashti A. P. Boynes' Application for Authorization to Transfer Control of Transportation Services of St. John, Inc. from Attorney Maria Tankenson Hodge on behalf of Transportation Services; and

WHEREAS, on October 31, 2013, the Commission received a Response to the Opposition from Attorney Samuel Walker on behalf of Transportation Services stating *inter alia* that Attorney Maria Tankenson Hodge does not represent Transportation Services and that several members of the Board for Transportation Services had been removed, and Transportation Services does not oppose the application for transfer of shares from Vashti Boynes to Clifton A. Boynes Jr.; and

WHEREAS, on October 31, 2013, the Commission received a Motion for Continuance filed by Attorney Maria Tankenson Hodge on behalf of Transportation Services stating that the issues raised in Docket 622 were on appeal in the Supreme Court of the Virgin Islands in Case No. S. Ct. Civ. No. 2013-0021; and

WHEREAS, on November 4, 2013, the Commission received an Opposition to the Motion for Continuance from Attorney Samuel Walker on behalf of Transportation Services; and

WHEREAS, on November 7, 2013, the Commission received a Petition from Clifton A. Boynes, Jr. for Authorization to Acquire Control of Transportation Services of St. John, Inc.; and

WHEREAS, on November 7, 2013, the Commission met in a Special Meeting at both its offices on St. Thomas and St. Croix, United States Virgin Islands; and

WHEREAS, upon review and deliberation the Commission voted to consolidate Vashti A. P. Boynes' Application for Authorization to Transfer Control of Transportation Services of St. John, Inc. and Clifton A. Boynes, Jr.'s Application for Authorization to Acquire Control of Transportation Services of St. John, Inc.; and

WHEREAS, the Commission further **ORDERED** that both Petitions be **STAYED** for the maximum statutory period of eight months pursuant to 30 V.I.C. § 24; and

WHEREAS, the Commission also voted to send notice to the Virgin Islands Supreme Court via correspondence through either the Chair or via the Department of Justice informing the Court of the eight month time frame and requesting expedited treatment of the Court's decision; and


FINALLY, the Commission deemed it proper to advise the Court of the significance of Section 43a of Title 30 of the Virgin Islands Code and any role it may play in the determination of ownership of Transportation Services; and the issue of Subject Matter Jurisdiction as it relates to the capital stock of the company, and any other information relevant to this matter.

NOW THEREFORE, it is hereby **ORDERED** that:

1. Both petitions filed by Attorney Samuel Walker on behalf of Transportation Services on October 10, 2013 and October 31, 2013 respectively be **CONSOLIDATED**; and
2. Correspondence be sent to the Virgin Islands Supreme Court informing the Court of the eight month timeframe and respectfully requesting expedited treatment of the Court's final ruling to coincide with the eighth month stay of this matter, and **FINALLY**
3. That the Court be advised of the significance of Title 30, Section 43a of the Virgin Islands Code, and any role it may play in the final determination of ownership of Transportation Services; and the issue of Subject Matter Jurisdiction as it relates to the capital stock of the company, and any other information relevant to this matter.

So Ordered.

For Commission



M. Thomas Jackson, Chair

Dated: November 22, 2013