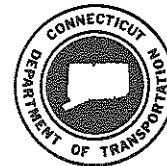




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 0901-N-2-HG

RE: APPLICATION OF 2 YOUNG STUDS MOVING, LLC TO OPERATE MOTOR VEHICLES IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR HIRE AS A HOUSEHOLD GOODS CARRIER OVER IRREGULAR ROUTES BETWEEN ALL POINTS IN CONNECTICUT UPON CALLS RECEIVED FROM A HEADQUARTERS IN EAST HAVEN, CONNECTICUT.

FINAL DECISION

September 15 , 2009

I. INTRODUCTION

A. Applicant's Proposal

By application filed on January 5, 2009, pursuant to Section 13b-389 of the Connecticut General Statutes, 2 Young Studs Moving, LLC (hereinafter "applicant"), located at 48 Clark Street, New Haven, Connecticut seeks authorization from the Connecticut Department of Transportation (hereinafter "department") to operate motor vehicles in the transportation of household goods for hire, as a household goods carrier over irregular routes, between all points in Connecticut from a headquarters in East Haven.

B. Hearing

Pursuant to Connecticut General Statutes Section 13b-390, a hearing on this application was held at the administrative office of the department, in Newington, Connecticut on August 25, 2009.

Notice of the application and of the hearing to be held thereon was given to the applicant and to other parties as required by General Statutes Section 13b-390. Notice to the public was given by publication on the department's website at www.ct.gov/dot.

The matter was heard by a hearing officer designated by the Commissioner of Transportation, pursuant to General Statutes Section 13b-17.

C. Appearances

The applicant appeared, without counsel, through Christopher Monks, owner of the applicant business. Although when the application was filed the applicant's address was 34 Jardin Drive, East Haven, the applicant represented on the record that he would be moving from that address. As of September 3, 2009, the applicant's address is 48 Clark Street, New Haven, Connecticut 06511. Those same companies that were provided notice of the hearing are the companies that would be provided notice even where the applicant's headquarters would change to New Haven. Accordingly, notice was proper in this matter.

Jeffrey Lippincott II, General Manager of Lippincott Van Lines, whose mailing address is 222 Universal Drive, Building 8, North Haven, Connecticut, appeared in opposition to this application.

Sheldon Lubin, public utilities examiner for the department, was present at the hearing.

II. FINDINGS OF FACT

1. Christopher Monks is the founder and owner of the applicant company and started the business as a labor only business in 2006. The applicant would take small jobs where the people who were moving to and from small apartments, rented their own truck, and would hire the applicant to load and unload the household goods, thereafter, Monks became the liaison between the customer and the mover.

2. The applicant has no criminal conviction history.

3. In 2008, the applicant organized 600 moves and in 2009, the applicant will have assisted approximately 750 customers with labor only moves. The applicant focuses and provides moves primarily for the college/university student population and staff. These moves tend to be small, from one apartment to another, or home to the student's family home.

4. There are no moving companies with a headquarters in East Haven, Connecticut.

5. Corrine Doyle used the applicant for a personal move two to three years ago. Doyle called approximately 7 to 9 companies and the applicant was the only company to call Doyle back. Doyle experienced the best move she has had with the applicant.

6. Doyle manages an apartment building of 85 apartments. Doyle recommends the applicant to her tenants. The applicant has moved 40 tenants for Doyle, including some faculty apartments. In doing so, there were no complaints about the applicant's work.

7. The applicant would have been able to move 70 tenants had the applicant held intrastate authority to move household goods. Tenants rent and drive their own trucks and the applicant loads and unloads the household goods.

8. Rosemary Culvert from Hamden called several moving companies last August to move her daughter to Yale, most of the companies she called were booked and a few companies said that it was a small move and they did not do small moves. Culvert also called the applicant back to have him move her to Connecticut.

9. Sara Maffey from New Haven and she used the applicant for her move. She received many referrals to the applicant from her friends. Maffey's father came and rented and drove the truck for Maffey's move. The applicant moved her household goods to and from the truck to a storage unit.

10. Maffey overpaid for the move and before she was able to call the applicant, the applicant returned her overpayment.

11. Daniel McLeggon lived in New Haven and had to move across the state, but he had a dislocated shoulder. McLeggon called around for movers and was unable to find a mover. He received the applicant's name as a referral. McLeggon asked the applicant to move him but the applicant declined to drive the truck because he had no intrastate authority to move McLeggon. As a result, McLeggon rented and drove the truck and the applicant moved the household goods to and from the house and truck.

12. The applicant's customers are requesting that the applicant provide a truck more often.

13. The applicant's insurance premium is estimated at \$3,242. The applicant's annual operating expenses are estimated as follows: fuel \$5000, repairs and maintenance at \$2,500 and property taxes are \$350.

14. The applicant has current liquid assets as follows: cash in the amount of approximately \$14,000, investments of approximately \$109,000 and retirement investment in the amount of \$8,000.

15. The applicant has no outstanding loans. The applicant will purchase a sixteen foot straight raised box truck for \$7,500.

16. The applicant currently owns a box truck that he uses to provide interstate moves.

III. DISCUSSION

The Department of Transportation has jurisdiction over any person operating any motor vehicle in the transportation of household goods for hire as a household goods carrier pursuant to Section 13b-389 of the Connecticut General Statutes.

Further, no person shall operate as a household goods carrier within Connecticut without first obtaining a certificate of public convenience and necessity to so operate.

In determining whether such a certificate shall be granted, the Commissioner of Transportation shall take into consideration the existing motor transportation facilities and the effect upon them of granting such a certificate, the public need for the proposed service, the suitability of the applicant, the financial responsibility of the applicant, the ability of the applicant efficiently to perform the service for which the authority is requested, the condition of and effect upon the highways involved and the safety of the public using such highways, pursuant to Section 13b-392 of the General Statutes.

With regard to the applicant's financial wherewithal, the applicant provided proof of cash on hand and investments that Monk, the owner of the company, would be willing to use for the business. The applicant currently owns a box truck, which is

insured, for interstate moves and has the money to purchase another truck, which he will do if he receives authority to operate intrastate. As for the effect on the highways, there was no evidence entered in the record to show that approving this application would have a detrimental effect on the highways or the existing motor transportation facilities.

The management of the applicant company is suitable to operate the proposed business as he has no criminal record and has shown, through his testimony and the supporting testimony of the witnesses that he works within the confines of the regulations and statutes and intends to do so in the future. The applicant has established a business that has assisted many people in a market that apparently does not receive assistance from larger moving companies. Although the intervenor, Lippincott Van Lines, through its manager Jeffrey Lippincott, indicated that it has the ability to do these moves, this statement is not supported by the witness testimony.

The witnesses testified that they called other larger companies to have themselves moved, but to no avail. Further, the witnesses testified they had not heard of Lippincott. The evidence of record shows that the moves the applicant provides are the kinds of moves that would be better handled by a small company specializing in like moves.

IV. CONCLUSIONS OF LAW

The applicant, 2 Young Studs Moving, LLC has met its burden of proving, in accordance with Connecticut General Statutes Section 13b-392, that there is a public need for the proposed service and that the applicant is suitable to operate the proposed service. The applicant possesses the financial capability of operating the proposed service and the applicant has the ability to efficiently perform the service for which authority is requested. There is no negative effect upon the highways involved, nor will granting the certificate affect the safety of the public using such highways.

V. ORDER

Based upon the foregoing and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of 2 Young Studs Moving, LLC is hereby granted and the following certificate is hereby issued:

CERTIFICATE NO. 1759
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION
OF PROPERTY FOR HIRE AS A MOTOR COMMON CARRIER

2 Young Studs Moving, LLC is hereby permitted and authorized, subject to such regulations and conditions as the department may from time to time prescribe, to transport property for hire as a motor common carrier over irregular routes as follow:

Household goods, within the State of Connecticut, between all points upon calls received at its headquarters in East Haven, Connecticut.

RESTRICTIONS:

The certificate holder must accept and transport property, as herein authorized in accordance with its tariff on file with the department, for all persons who desire the service to the extent of the certificate holder's facilities at uniform rates for all similar service.

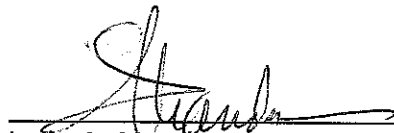
This certificate cannot be sold or transferred until it has been operational for more than 24 months.

There shall be carried in each vehicle operated under this authority, a copy of the certificate registration receipt issued by the department.

This certificate shall remain in effect until amended, suspended or revoked by the department. Failure of the certificate holder to maintain proper insurance and/or to comply with all pertinent motor vehicle laws and other State statutes and/or rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke said certificate. This certificate may be transferred only with approval of the department and within the conditions and restrictions contained herein.

Dated at Newington, Connecticut, on this the 15th day of September 2009.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Laila A. Mandour
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration