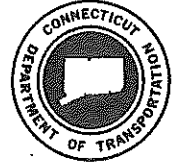




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2875

DOCKET NO. 1710-N-100-HG

RE: APPLICATION OF DAVID LAVOIE, LLC 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 KILLINGLY

DECISION

DECEMBER 4, 2017

I. INTRODUCTION

A. Applicant's Proposal

By application filed on October 3, 2017, pursuant to Section 13b-389 of the Connecticut General Statutes, and assigned Docket No. 1710-N-100-HG, David Lavoie, LLC (hereinafter "applicant"), with a mailing address of 325 Cranberry Bog Road, Danielson, CT 06239 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 Killingly.

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 November 30, 2017.

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

David Lavoie appeared pro se on behalf of the applicant. The applicant's mailing address is 325 Cranberry Bog Road, Danielson, CT 06239.

II. FINDING OF FACT

1. The applicant is seeking to operate a household moving service from a headquarters in Killingly.
2. There is only one other moving company in the area the applicant seeks to operate in.
3. The applicant has military experience in packing and unpacking loads of equipment. The applicant is also a retired state trooper.
4. The initial workers in the business will be David Lavoie and another retired trooper. In addition, Corina Torrey, an IT Technical Services Manager, will handle IT issues and other administrative tasks on a part-time basis while Mr. Lavoie and the other trooper will perform the actual moves.

5. The applicant's first six months of expenses includes insurance costs of \$9,376, maintenance costs of \$2,000, property tax of \$500, payroll of \$7,200, marketing of \$500, legal costs of \$1,000 and miscellaneous startup costs of \$1,000 for a total expense of \$21,576.
6. The applicant has \$22,738 in Key Bank.
7. The applicant will operate a 2005 GMC 5500 26 foot box truck which he has purchased outright.
8. The applicant is looking to specialize in moving small apartments, houses and condos.
9. The applicant has made contact with Brad Favreau, a realtor for Berkshire Hathaway who will refer him business.
10. Ms. Torrey also has an organization business which will also be able to refer moves to the applicant.
11. This application was not opposed.

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 and 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 so 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 first six months of start-up costs includes insurance of \$9,376, maintenance of \$2,000, property tax of \$500, payroll of \$7,200, marketing of \$500, legal costs of \$1,000 and miscellaneous

startup costs of \$1,000 for a total expense of \$21,576. The applicant has \$22,738 in the Key Bank which is sufficient to cover these costs.

The applicant submitted a criminal record check of David Lavoie who did not have any criminal record. Mr. Lavoie has military experience which directly relates to moving goods and appears well prepared to start this venture. Based on the evidence presented, the applicant is suitable to handle this proposed operation.

Another factor 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 will be operating one box truck and will be handling smaller intrastate moves which should not be detrimental to the public or the highways. Mr. Lavoie's past military experience will allow him to efficiently perform the service.

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

IV. ORDER

Based upon the above and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of David Lavoie, LLC is hereby granted and Certificate Number 1793 is issued as follows:

CERTIFICATE NUMBER 1793
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY
FOR HIRE AS A MOTOR COMMON CARRIER

David Lavoie, LLC 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 Killingly.

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.

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 4th day of December, 2017.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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