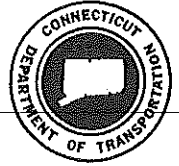




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1408-AV(E&H)-140-L

RE: APPLICATION OF CONNECTICUT TRANSPORTATION SOLUTIONS, LLC. TO OPERATE TWO (2) ADDITIONAL MOTOR VEHICLES, HAVING A PASSENGER SEATING CAPACITY OF TEN (10) ADULTS OR LESS, IN LIVERY SERVICE TO TRANSPORT ELDERLY AND HANDICAPPED PASSENGERS, BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN NAUGATUCK.

FINAL DECISION

August 24, 2015

I. INTRODUCTION

A. General

By application filed on August 12, 2014, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-105 of the Connecticut General Statutes, as amended, Connecticut Transportation Solutions, LLC. (hereinafter "applicant") with a mailing address of 35 Elm Street, Naugatuck, Connecticut 06770 seeks authorization to operate two (2) motor vehicles, having a seating capacity of ten (10) adults or less in livery service, for elderly and handicapped persons, between all points in Connecticut from a headquarters in the town of Naugatuck.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-105, as amended, a public hearing on this application was held on August 6, 2015.

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. Legal notice to the public was given by publication on the department's website.

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

C. Appearances

Chet Doheny appeared on pro se behalf of the applicant. The mailing address for the applicant is 35 Elm Street, Naugatuck, Connecticut 06770.

Mary Alice Leonhardt appeared as counsel for both Curtin Motor Livery Service, Inc. and Campion Ambulance Service, Inc., which were both granted intervenor status. Ms. Leonhardt's address is One State Street, Hartford, Connecticut 06103.

D. Administrative Notice

Administrative Notice was taken of Livery Permit Number 112 and 2304.

II. Finding of Facts

1. The applicant seeks to operate two (2) livery vehicles for transporting elderly and handicapped persons from a headquarters in Naugatuck.
2. The applicant currently operates three (3) motor vehicles in elderly and handicapped livery service.

3. The applicant's primary objective is to work with Logisticare and provide school transport.

4. The department does not regulate school transportation.

5. Trips performed under an elderly and handicapped livery permit should be private pay and not paid for by a state, federal or municipal program.

6. The applicant should file a governmental livery application to work for Logisticare.

7. The applicant will incur annual insurance costs of \$3,736 and vehicle payments of \$10,405.

8. The applicant has cash of \$77,856, current assets of \$1,166,399 and total assets of \$2,264,928.

9. The applicant has current liabilities of \$907,154.

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-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.

In support of financial wherewithal the applicant has presented evidence that it will incur annual insurance costs of \$3,736 and vehicle payments of \$10,405.44. The applicant has cash of \$77,856, current assets of \$1,166,399 and total assets of \$2,264,928. The applicant has current liabilities of \$907,154. Based on the evidence presented, the applicant has proven the financial suitability to operate this additional proposed livery service.

With regard to suitability, the applicant submitted a criminal record check for Chet Doheny which showed no convictions. The applicant is already in livery service and does not have any pending citation actions. Based on the evidence presented, the applicant appears to be suitable to operate the proposed service.

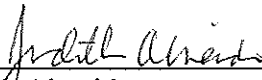
As for the public convenience and necessity, the evidence presented by the applicant referred to governmental livery service and student transportation. Student transportation is not regulated by this department. The applicant should file a governmental livery application to seek additional vehicles to perform work for Logisticare.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-105, as amended, the application of Connecticut Transportation Solutions, LLC. is hereby denied.

Dated at Newington, Connecticut on this 24th day of August 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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