

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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DOCKET NO. 0909-R-70-T

RE: PETITION OF YELLOW CAB OF NEW LONDON AND GROTON, INC. D/B/A YELLOW CAB CO. AND WATERBURY YELLOW CAB & SERVICE COMPANY, INC. D/B/A YELLOW CAB CO. TO INCREASE ITS METERED RATES OF FARE FOR THE TOWNS OF NAUGATUCK, WATERBURY, WATERTOWN, GROTON, NEW LONDON, NEWTOWN, SOUTHBURY, WATERFORD, EAST LYME, OLD LYME, STONINGTON, LEDYARD, MONTVILLE, BOZRAH, FRANKLIN, LISBON, NORWICH, PRESTON AND SPRAGUE.

CORRECTED Final Decision

June 25, 2010

I. INTRODUCTION

This final decision is reissued to correct a clerical error contained in the final decision dated April 28, 2010. This final decision will correct the waiting time metered rate from \$0.25 for every 36 seconds to **\$0.25 for every 29 seconds**.

A. PETITION

By petition filed on September 21, 2009 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-96 of the Connecticut General Statutes, as amended, Yellow Cab Company of New London and Groton, Inc. d/b/a Yellow Cab Co. and Waterbury Yellow Cab & Service Company, Inc. d/b/a Yellow Cab Co. (hereinafter "petitioner"), both of Waterford, Connecticut, seek authorization from the department to amend their metered rates of fare for the towns of Naugatuck, Waterbury, Watertown, Groton, New London, Newtown, Southbury, Waterford, East Lyme, Old Lyme, Stonington, Ledyard, Montville, Bozrah, Franklin, Lisbon, Norwich, Preston and Sprague.

Although all the towns operated by the petitioners were included in the current petition for the requested rate change, a review of the records shows that the only towns operated by the petitioner at the lower rate of fare and affected by the instant petition are Old Lyme, East Lyme, Waterbury, Southbury, Watertown and Naugatuck. Accordingly, the orders in this final decision will apply to said towns.

CURRENT METERED TAXICAB RATES OF FARE:

METER DROP:	\$ 2.00 first 1/8 th mile
TRAVEL:	\$.25 each additional 1/8 th mile
WAITING TIME:	\$.25 every 36 seconds

PROPOSED METERED TAXICAB RATES OF FARE:

METER DROP:	\$ 2.25 first 1/9 th mile
TRAVEL:	\$.25 each additional 1/9 th mile
WAITING TIME:	\$.25 every 29 seconds

B. HEARING

Pursuant to Sections 13b-96 of the Connecticut General Statutes, as amended by Section 22 of Public Act 97-304 and Sections 4-177 through 4-182 of the General Statutes, inclusive, this petition was assigned for a public hearing which was held at the administrative offices of the department in Newington, Connecticut on April 8, 2010.

Notice of the petition and of the hearing to be held thereon was given to the petitioner, and to such other parties as deemed necessary by the department as required by General Statutes Section 13b-97, as amended. Notice to the public was given

by publication on the department's website at www.ct.gov/dot.

C. APPEARANCES

Yellow Cab Company of New London and Groton, Inc. d/b/a Yellow Cab Co. and Waterbury Yellow Cab & Service company, Inc. d/b/a Yellow Cab appeared through its owner, Charles Curtin, without counsel. The petitioners' mailing address is 176 Cross Road, Waterford, Connecticut.

Sheldon Lubin, public utilities examiner of the Regulatory and Compliance Unit of the department appeared.

No opposition was presented to this petition.

II. FINDINGS OF FACT

1. On May 9, 2006, by Revised Final Decision in Docket No. 0510-R-13B-T, the metered rates of fare for Newtown were changed to the proposed rate of fare in the instant case and are the rates currently being charged.

2. On September 12, 2006, by Final Decision in Docket No. 0601-R-02-T, the metered rates of fare for Groton, New London, Stonington, Ledyard, Montville, Waterford, Bozrah, Franklin, Lisbon, Norwich, Preston and Sprague were changed to the proposed rates of fare in the instant case and are the rates currently being charged.

3. The towns that have not implemented the proposed increased metered rates of fare are East Lyme, Old Lyme, Naugatuck, Southbury, Watertown and Waterbury.

4. Operating two different metered rates in a combined territory creates a hardship for the company in that the company must change the rate and seal the meter every time a taxicab is used in a territory with a different metered rate of fare. This could also affect a consumer negatively, in the event that the meters were inadvertently not changed to the correct rate.

5. The towns of East Lyme, Old Lyme, Naugatuck, Southbury, Watertown and Waterbury have not an official rate increase since 2002.

6. The applicants operated the taxicabs in the subject territory at the higher rate of fare because it's representatives believed that the towns were included in a rate increase which went into effect in 2009.

7. The applicant was the subject of a citation matter on the issue of charging rates of fare in the subject territories that were not approved by the department. The citation, given docket number 0909-C-67-T, was resolved by stipulation, civil penalty and by the filing of the instant application to approve the higher rates to match that approved for the other territories in which the applicant is authorized to operate.

8. Over the past ten years, the consumer price index has increased as follows:

<u>Account</u>	<u>2001</u>	<u>2009</u>
Motor Fuel	96.1	224.73
All gasoline	95.4	224.26
Motor vehicle parts and equipment	105.8	134.781
Motor vehicle maintenance and repair	186.4	245.417
Motor vehicle insurance	279.4	366.799
Motor vehicle fees	110.4	163.829
Public transportation	204.8	245.203

9. Waterbury Yellow Cab and Service Company's income statements for the calendar years 2000 and 2009 compare as follows:

<u>Account</u>	<u>2000</u>	<u>2009</u>	<u>\$Change</u>	<u>%Change</u>
Gas and Oil	\$29,600	\$56,029	\$-26,429	-89.3
Repairs	\$19,185	\$25,252	\$ -6,067	-31.6
Taxes	\$ 768	\$ 2,218	\$ -1,950	-253.7
Net Income	\$ 8,693	\$ 1,925	\$ -6,768	-77.9

10. The general consumer price index as of the end of 2000 was 174.0. The general price index for the most current end of year (2009) was 215.9.

11. Equalizing the rate in the subject territories will equalize the tariff rates of fare in the subject towns, providing equity in the fare structure within the towns of concern.

III. DISCUSSION

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a taxicab in accordance with Connecticut General Statutes Section 13b-93 as amended by Section 22 of Public Act 97-304. In addition, the department is authorized to prescribe adequate service and reasonable rates and charges with respect to fares, service, operations and equipment as it deems necessary.

The taxicab companies operating in the area of concern all, except for the petitioners, operate at the same rates of fare. When the rates of fare were increased last, the petitioners were not included in that rate increase. Subsequently, all other companies operating in the subject area are at the higher rate.

The petitioners' evidence shows that the cost of living and inflation have increased with no increase in the petitioner's tariff. The petitioners must change their meters each time they provide a trip in the area of concern. Moreover, the petitioners have not received a rate increase in the past eight years. The cost of living and consumer price index have increased. Changing the rates will be in the best interest of the public.

IV. CONCLUSIONS OF LAW

Based upon the above and pursuant to the authority granted under Connecticut General Statutes Section 13b-96, as amended, the petition is hereby is approved.

V. ORDER

Therefore, it is hereby ordered that the following schedule of METERED RATES OF FARE shall be implemented for the towns of East Lyme, Old Lyme, Naugatuck, Southbury, Watertown and Waterbury and subject to the conditions listed below, and shall become effective on Sunday, July 4, 2010 at 12:01 a.m.:

METER DROP:	\$ 2.25 first 1/9 th mile
TRAVEL:	\$.25 each additional 1/9 th mile
WAITING TIME:	\$.25 every 29 seconds

All taxicab fuel surcharges authorized prior to the date of this decision are incorporated in these rates as stated.

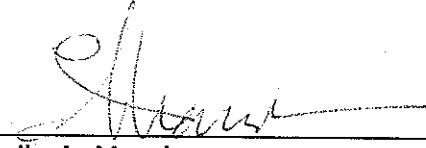
The metered rates of fare in effect for the towns of East Lyme, Old Lyme, Naugatuck, Southbury, Watertown and Waterbury existing on the date of the final decision are cancelled upon implementation of the rates authorized herein.

Public notice of the intent to implement the rates authorized herein shall be given by the petitioner through publication of a legal notice in the Connecticut Post and the Waterbury Republican, not less than five (5) days prior to such implementation.

The metered rates of fare approved herein shall apply to all taxicab operators servicing any of the above-included towns.

Dated at Newington, Connecticut this 25th day of June 2010.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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