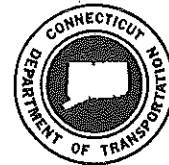


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1501-AVGOV-9-L

RE: APPLICATION OF THE FAMILY NETWORK, LLC TO OPERATE TWO (2) ADDITIONAL MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) ADULTS, 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 PLAINFIELD, CONNECTICUT.

FINAL DECISION

June 25, 2015

I INTRODUCTION

A. Application

By application filed on January 27, 2015 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103(a)(3) of the Connecticut General Statutes, as amended, The Family Network, LLC (hereinafter "applicant") whose mailing address is P.O. Box 335, Plainfield, Connecticut, seeks authorization to operate two (2) additional motor vehicles, having a seating capacity of less than eleven (11) adults, 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 Plainfield

B. Hearing

Pursuant to Connecticut General Statutes, Section 13b-103(a)(3), a public hearing on this application was held on June 23, 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 General Statutes Section 13b-103(a)(1). Legal notice to the public was given by publication on the department's web site at www.ct.gov.

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

C. Appearances

The Family Network, LLC appeared through its Executive Director Kim Young. The applicant's mailing address is P.O. Box 335, Plainfield, Connecticut 06374.

No opposition was presented to this application.

II. FINDINGS OF FACT

1. The applicant is the holder of Livery Permit No. 3463 and provides, pursuant to a contractual agreement with the Department of Children and Families (hereinafter "agency"), transportation for children and their families, who are clients of the agency.

2. The applicant has been providing services to the agency clients over the past several months and has been providing timely transportation for agency clients. The applicant has a waiting list of clients for whom additional vehicles are required.

3. The applicant is credentialed by the agency and has a several year history with the agency.

4. Kim Young, the Executive Director of the applicant, has no criminal conviction history.

5. The applicant will be providing transportation for the agency's clients in the Willimantic and Norwich area offices pursuant to a current agreement/contract that expires in 2017.

6. The applicant provides approximately three round-trips per day during the school year, back and forth to school, in addition to providing transportation to parents of the children and teenagers on weekends. The applicant provides services six days a week, and has a waiting list of people who require such transportation.

7. Ann Adams, Director of Credentialing for the agency, supports the grant of authority for two (2) additional vehicles to the applicant to enable the applicant to provide continuing transportation services to agency clients.

8. The applicant intends to purchase another Dodge Caravan and a sedan and will finance the cost of both vehicles. The applicant's internal income statement shows a profit in the amount of \$30,677 for the quarter ended March 31, 2015.

9. The applicant's additional insurance is estimated at \$1,818 for a six-month period. The applicant has cash on hand in the amount of \$8,500 as of March 31, 2015.

10. There is a lack of public transportation services in the area of concern.

11. No opposition was presented to the instant application.

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 General Statutes Section 13b-103.

In support of financial wherewithal, the applicant provided documentation showing that it has cash on hand in the amount of \$8,500. The applicant made a profit at the end of the quarter in 2015 and with additional vehicles, should be able to increase profits so that the business remains viable.

The applicant's director has no criminal convictions. The applicant provides services to the agency currently. The additional livery vehicles will enable the applicant to provide full service to agency clients who may be unable to get transportation elsewhere. No negative evidence was introduced on the record indicating that the applicant was not suitable to operate additional vehicles.

Lastly, in support of public convenience and necessity, the Director of Credentialing on staff with the Department of Children and Families supports a grant of two additional vehicles to allow the applicant to provide transportation to the agencies clients. The applicant will continue to provide transportation in the Willimantic and Norwich area offices of the agency. The agency has an executed agreement/contract which is on file with the department and which expires in 2017.

IV. CONCLUSIONS OF LAW

The Family Network, LLC possesses the suitability and financial wherewithal to operate the proposed service and the public convenience and necessity will be improved by a grant of two (2) additional motor vehicles for transportation for hire by virtue of a contract with the Department of Children and Families, in accordance with Connecticut General Statutes Section 13b-103(a)(3).

V. ORDER

Based upon the entire record and the evidence presented therein, and pursuant to Conn. Gen. Stat. Section 13b-103(a)(3), as amended, the application of The Family Network is hereby granted and Permit Number 3463, is hereby amended and reissued follows:

LIVERY PERMIT NO. 3463

DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH THE DEPARTMENT OF CHILDREN AND FAMILIES DOCKET NO. 1410-NGOV-174-L - GRANTED DECEMBER 21, 2014 AND DOCKET NO. 1501-AVGOV-9-L – GRANTED JUNE 26, 2016

The Family Network, LLC is hereby permitted and authorized to operate THREE (3) motor vehicles, having a seating capacity of eleven (11) adults or less, for the provision of transportation for hire by virtue of a contract with the Department of Children and Families from a headquarters in Plainfield, Connecticut.

RESTRICTIONS:

The applicant must register its two additional vehicles within 30 days of the date of this Final Decision. Failure to do so may result in suspension, revocation or imposition of a civil penalty. This Final Decision constitutes notice within the meaning of, and in accordance with, Connecticut General Statutes Section 4-182(c).

The authority for three (3) motor vehicles granted in this Permit 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 Department of Children and Families.

The Permit holder shall notify the Department of any termination of its contract with Department of Children and Families or the cessation of the active provision of service thereunder. 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 Department of Children and Families shall void the authority for the vehicle authorized pursuant to this contract.

This permit is not transferable and shall remain in effect until revoked by the Department or until the contract under which this authority is granted has expired. Failure of the Permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or rules, regulations and orders of the Department shall be considered sufficient cause to amend, suspend or revoke said Permit.

Dated at Newington, Connecticut, on this 25TH day of June 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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