



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2875

DOCKET NUMBER 2002-C-15-HG

RE: IN THE MATTER OF THE CITATION OF XCELERATE
MOVING, INC.

DECISION

MAY 5, 2020

I. INTRODUCTION

A. General

By citation dated April 9, 2020, by the Department of Transportation (hereinafter “department”), pursuant to Connecticut General Statutes Section 13b-410b as amended, Xcelerate Moving, Inc. (“respondent”), holder of Certificate Number 1797, was ordered to contact the department before April 24, 2020 to participate in a telephone citation hearing which was scheduled for April 27, 2020.

The records of the department indicate that the respondent is the holder of Household Goods Carrier Certificate Number HG1797. The records of the department further indicate that the respondent is in violation of the following Connecticut General Statutes (CGS) and/or Regulations of Connecticut State Agencies:

Connecticut General Statutes Sections 13b-410b (Payment of annual fees for filing proof of insurance by motor carriers) & Sec. 13b-410c (Intrastate household goods carrier certificate) and Regulations of Connecticut State Agencies Sections 16-304-F24 (List of Vehicles operated) and 16-304-D1 (Insurance required), as amended, by violating the terms of the certificate which require the certificate holder to comply with all pertinent laws and other statutes, and/or rules, regulations and orders of the department.

More specifically, on January 1, 2020, it came to the attention of the department that Xcelerate Moving, Inc. did not renew its Household Goods Carrier Certificates, did not provide a list of vehicles operated, and did not provide a form E proof of insurance. As a result, the respondent was subject to a citation hearing and a fine of \$500.00 pursuant to Connecticut General Statutes Sections 13b-414 and 13b-407 along with possible revocation of its certificate.

The citation was served upon the respondent at 263 Tresser Boulevard, Stamford, CT 06901 by certified mail and recited the department’s reasons for issuing it.

B. Hearing Held

Pursuant to Section 13b-414 and 13b-407 of the Connecticut General Statutes, as amended, the public hearing for this citation was to be held on April 27, 2020. Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Sections 13b-414 and 13b-407, as amended.

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

C. Appearances

The respondent failed to notify the department that it intended to participate in the hearing. The respondent's mailing address is 263 Tresser Boulevard, Stamford, CT 06901.

Felipe Briseno, Staff Attorney 3, with the Regulatory & Compliance Unit provided the hearing officer with evidence to be taken on the papers.

II. FINDINGS OF FACT

1. The respondent is the holder of Certificate 1797 standing in the name of Xcelerate Moving, Inc.

2. On October 18, 2019, the department sent an email to the respondent asking the respondent to file a Household Goods Intrastate Movers Certificate Application and remit payment by December 31, 2019.

3. On November 4, 2019, the department emailed the respondent that it still needed to file the information requested by December 31, 2019.

4. On December 6, 2019, the department sent another email to the respondent again asking for the filing and fees to be paid by December 31, 2019.

5. Additional notices were sent to the respondent by Elhassan Aitelquadi on November 29, 2019, January 8, 2020 and February 3, 2020.

6. A final notice was sent to the respondent on January 16, 2020. This letter was returned to the department as undeliverable.

7. A fifteen-day warning letter was sent to the respondent on February 7, 2020. This letter was returned to the department as undeliverable.

8. A Notice of Hearing was mailed to the respondent by certified mail on March 5, 2020 for a citation hearing to be held on April 14, 2020. That hearing was rescheduled as a phone citation hearing for April 27, 2020.

9. The respondent failed to contact the department regarding participating in the phone citation hearing.

10. The respondent has failed to make payment in this matter or file the required documents after repeated prompts.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in household goods service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-414 and 13b-407, as amended.

Pursuant to Connecticut General Statutes Section 13b-407 and 13b-414, the department may amend or for sufficient cause suspend or revoke any such permit. Further, the department may impose a civil penalty on any person who violates any provision of the governing chapter or any regulation adopted under Connecticut General Statutes Section 13b-389 through 13b-415, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one hundred dollars per day for each violation.

The respondent was notified of the citation hearing and failed to contact the department regarding that hearing. There has been no compliance by the respondent in this matter.

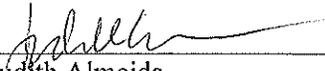
IV. ORDER

Based on the above, Certificate Number 1797, standing in the name Xcelerate Moving, Inc. is hereby revoked. The revocation shall become effective on May 29, 2020.

This decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 5th day of May 2020.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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