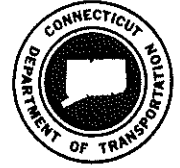


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1812-N-153-L

RE: APPLICATION OF A & Z TRANSPORTATION, LLC TO OPERATE
THREE (3) GENERAL LIVERY VEHICLES, WITH A SEATING
CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A
HEADQUARTERS IN MIDDLETOWN.

DECISION

MARCH 22, 2019

I. INTRODUCTION

A. APPLICATION

By application filed on December 13, 2019, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, A & Z Transportation, LLC (hereinafter "applicant") with a mailing address of 765 Country Club Road, Middletown, CT 06457 seeks authorization to operate three (3) motor vehicles, having a seating capacity of less than eleven (11) adults, in general livery service from a headquarters in Middletown.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on March 19, 2019.

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, 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

Rehan Kahn appeared pro se on behalf of the applicant. The applicant's mailing address is 765 Country Club Road, Middletown, CT 06457.

II. FINDINGS OF FACT

1. The applicant seeks to operate three (3) motor vehicles in general livery service from a headquarters in Middletown.
2. The applicant currently operates five (5) motor vehicles under contract with the transportation broker, Veyo for the past year.
3. The applicant seeks to perform both private pay and government contract work under a general livery permit.
4. At the current time, the applicant is only able to accept seventy (70) percent of the trip referrals that he receives from Veyo.
5. The applicant has \$110,574 in the bank.

6. The applicant's first six months of expenses includes vehicle purchase costs of \$12,000 for two vehicles, insurance of \$5,700, maintenance of \$1,800 and property tax of \$446.

7. The applicant already has drivers ready to handle the three (3) cars that he has requested.

8. Jeff Clark is a Chairman of the Board of the Third Congregational Church in Middletown. His church has disabled and elderly patrons who would use the applicant's livery service to be transported to the church. Church members would also use the livery service for weddings and funerals.

9. Daniel Carson is the North American Director of ESCO. Technical support staff for ESCO need livery transportation to and from the airport and to various Connecticut work sites. He has had issues with past livery providers and wants to utilize the applicant. He estimates the livery usage at three (3) to eight (8) trips weekly.

10. Edward Casares, a retired fire chief, works in various capacities as a consultant and Safety Officer. He travels approximately three (3) times a month and would use the applicant for those livery trips.

11. 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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Mr. Kahn, which showed no criminal record. Mr. Kahn has been operating five (5) vehicles for Veyo for a year without any problems. The applicant is suitable to perform this additional service.

As far as the applicant's financial ability is concerned the first six months of expenses

includes vehicle purchase costs of \$12,000, insurance of \$5,700, maintenance of \$1,800 and property tax of \$446 for a total cost of \$19,946. The applicant has \$110,574 in the bank, which is more than sufficient to cover these initial costs.

On the issue of public convenience and necessity, the applicant presented three witness all of whom want to use the applicant's transportation service. In addition, the applicant wants to use the new vehicles for additional Veyo work, which he keeps turning down. At the present time the applicant can only accommodate around seventy (70) percent of the Veyo work that he is referred. The general livery permit is necessary to perform both the private pay trips and the contractual work.

Based on all of the evidence presented; this livery application will be granted.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application of A & Z Transportation, LLC is hereby granted and Livery Permit Number 3632 is hereby reissued as follows:

LIVERY PERMIT NUMBER-3632

A & Z, Transportation LLC is hereby permitted to operate three (3) motor vehicles, having a seating capacity of less than eleven passengers, in general livery service from a headquarters in Middletown.

RESTRICTIONS:

The applicant must register and insure the three (3) vehicles granted in this permit within ninety (90) days. Failure to do so may result in revocation of the authority.

The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

This permit shall remain in effect until it is amended, suspended or revoked by the department. 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.

**LIVERY PERMIT NO. 3632
DURATIONAL LIVERY SERVICE
UNDER CONTRACT WITH VEYO
DOCKET NO. 1712-NGOV-139-L-GRANTED ON APRIL 16, 2018**

A&Z Transportation, LLC is authorized to operate five (5) motor vehicles, each having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with Veyo from a headquarters in Middletown.

RESTRICTIONS:

The authority for the five (5) vehicles granted in Docket No. 1712-NGOV-139-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 Veyo.

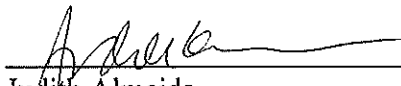
The permit holder shall notify the department of any termination of its contract with Veyo or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicles authorized in this 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 on the 22nd day of March 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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