



STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

December 2, 2008

Via US Mail and Certified Mail # 7008 1300 0001 1619 4803

Dichello Distributors, Inc.
55 Marsh Hill Road
Orange, CT 06477

Liquor Permit No. LIW.516
Backer: Dichello Distributors, Inc.
Case No. 2008-10675
Docket No. 08-1726

On December 2, 2008, after due and proper notice, the Department of Consumer Protection, Liquor Control Commission, held a documentary hearing on a request under Sec. 30-64a of the Connecticut General Statutes (1) to decrease a delivery charge previously approved by this department on September 23, 2008; (2) for permission to post retailers for nonpayment of the approved delivery charge; and (3) for permission to eliminate the delivery charge without approval from the Commissioner.

Based upon the documents submitted at the hearing, the requested decreased delivery charge as set forth in Exhibit A, attached hereto, is approved, to be effective upon prior written notice to its customers, either by posting in the Connecticut Beverage Journal or provided in person by its drivers. Furthermore, we find that this is a properly approved charge imposed upon the purchaser and subject to Section 30-48, Connecticut General Statutes, and Section 30-6-A37a of the Regulations of Connecticut State Agencies. Lastly, Dichello's request to eliminate the delivery charge without approval from this department is denied. Section 30-64a, Conn. Gen. Statutes, clearly states that any proposed schedule of delivery charges shall apply only after a hearing and upon written approval by this department.

DEPARTMENT OF CONSUMER PROTECTION LIQUOR CONTROL COMMISSION

Angelo J. Faenza, Commissioner

Stephen R. Somma, Commissioner

Non-parties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159, Hamden, CT 06518

Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106

DEC 02 2008

RESPONDENTS
EXHIBIT 1



DICHELLO DISTRIBUTORS, Inc.

P.O. BOX 562 55 MARSH HILL ROAD ORANGE, CONNECTICUT 06477
PHONE: (203) 891-2100 FAX: (203) 795-6875

11-Nov-08

Mary Ellen Gillon
Paralegal Specialist II - Legal Division
Department of Consumer Protection
165 Capital Avenue - Room 139
Hartford, CT 06106

Dear Mary Ellen:

Dichello Distributors has requested a change in our current approved delivery surcharge due to the drop in diesel cost which, as stated in our original request, was the primary driver of the need for the charge. The revised surcharge is as follows:

	APPROVED	PROPOSED	
Monday	\$3.50	\$ 3.00	
Tuesday	\$7.00	\$ 6.00	
Wednesday	\$7.00	\$ 6.00	
Thursday	\$8.00	\$ 6.00	
Friday	\$10.00	\$ 8.00	
Saturday	\$10.00	\$ 8.00	
AVERAGE	\$ 7.52	\$ 6.11	-19%

On September 3rd, 2008; one day before our hearing; diesel was selling at \$4.62 per gallon. Today the cost of diesel is \$3.49 per gallon; a 24% decline during that time frame.

As presented in our original request, diesel increases were the impetus of the delivery surcharge. However, and also included in our original request, there are many other factors involved that have not gone down. It is this fact combined with the volatility of the economy; specifically the oil market; that has lead to what we believe to be a fair reduction of 19-20%.

I have included all supporting documentation and I am at your service if you require any other information regarding our request.

Thank you.

Kind Regards,

Peter Deane
VP Sales/General Manager
Dichello Distributors, Inc.
Phone (203) 891-2100
Fax (203) 795-6875

cc: Ed Crowley
Commissioner Farrell
G. Langlais
Dave Hardy, Carmody & Torrance

