



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NO. 1109-AS-95-T

RE: APPLICATION OF ACE TAXI SERVICE, INC. D.B.A. ACE TAXI TO  
OPERATE EIGHT (8) MOTOR VEHICLES IN TAXICAB SERVICE  
WITHIN AND TO AND FROM ANDOVER, COLUMBIA, COVENTRY,  
MANSFIELD AND WINDHAM.

FINAL DECISION

March 23, 2012

## I. INTRODUCTION

### A. Applicant's Proposal

By application filed on September 27, 2011, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, Ace Taxi Service, Inc. d.b.a. Ace Taxi (hereinafter "applicant") with a mailing address of P.O. Box 411, Vernon, Connecticut 06066 seeks authorization to operate eight (8) motor vehicles in taxicab service within and to and from the towns of Andover, Columbia, Coventry, Mansfield and Windham.

### B. Hearing Held

Pursuant to Section 13b-97(a) of the Connecticut General Statutes, as amended, a public hearing on this application was held at the Department of Transportation in Newington, Connecticut on March 15, 2012.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required by Section 13b-97(a) of the Connecticut General Statutes, as amended. Legal notice to the public was given by publication on the department's website.

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

### C. Appearances

Mr. Michael Olschafskie appeared on behalf of the applicant. The applicant was represented by Mary Alice Leonhardt, Esq. with a mailing address of 102 Oak Street, Hartford, Connecticut 06106.

Mr. Marco Henry of The Yellow Cab Company petitioned for party status which was received by the department on March 12, 2012. Party Status was denied because it was not filed five days prior to the hearing and the petitioner does not currently operate in the towns the applicant has requested in the application.

### D. Administrative Notice

Administrative notice was taken of Certificate Number 1066 for Ace Taxi which currently operates in Bloomfield, East Hartford, East Windsor, Enfield, Farmington, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Vernon, West Hartford, Wethersfield, Windsor, Willington, Ellington, Stafford, Tolland, Somers, Suffield and Windsor Locks.

Administrative notice was also taken of Certificate Number 644 of Norwich Taxi which is for authority to operate taxicabs in Bozrah, Franklin, Griswold, Lisbon, Norwich, Sprague, Groton, New London, Canterbury, Plainfield, Sterling, Voluntown, Ledyard, North Stonington, Thompson, Preston, Montville, Waterford, Chaplin, Columbia, Mansfield and Windham and the fact that this company did not appear in opposition to the application.

## II. FINDINGS OF FACT

1. The applicant currently operates taxicabs in Bloomfield, East Hartford, East Windsor, Enfield, Farmington, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Vernon, West Hartford, Wethersfield, Willington, Windsor, Ellington, Stafford, Tolland, Somers, Suffield and Windsor Locks.

2. The applicant seeks to operate eight (8) taxicabs in the towns of Andover, Columbia, Coventry, Mansfield and Windham.

3. Janet Freniere testified in support of the applicant. Ms. Freniere is the Manager of Transportation for University of Connecticut (hereinafter "UCONN") at Storrs. She testified that Norwich Taxi can service the University but does not operate in the evening. Public transportation is limited and the bus service stops at 7:00 p.m. and does not operate on Sunday. She estimates that Monday through Thursday the campus may need a few trips per day while on weekends the number would be about 10 to 12 calls per day. There are 22,000 students at the UCONN of which 60 percent live on campus. Freshmen and most sophomores are not allowed to have cars on campus.

4. John Garvey from Rose City Cab testified in support of the application. His company operates in Norwich, Sprague, Bozrah, Franklin and Preston. He testified that Norwich Taxi purchased Thread City Cab several years ago and ceased performing taxi services after 7:00 p.m. His company receives one to five calls, at all times of the day, for taxicab service which his company cannot legally perform. He has been told Norwich Taxi will not service the area.

5. William Anderson testified that on several occasions he needed a taxicab and he called Norwich Taxi. On the four or five occasions when he called Norwich Taxi they refused to transport him after 6:00 p.m. Mr. Anderson needs taxicab service at least once per week.

6. Christine Arboe resides in Willimantic and needs taxicab service several times a week. She testified that Norwich Taxi does not operate after 7:00 p.m. and there is no other taxicab company in Willimantic. She was offered employment but could not take the job because she could not get a ride to her home in the evening. On two occasions she wanted to go to the hospital at night and was unable to get transportation.

7. Simon Pizunski is a chef at a Mansfield restaurant. He called Norwich Taxi on one occasion and was told he would have to wait for several hours. He ended up getting his father to give him a ride. He rarely sees taxicabs around town.

8. Donita Fain of Willimantic testified that there is no taxicab service after 5:00 p.m. There have been times when she has needed taxicab service and was unable to get through to anyone at Norwich Taxi. Ms. Fain requires taxicab service at least one time per week.

9. Stephen Zarra of Lebanon has sought taxicab service to get home. When he called Norwich Taxi, he was told no vehicles were available.

10. Michael Hydock of Norwich was recently working in Willimantic and tried to get a taxicab home. After waiting over an hour, he finally called a friend to take him home.

11. Adriana Figueroa works at the Windham Hospital. She testified that Norwich Taxi is not servicing the area and often they don't answer the phone. In addition to seeing people at the hospital in need of a cab, she herself has the need for a cab three times per week. Since she cannot access a taxicab, she is paying someone she knows to drive her or she walks.

12. Michael Olshchafskie is the owner of Ace Taxi. He gets between ten to twenty telephone calls per day requesting taxicab service in the proposed service area. These calls often occur at night when there is no taxicab service available.

13. The area the applicant seeks to operate in is large and covers five towns.

14. The applicant will place four vehicles in service within thirty days and four more within sixty days.

15. The applicant is turning away potential drivers so he believes he will have enough people to fill the eight taxicabs he has requested.

16. The applicant will purchase 2005 Ford Taurus sedans at a total cost of \$36,000.

17. The insurance premium will be \$3,100 per year for each vehicle or \$24,800 annually. Other expenses include property tax of \$1,400. The total annual expenses will be about \$68,000.

18. The applicant has a cash balance of \$516,574.

19. The applicant will not use the vehicles granted in this decision to service the queue line at Bradley International Airport.

### III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over common carriers, which include each person, association, limited liability company or corporation owning or operating a taxicab in the State of Connecticut in accordance with Connecticut General Statutes Section 13b-

96, as amended. The Department is authorized to prescribe regulations with respect to fares, service, operation and equipment, as it deems necessary for the convenience, protection and safety of the passengers and the public.

Pursuant to Section 13b-97(a), as amended, any person who applies for authority to operate a taxicab shall obtain from the Department a certificate of public convenience and necessity certifying that the public's convenience and necessity requires the operation of a taxicab or taxicabs for the transportation of passengers. No certificate shall be issued unless the department finds that the person is suitable to operate a taxicab service. In so doing, the department must take into consideration any convictions of the applicant under federal, state or local laws relative to safety, motor vehicle or criminal violations, the number of taxicabs to be operated under the certificate, the adequacy of the applicant's financial resources to operate the service, the adequacy of insurance coverage and safety equipment and the availability of qualified operators.

With regard to suitability, the applicant submitted State Police Bureau of Identification Criminal History Form for Michael Olschafskie which showed three old criminal convictions from 1979, 1983 and 1984. Since more than ten years have passed since the last conviction, these actions will not be held against the applicant. The applicant has been in business for many years and has not has a citation action against it. The applicant has the necessary suitability to operate the proposed service.

The applicant testified that it has drivers available to cover the eight vehicles it will operate in the proposed service area. The applicant also has vehicles ready to be placed into service.

The applicant also presented several witnesses who spoke about the lack of public transportation. Generally, everyone agrees that there is no taxicab service in the evening in part of this serve area. The taxicab companies on the periphery of the requested area, Rose City Taxi and Ace Taxi, get numerous calls from people every day looking for transportation. No one is currently servicing this community or at the very least, not effectively. The residents deserve to have reliable taxicab service which operates twenty-four hours per day.

As far as the applicant's financial ability is concerned, the applicant will purchase 2005 Ford Taurus sedans at a total cost of \$36,000. The insurance premium will be \$3,100 per year for each vehicle or \$24,800 annually. Other expenses include property tax of \$1,400. The total annual expenses will be about \$68,000. The applicant has a cash balance of \$516,574. The applicant has shown the requisite financial ability to have this application granted.

It is important to note that this application was not opposed by any of the taxicab companies in this area. In addition, the applicant is seeking to work in several towns which are adjacent to the high demand area of Mansfield and Windham. Mr. Olschafskie stated that to make this venture worthwhile he needs to be able to service the entire area requested. He will be granted the additional towns of Andover, Columbia and Coventry to add to the existing taxicab service in

those areas. Eight taxicabs should be adequate to cover the proposed area.

#### IV. CONCLUSION

Therefore, based upon the above and pursuant to Connecticut General Statutes Section 13b-97, as amended, the application of Ace Taxi Service, Inc. d.b.a. Ace Taxi is hereby granted as follows:

#### CERTIFICATE NUMBER 1066 FOR THE OPERATION OF MOTOR VEHICLES IN TAXICAB SERVICE

1. Ace Taxi Service, Inc. d.b.a. Ace Taxi is authorized to operate ten (10) motor vehicles in Bloomfield, East Hartford, East Windsor, Enfield, Farmington, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Vernon, West Hartford, Wethersfield, and Willington and Windsor.

A. Six (6) of the above vehicles can be used within and to and from Ellington, Tolland and Stafford.

B. Two (2) of the above ten vehicles can be operated within and to and from Somers and Suffield.

2. Ace Taxi Service, Inc. d.b.a. Ace Taxi is authorized to operate two (2) motor vehicles within and to and from Windsor Locks.

3. Ace Taxi Service, Inc. d.b.a. Ace Taxi is authorized to operate two (2) motor vehicles within and to and from Willington.

4. Ace Taxi Service, Inc. d.b.a. Ace Taxi is authorized to operate eight (8) motor vehicles within and to and from Andover, Columbia, Coventry, Mansfield and Windham.

#### RESTRICTIONS:

The applicant must register all eight (8) vehicles within sixty days.

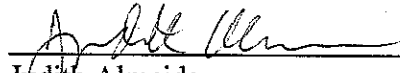
This new authority in this certificate may not be sold or transferred until it has been operational, i.e. a vehicle registered with a taxicab plate there under, for not less than twenty-four (24) consecutive months. This certificate is transferable only with the approval of the department.

This certificate shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or to comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke this certificate.

This certificate is transferable 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.

Dated at Newington, Connecticut on this 23<sup>rd</sup> day of March 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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