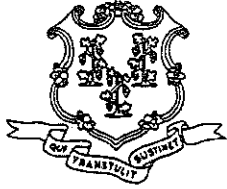


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STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NUMBER 0612-N-115-L

RE: APPLICATION OF FARMINGTON CAR SERVICE, LLC OF CONNECTICUT TO OPERATE FOUR (4) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF TEN (10) ADULTS OR LESS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN PLAINVILLE.

FINAL DECISION

October 22, 2007

I. INTRODUCTION

A. General

By application filed on December 4, 2006 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Farmington Car Service, LLC (hereinafter "applicant"), with a mailing address of 320 East Street, Plainville, Connecticut 06062, seeks authorization to operate four (4) motor vehicles, having a seating capacity of ten (10) adults or less, in general livery service between all points in Connecticut from a headquarters in the town of Plainville.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on September 20, 2007.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required pursuant to the Connecticut General Statutes Section 13b-103. Legal notice to the public was given by publication in the Bristol Press, a newspaper having a circulation in the area of concern.

A hearing officer designated by the Commissioner, pursuant to Connecticut General Statutes Section 13b-17, conducted the hearing on this matter.

C. Appearances

Mr. Shaukat Dode appeared on behalf of the applicant. The applicant was represented by Attorney Alan Berman with a mailing address of 111 Roberts Street, Suite G-1, East Hartford, Connecticut 06108.

II. FINDINGS OF FACT

1. The applicant operates a livery service with four vehicles called Suburban Transportation. The applicant also operates a taxicab company under the name of Suburban Transportation.
2. The applicant wishes to change its livery service name to Farmington Car Service, LLC due to the public's confusion between his company and another livery company. The applicant claims it wants to transfer all of the assets in Suburban Transportation to this new company, Farmington Car Service, LLC.
3. While being questioned, Mr. Dode appeared to be unfamiliar with the details of the operation of his existing livery service and of the new livery service he is trying to create.
4. The work that the applicant seeks to perform with Farmington Car Service is being adequately performed now by Suburban Transportation.

5. The applicant did not provide independent public support for its request.

III. DEPARTMENT ANALYSIS

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to Connecticut General Statutes Section 13b-102, as amended.

In determining whether a livery permit should be granted, the department shall take into consideration the present or future public convenience and necessity. The applicant must prove that the public's convenience and necessity will be improved by the proposed service. Additionally, the applicant must show the suitability of the applicant or the suitability of the management if the applicant is a limited liability company or corporation, the financial responsibility of the applicant, the ability of the applicant efficiently and properly to perform the service for which authority is requested and the fitness, willingness and ability of the applicant to conform to the provisions of the statutes and the requirements and regulations of the department thereunder, in accordance with Connecticut General Statutes Section 13b-103.

In support of financial wherewithal, the applicant provided information that its bank balance at the end of August 2007 was \$50,976. The annual insurance on each vehicle is \$4,059 per car. The annual maintenance will be about \$950 per car and the monthly fuel cost will be \$300 per car. Based on the evidence presented, the applicant is financially suitable to operate the proposed service with four vehicles.

With regard to suitability, the applicant provided the requisite criminal conviction history form for Mr. Dode which shows no convictions. Mr. Dode has been in business for the past seven years but was unable to answer simple questions about his livery operation and why he is seeking to establish a whole new livery company when he can simply change his current company's name to Farmington Car Service to eliminate the confusion. Changing the company name only requires filing paperwork and not a new application and hearing. Mr. Dode also had difficulty listing the four vehicles operated by his current livery company. His responses cast doubt on his involvement in the company and his suitability to operate such.

The applicant must also show that public convenience would be improved by the service for the livery authority to be granted. On the issue of need for the service, the applicant presented no independent witnesses to show that an additional livery service is needed or that the applicant's new livery service would improve the public's convenience and necessity. The only witnesses presented were Mr. David Lill, the manager of Suburban Transportation and Mr. Dode, the only member in the applicant's Limited Liability Corporation. Mr. Dode testified that his existing company is performing livery service and it appears to be doing this adequately. There was also no independent evidence offered to show that the existing livery company is not able to handle the volume of calls it gets or that an additional four livery plates are needed to perform more transportation.

The applicant submitted a letter from First Transit, a transportation broker in Connecticut, which stated that First Transit intends to keep utilizing the applicant's taxicab authorization for their transportation needs. The applicant also submitted letter from the Canton and Southington schools stating that they utilize Valley Cab. None of these letters is really relevant to the issue at hand which is whether additional livery service is needed. In addition, these letters are of extremely limited weight as the authors did not appear at the hearing to testify.

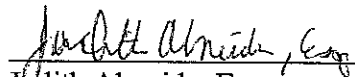
Since the applicant did not present sufficient evidence in support of its application, the application must be denied.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Farmington Car Service, LLC is hereby denied.

Dated at Newington, Connecticut on this 22th day of October 2007

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida, Esq.

Staff Attorney III

Administrative Law Unit

Bureau of Finance and Administration