



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone: (860) 594-2875

DOCKET NO. 1808-N-101-HG

RE: APPLICATION OF BIVELACQUE LOGISTICS, LLC. DBA FINISH
LINE MOVERS 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 MERIDEN.

DECISION

JUNE 10, 2019

I. INTRODUCTION

A. Applicant's Proposal

By application filed on August 29, 2018, pursuant to Section 13b-389 of the Connecticut General Statutes, and assigned Docket No. 1808-N-101-HG, Bivelacque Logistics dba Finish Line Movers, LLC (hereinafter "applicant"), with a mailing address of 47 Billard Street, Bay 47-5, Meriden, Connecticut 06451 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 Meriden.

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 June 6, 2019.

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

John and Justin Bivelacque appeared pro se on behalf of the applicant. The applicant's mailing address is 47 Billard Street, Bay 47-5, Meriden, Connecticut 06451.

II. FINDING OF FACT

1. The applicant is seeking to operate a household moving service from a headquarters in Meriden.

2. John Bivelacque has owned several successful businesses and is handling the financial start-up costs and customer service.

3. Justin Bivelacque is handling the day-to-day operation of the company. He has prior experience working for a moving company and is running an on line hand tool company.

4. The applicant has \$1,809 in a bank account.

5. The applicant will be operating a 2004 Nissan Titan pick up truck, which is owned

outright.

6. The applicant's first six months of expenses includes insurance of \$406, property tax of \$103 and communication costs of \$390, advertising on yelp \$780 and maintenance of \$45.

7. The applicant has a list of potential employees to work in the business.

8. At the current time, only John Bivelacque is on the application as a member. Justin will be added as a member after the hearing.

9. John Bivelacque has no criminal record.

10. The applicant is utilizing an online software tool to do customer estimates.

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, 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 applicant's first six months of start-up costs includes insurance of \$406, property tax of \$103 and communication of \$390, advertising on yelp \$780 and maintenance of \$45 for a total cost of \$1,724. The applicant has \$1,809 in the bank account which is sufficient to cover these costs.

The applicant submitted a criminal record check for John Bivelacque and no records were found. Mr. Bivelacque has many years of experience operating a business. His son, Justin has

worked for a moving company before and will be added as a member after his criminal record check is processed. 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 plans to operate one pickup truck to perform this service, which will have little effect on the public or highways.

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 Bivelacque Logistics, LLC dba Finish Line Movers is hereby granted and Certificate Number 1799 is issued as follows:

CERTIFICATE NUMBER 1799
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY
FOR HIRE AS A MOTOR COMMON CARRIER

Bivelacque Logistics, LLC dba Finish Line Movers 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 Meriden.

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 rates for all similar service.

CONDITIONS:

A motor vehicle must be registered and insured under this certificate within sixty (60) days from the date of this decision. Failure to do so may result in a revocation of authority.

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

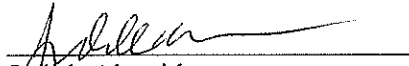
motor vehicle laws and other pertinent State statutes and/or the rules, regulations and orders of the department shall be considered sufficient cause to revoke said certificate.

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 10th day of June.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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