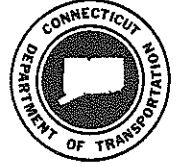


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1002-GOV-06-L

RE: APPLICATION OF NEW ENGLAND MEDICAL TRANSPORTATION, LLC TO OPERATE EIGHT (8) MOTOR VEHICLES, HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, IN THE TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A CONTRACT WITH, OR A LOWER TIER CONTRACT FOR, ANY FEDERAL, STATE OR MUNICIPAL AGENCY BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN MERIDEN.

FINAL DECISION

June 15, 2010

I. INTRODUCTION

A. Application

By application filed on February 6, 2010, with the Department of Transportation (hereinafter "Department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, New England Medical Transportation, LLC (hereinafter "applicant") located at 11 Overlook Drive, Meriden, Connecticut seeks authorization to operate eight (8) motor vehicles, having a seating capacity of ten (10) adults or less, in the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, any federal, state or municipal agency between all points in Connecticut from a headquarters in the town of Meriden.

B. Hearing

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on June 10, 2010.

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 Connecticut General Statutes Section 13b-103(a)(1), as amended. Notice to the public was given by publication on the Department's website. Pursuant to Connecticut General Statutes Section 13b-17, the commissioner assigned this hearing officer to conduct the hearing on this matter.

C. Appearances

Ms. Brenda Shaw appeared pro se on behalf of the applicant. Her mailing address is 11 Overlook Drive, Meriden, Connecticut.

D. Findings of Fact

1. New England Medical Transportation, LLC seeks to operate eight (8) motor vehicles under contract. The applicant is currently operating three (3) motor vehicles in livery service for the elderly and handicapped.

2. The applicant seeks to operate four (4) vehicles for an adult day care center called the Day Club.

3. Ms. Katherine Donahue is the Director of the Day Club in Portland. The Day Club needs to transport its clients to and from the facility and the client's homes on a daily basis. The Day Club provides approximately 1,300 trips per month.

4. The applicant has a personal net worth which includes a home worth \$350,000 with equity of \$75,000 and four motor vehicles worth between \$2,880 and \$6,710 each.

5. The expected annual sales from the Day Club work are \$92,400.

6. The applicant had also sought to perform trips for Coordinated Transportation Solutions, but since no witness appeared to support the contract, that portion of the application will not be considered.

III. DISCUSSION

The Department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to 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.

To show financial support, the applicant submitted several documents which showed that the applicant has a personal net worth that includes a home of \$350,000 which has equity of \$75,000 and four motor vehicles worth between \$2,880 and \$6,710. The insurance will cost \$3,900 per vehicle. Based on the evidence presented, the applicant is approved to operate four (4) of the proposed motor vehicles.

In support of suitability to operate the proposed service, the applicant's management provided the requisite criminal conviction history form for Ms. Brenda Shaw which reflects no convictions. The applicant has been in business for several months without incident. Ms. Shaw has a good understanding of the operation of the livery business and will be able to handle the expansion.

Lastly, the applicant must prove that the public's convenience and necessity will be improved by the proposed service. The applicant presented the testimony of Ms. Katherine Donahue, the Director of the Day Club, an adult day care facility. Her organization was providing trips to its clients but has decided to contract with the applicant instead. The applicant will need four vehicles to perform the transportation services from the facility to the client's homes.

The applicant had sought to have authorization for additional vehicles to perform work for Coordinated Transportation Solutions but no witnesses appeared to testify so that part of the application is not being considered.

IV. CONCLUSION

Accordingly, Permit Number 3235, standing in the name of New England Medical Transportation, LLC is hereby granted in part and reissued as follows:

LIVERY PERMIT NO. 3235

New England Medical Transportation, LLC is hereby permitted and authorized to operate three (3) motor vehicles, each having a seating capacity of less than ten (10) adults for the express purpose of providing reasonable **LIVERY SERVICE TO HANDICAPPED PERSONS AND ELDERLY PERSONS** between all points in Connecticut from a headquarters in Meriden.

This permit shall remain in effect until revoked by the Department. Failure of the permit-holder to maintain proper insurance or to comply with all motor vehicle laws and other pertinent state statutes and/or the rules, regulations and orders of the Department shall be considered sufficient cause to revoke said permit.

The authority granted in this decision may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder, for not less than twenty-four (24) consecutive months.

This permit may be transferred only with the approval of the Department and is issued subject to compliance by the holder hereof with all motor vehicle laws of the State of Connecticut, and with such rules, regulations and orders as this Department may from time to time prescribe thereunder.

A memorandum of this permit, bearing the seal of the Department, shall be kept conspicuously posted in the motor vehicles operated under this permit.

**DURATIONAL LIVERY SERVICE
UNDER CONTRACT WITH THE DAY CLUB
DOCKET NUMBER 1002-GOV-06-L
GRANTED-JUNE 15, 2010**

New England Medical Transportation, LLC is hereby permitted and authorized to operate four (4) motor vehicles, each having a seating capacity of less than ten (10) adults for the express purpose of providing livery service to the Day Club between all points in Connecticut from a headquarters in Meriden.

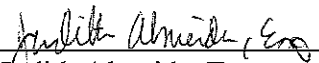
The authority granted in Docket Number 1002-GOV-06-L, shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with the Day Club.

The permit holder shall notify the Department of any termination of its contract with the Day Club or the cessation of the active provision of service there under. The permit holder shall file with the Department on an annual basis, upon registration or re-registration of the motor vehicle authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract with the Day Club, shall void the authority for the vehicle authorized pursuant to this contract.

A memorandum of this permit, bearing the seal of the Department, shall be conspicuously posted in each motor vehicle operated under this permit.

Dated at Newington, Connecticut, this 15th day of June 2010.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida, Esq.
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration