

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2875

DOCKET NO. 1601-N-10-HHG

RE: APPLICATION OF SAME DAY XPRESS LOGISTICS, LLC DBA COLLEGE HUNKS MOVING TO OPERATE MOTOR VEHICLES IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR HIRE, AS A HOUSEHOLD GOODS CARRIER, OVER IRREGULAR ROUTES BETWEEN ALL POINTS IN CONNECTICUT UPON CALLS RECEIVED FROM A HEADQUARTERS IN ORANGE.

FINAL DECISION

APRIL 28, 2016

I. INTRODUCTION

A. Applicant's Proposal

By application filed on January 28, 2016, pursuant to Section 13b-389 of the Connecticut General Statutes, and assigned Docket No. 1601-N-10-HHG, Same Day Xpress Logistics, LLC dba College Hunks Moving (hereinafter "applicant"), with a mailing address of 380 Boston Post Road, Orange, Connecticut 06447 seeks authorization from the Connecticut Department of Transportation (hereinafter "department") to operate motor vehicles in the transportation of household goods for hire, as a household goods carrier, over irregular routes between all points in Connecticut from a headquarters in Orange.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-390, a hearing on this application was held at the administrative office of the Department, in Newington, Connecticut, on April 26, 2016.

Notice of the application and of the hearing to be held thereon was given to the applicant and to other parties as required by Connecticut General Statutes Section 13b-390. Notice to the public was given by publication on the department's website.

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

C. Appearances

Luis Robert Brockenberry appeared pro se on behalf of the applicant. The applicant's mailing address is 380 Boston Post Road, Orange, Connecticut 06902.

II. FINDING OF FACT

1. The applicant currently operates a junk hauling business which he started in July 2015. The applicant wants to perform moves in the New Haven area as a supplement to that business.

2. The applicant has twelve years of experience in transportation related jobs. The applicant's experience includes different jobs for Fed Ex, Sears and Macys.

3. The applicant already has a team of part-time employees in place to perform the moving aspect of the business and will be hiring more employees after starting the moving services.

4. Since the applicant is already in service with the junk hauling business, he has received many household goods moving requests.

5. Prior to starting the moving service, the applicant will be training with another affiliated moving company.

6. The applicant anticipates getting ninety percent of his moving business through referrals from the franchise while ten percent would be self-generated. In order to do that, the applicant will commit to an aggressive marketing champagne.

7. The applicant plans to purchase a 26 foot box truck to perform the moves which will cost around \$40,000.

8. The applicant's six months of start-up costs are \$3,232 for insurance, a down payment of \$3,925 for the box truck, six months of truck payments at \$3,414, rent of \$3,300, marketing of \$3,000, SBA loan \$9,900, property tax of \$1,160 and a loan on the junk removal truck of \$5,310 for a total of \$33,241.

9. The applicant has a cash balance of \$37,321 in the bank.

10. The applicant presented the testimony of realtor/owner Jack Hill from the office of Seabury Hill Realtors in New Haven. Mr. Hill has been having difficulty being able to refer a quality mover to his clients and had excellent dealings with the applicant with regard to the junk removal business. He has received complaints from his customers about the referrals he has made in the past to other moving services. When asked how often he could make a referral to the applicant, he said he could have made seven referrals last week alone and that there were not many movers in the New Haven area.

11. There was no opposition to this application.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over any person operating any motor vehicle in the transportation of household goods for hire as a household goods carrier pursuant to Section 13b-389 of the Connecticut General Statutes. Further, no person shall operate as a household goods carrier, within Connecticut, without first obtaining a certificate of public convenience and necessity to so operate.

In determining whether such a certificate shall be granted, the Commissioner of Transportation shall take into consideration the existing motor transportation facilities and the effect upon them of granting such a certificate, the suitability of the applicant, the financial responsibility of the applicant, the ability of the applicant efficiently to perform the service for which the authority is requested, the criminal history of the applicant, the condition of and effect upon the highways involved and the safety of the public using such highways, pursuant to Section 13b-392 of the Connecticut General Statutes.

The first criterion to be taken into account is the effect on the existing motor carrier facilities by granting the certificate. This application was not opposed by any existing motor carrier. Since the application was not opposed at the hearing, it appears that there would not be any effect on the existing motor carrier facilities if this application were granted.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the applicant's six months of start-up costs are \$3,232 for insurance, a down payment of \$3,925 for the box truck, six months of truck payments \$3,414, rent \$3,300, marketing \$3,000, SBA loan \$9,900, property tax of \$1,160 and a loan on the junk removal truck of \$5,310 for a total of \$33,241. The applicant has a cash balance of \$37,321 in the bank which is sufficient to handle these expenses.

The applicant submitted a criminal record check for Luis Robert Brockenberry which shows no criminal record. Mr. Brockenberry has business experience operating a junk removal company which he started last July. Mr. Brockenberry also has a degree from UCONN and additional experience from several jobs he did involving transportation while working for various companies. He has a plan for how the business will operate and will receive training from a member of the moving franchise that he is involved in. Based on the evidence presented, the applicant is suitable to handle this proposed operation.

Also to be considered is the ability of the applicant to efficiently perform the service for which the authority is requested and the condition of and effect upon the highways involved and the safety of the public using such highways, The applicant has experience in the junk removal business and will be able to efficiently handle the household goods moves he receives. The applicant will be utilizing a twenty-six foot box truck that will have a minimal effect on the highways in Connecticut.

Based upon the evidence presented, the applicant has proven all of the necessary elements to be granted a certificate to operate.

IV. ORDER

Based upon the above and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of Same Day Xpress Logistics, LLC dba College Hunks Moving is hereby granted and Certificate Number 1783 is issued as follows:

CERTIFICATE NUMBER 1783
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY
FOR HIRE AS A MOTOR COMMON CARRIER

Same Day Xpress Logistics, LLC dba College Hunks Moving is hereby permitted and authorized, subject to such regulations and conditions as the department may from time to time prescribe, to transport property for hire as a motor common carrier over irregular routes as follows:

Household goods, within the State of Connecticut, between all points upon calls received at its headquarters in Orange.

The certificate holder must accept and transport property, as herein authorized in accordance with its tariff on file, for all persons who desire the service to the extent of the certificate holder's facilities at uniform rate for all similar service.

CONDITIONS:

A motor vehicle must be registered under this certificate within thirty (30) days from the date of this decision.

There shall be carried in each vehicle operated under this authority a copy of the certificate registration receipt by the department.

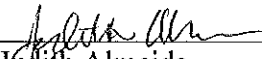
This certificate shall remain in effect until suspended, amended or revoked by the department. Failure of the certificate holder to maintain proper insurance or to comply with all motor vehicle laws and other pertinent State statutes and/or the rules, regulations and orders of the department shall be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

This certificate may not be sold or transferred until it has been operational for more than twenty-four (24) months.

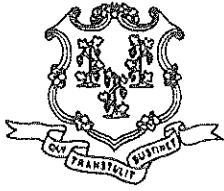
This certificate is transferable only with the approval of the department and is issued subject to compliance by the holder thereof with all motor vehicle laws of the State of Connecticut, and with such rules regulations and orders as this department may from time to time prescribe.

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

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

SECRETARY'S RETURN
DOCKET NO. 1601-N-10-HHG

I hereby certify that true and correct copies of the Final Decision, dated April 28, 2016 in the above-entitled matter, were forwarded on April 28, 2016.

COPIES OF THE ABOVE-NOTED DECISION WERE FORWARDED AS FOLLOWS:

APPLICANT :

Luis Robert Brockenberry
Same Day Xpress Logistics dba College Hunks Moving
380 Boston Post Road
Orange, CT 06447

CERTIFIED MAIL: 91 7199 9991 7033 6862 1923

APPLICANT'S COUNSEL:

N/A

INTERVENORS:

N/A

CERTIFIED BY:

Judith Almeida, Staff Attorney 3
Administrative Law Unit
Bureau of Finance and Administration