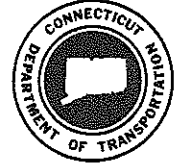




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1003-N-19-L

RE: APPLICATION OF PUNCTUAL LIMOUSINE, INC. TO OPERATE ONE (1) MOTOR VEHICLE, HAVING A SEATING CAPACITY OF TEN (10) ADULTS OR LESS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN STAMFORD.

FINAL DECISION

July 28, 2010

## I. INTRODUCTION

### A. General

By application filed on March 25, 2010, with the Department of Transportation (hereinafter "Department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Punctual Limousine, Inc. (hereinafter "applicant"), with a mailing address of 300 Tresser Boulevard, Apt. 12-D, Connecticut, seeks authorization to operate one (1) motor vehicle, 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 Stamford.

### B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-105, as amended, a public hearing was held on this application on June 17, 2010 and July 14, 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 the Connecticut General Statutes Section 13b-103. Notice to the public was given by publication on the Departments website.

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

### C. Appearances

Mr. Louder Aime appeared pro se on behalf of the applicant. The applicant's mailing address is 300 Tresser Boulevard, Stamford, Connecticut 06901.

Sheldon Lubin, a member of Department staff, was present at the hearing.

## II. FINDINGS OF FACT

1. The applicant is seeking to operate one (1) motor vehicle in intrastate livery service.
2. The applicant currently operates in interstate livery service and has done so without incident since 2008.
3. The applicant has not had any citation actions with the Department.
4. As of June 2010, the applicant had \$32,342 in cash from two bank accounts.
5. The applicant's estimated annual revenue from the intrastate livery service will be \$45,000 to \$50,000.
6. The applicant has a Lincoln Town Car worth \$5,805 with no outstanding loan.
7. The insurance premium is \$3,800 annually for the vehicle the applicant intends to use in intrastate livery service.
8. The applicant presented Jean Lucien as a witness in this matter. Mr. Lucien works for Ambassador Limousine. Due to the heavy work load for livery services, Ambassador frequently has to farm out livery trips. Ambassador may use the applicant for this intrastate livery work.

9. Alich Jeudy also testified for the applicant. Mr. Jeudy is an owner of a livery company and also works as a driver for Eveready Limousine. His livery company does not have intrastate livery authority so he would like to farm out this work to the applicant.

10. The applicant's final witness was Lucher Jean who is a customer of the applicant. Mr. Jean has been using the applicant for interstate livery trips. Occasionally, Mr. Jean would like to use the applicant for intrastate livery trips to transport his children

### 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-103, 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 financial information that shows that as of June 2010, the applicant had \$32,342 in cash from two bank accounts. The applicant's estimated annual revenue from the intrastate livery service will be \$45,000 to \$50,000. The applicant has a Lincoln town Car worth \$5,805 with no outstanding loan. The insurance premium is \$3,800 annually for the vehicle the applicant intends to use in intrastate livery service. Based on the evidence presented, the applicant is financially suitable to operate the proposed business.

With regard to suitability, the applicant submitted a criminal record check for the corporate officer which showed no criminal records. The applicant has been operating in intrastate livery service since 2008 and has not had any citation actions with the Department. Based on the evidence presented, the applicant has proven the requisite suitability to operate the proposed service.

As part of the requirements that must be met for a livery permit to be granted, the applicant must show that public convenience would be improved by the service. The applicant submitted several letters of support from clients which are not considered to be of great weight since the clients cannot be cross-examined.

The applicant also presented several witnesses who testified that there is overflow livery business in Stamford which could be farmed to the applicant. One of the applicant's witnesses is a customer of the applicant who would like to utilize the applicant for intrastate livery service for his family. The applicant has shown by the evidence presented that public convenience and necessity would be improved by a grant of this application.

Based on the evidence presented, the applicant will be granted authority to operate one (1) vehicle in intrastate livery service.

#### IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Punctual Limousine, Inc. is hereby granted and Livery Permit Number 3227 is amended and reissued as follows:

#### LIVERY PERMIT NO. 3227 FOR THE OPERATION OF LIVERY SERVICE

Punctual Limousine, Inc. is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in general livery service, between all points in Connecticut from a headquarters in Stamford.

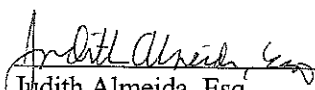
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

This permit shall remain in effect until revoked by the Department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or the rules, regulations and orders of the Department may from time to time prescribe there under.

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

Dated at Newington, Connecticut on this 28th day of July 2010.

#### CONNECTICUT DEPARTMENT OF TRANSPORTATION



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