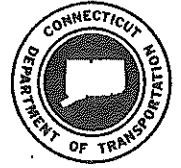


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1705-NGOV-38-L

RE: APPLICATION OF AB TRANSPORTATION, LLC TO OPERATE TWO (2) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, FOR 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 GRISWOLD.

FINAL DECISION

JULY 10, 2017

I. INTRODUCTION

A. APPLICATION

By application filed on May 11, 2017, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, AB Transportation, LLC (hereinafter "applicant") located at 38 Russell Street, Jewett City, Connecticut 06351 seeks authorization to operate two (2) motor vehicles, each having a seating capacity of less than eleven (11) passengers, for 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 Griswold.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a) (3), as amended, a public hearing on this application was scheduled on July 6, 2017.

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 Connecticut General Statutes Section 13b-103(a)(1), as amended. 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

Joshua Brown appeared pro se on behalf of the applicant. The applicant's mailing address is 38 Russell Street, Jewett City, Connecticut 06351.

II. FINDINGS OF FACT

1. The applicant is seeking to perform contract work to provide livery trips for the Department of Children and Families (hereinafter "DCF").
2. The applicant has an executed contract with DCF to provide transportation services.
3. Judi Jordan, Director of Contract Management for DCF testified in support of the applicant's request for authority for two (2) livery vehicles to provide transportation under contract with DCF.
4. The applicant has more than \$36,769 in the bank.
5. The applicant's first six months of expenses include maintenance of \$350, property

tax of \$515, vehicle payments of \$3,292 and payroll of \$27,000 for a total expense of \$31,157.

6. Judi Jordan from DCF testified that DCF needs the applicant for transportation in New London and Windham county. One of DCF's largest providers is scaling back which will create more transportation needs in the area.

7. DCF is required to transport foster children to their school of origin thereby necessitating the use of the applicant for transportation.

8. The applicant is not able to keep up with the trips referred by DCF.

9. This application was not opposed.

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 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.

To show financial support, the applicant submitted information that the applicant's first six months of expenses includes maintenance of \$350, property tax of \$515 and vehicle payments of \$3,292 and payroll of \$27,000 for a total expense of \$31,157. The applicant has a bank balance in excess of \$36,769 which is sufficient to cover these costs. Based on the evidence presented, the applicant is financially viable to operate the proposed livery service.

Regarding the applicant's suitability, a criminal record check for both members, Joshua and Jessica Brown, each show no convictions. The applicant has been performing work for DCF for the past year without any difficulty and has past experience with students and transportation. The applicant has shown the requisite suitability to be granted a livery permit.

The final element that needs to be proven is that there is an executed contract with the Department of Children and Families. Judi Jordan testified as to the need for this livery service in Eastern Connecticut to transport foster children. Based on the evidence presented, the applicant will be granted the authority to operate the two (2) vehicles that DCF has requested.

VI. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application is hereby granted. Accordingly, Livery Permit Number 3594, standing in the name of AB Transportation, LLC is hereby issued as follows:

LIVERY PERMIT NO. 3594

DURATIONAL LIVERY SERVICE
UNDER CONTRACT WITH THE DEPARTMENT OF CHILDREN AND FAMILIES
DOCKET NO. 1705-NGOV-38-L-GRANTED ON JUNE 10, 2017

AB Transportation, LLC is authorized to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with the Department of Children and Families from a headquarters in Griswold.

RESTRICTIONS:

The applicant must register and insure the two (2) motor vehicles granted in this docket within sixty (60) days from the date of this final decision. Any vehicles not registered or insured within the sixty (60) day period will be revoked automatically.

The authority for the two (2) vehicles granted in Docket No. 1705-NGOV-38-L, 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.

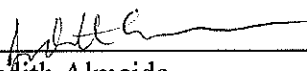
The permit holder shall notify the department of any termination of its contract with the Department of Children and Families or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicles 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 shall void the authority for the vehicles 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.

A memorandum of this permit, bearing the seal of the department, shall be conspicuously posted in each motor vehicle operated under this permit.

Dated at Newington, Connecticut July 10, 2017.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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