

File



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 0612-GOV-113-L

RE: APPLICATION OF PEOPLE TO PLACES, INC. TO OPERATE FIVE (5) MOTOR VEHICLES, HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, IN 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 BRIDGEPORT, CONNECTICUT.

FINAL DECISION

September 12, 2007

I. INTRODUCTION

A. Application

By application filed on December 1, 2006 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103(a)(3) of the Connecticut General Statutes, as amended, People To Places, Inc. (hereinafter "applicant") located at 915 Housatonic Avenue, Bridgeport, Connecticut seeks authorization to operate five (5) motor vehicles, having a seating capacity of ten (10) adults or less, in 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 the city of Bridgeport, Connecticut.

B. Hearing

Pursuant to Connecticut General Statutes, Section 13b-103(a)(3), as amended, a public hearing on this application was held on August 21, 2007.

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 General Statutes Section 13b-103(a)(1), as amended. Legal notice to the public was given by publication in the Connecticut Post, a newspaper having a circulation in the area of concern.

A hearing officer designated by the Commissioner, pursuant to Connecticut General Statutes Section 13b-17 conducted the hearing on this matter.

C. Appearances

Edward Pigman, president of the applicant company, appeared on behalf of the applicant, without an attorney. The applicant's mailing address is 915 Housatonic Avenue, Bridgeport, Connecticut.

Sheldon Lubin, public utilities examiner, was present at the hearing.

No opposition was filed against this application.

II. FINDINGS OF FACT

1. The applicant is in the business of supplying student transportation services with a fleet of 50 vehicles under the authority of the Department of Motor Vehicles Intrastate USDOT Identification Number MC 1496941. The applicant operates school buses and student transportation vehicles.

2. Logisticare Solutions, LLC (hereinafter "Logisticare") has made arrangements for contracting with the applicant to provide lift-equipped para-transit services

to fulfill Logisticare's contracts with Connecticut state agencies state health maintenance organizations (hereinafter "HMOs").

3. The owners of the applicant, Edward Pigman and Mary Pigman, have no criminal conviction history, nor do they have any pending criminal issues or citations.

4. Logisticare provides approximately 5000 trips per day across Connecticut.

5. The applicant maintains in its operating account, cash in the amount of \$175,651 and its balance sheet showed that as of June 30, 2007, the applicant had total assets in the amount of \$427,160, total equity of \$295,723.

6. The applicant intends to purchase five vehicles with cash for the proposed service.

7. Robin Hamilton, executive in charge of Logisticare operations in Connecticut, is in support of the applicant for the provision of transportation of Medicaid recipients for the State of Connecticut and other HMOs to provide non-emergency transportation for their clients.

8. Logisticare contracts with 2 other companies that provide non-emergency medical transportation in the Bridgeport area and 36 companies statewide.

9. Logisticare is currently soliciting transportation providers, including the applicant, in support of Department of Social Services and behavioral health initiatives with extended care clinics that care for mental health populations in Connecticut.

10. Services provided by the applicant may be rendered in the Bridgeport area, as well as throughout the state, to meet the transportation needs for thirty (30) statewide clinics.

11. The applicant will put into service multi passenger (cut-away) vehicles for which Logisticare has a need.

12. Logisticare determines its need on its membership base. Based on the populations of different regions, Logisticare developed a plan of its needs for transportation and made a determination, based on that plan, as to how many vehicles it required to meet its needs.

III. DEPARTMENT 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 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 General Statutes Section 13b-103.

In the present case, the applicant's owners and management, Edward and Mary Pigman, have no criminal conviction history. The applicant currently operates 50 vehicles for student transportation. They have not been cited for violations and appear willing and able to operate the proposed service within the confines of the regulatory scheme.

In support of financial wherewithal, the applicant provided the requisite balance sheet which reflects that applicant possesses the financial wherewithal to operate the proposed service. The parent company is in Florida and has absorbed much of the costs of the applicant company. The vehicles will be purchased with cash and it appears from the financial information that the company is viable and can begin and sustain its operations. Further, the applicant is already in operation so that many of the administrative costs are already in place.

Lastly, the applicant must prove that the public's convenience and necessity will be improved by a grant of this application. The executive in charge of Connecticut operations of Logisticare (a transportation broker) in Connecticut, Robin Hamilton, testified that Logisticare is working on completing a contract for execution by the applicant and Logisticare. She testified that Logisticare provides transportation under contract to State agencies and HMOs in Connecticut. Their services are currently used to provide school transportation under contract. This application is an extension of the services that the applicant already provides for the State.

Hamilton testified that Logisticare provides approximately 5000 trips per day. Based on Logisticare's car usage, Logisticare determines a plan and how many vehicles they must have available to provide those trips. The evidence of record clearly shows that the public's convenience and necessity will be improved by a grant of the requested authority.

IV. CONCLUSION

As a matter of law, the department concludes that the applicant possesses the financial wherewithal and the suitability to operate the proposed service and in addition, the public's convenience and necessity will be improved by a grant of authority, in accordance with Connecticut General Statutes Section 13b-103(a)(3).

V. ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103(a) (3), as amended, the application of People to Places, Inc. is hereby granted and Permit Number 3175 is hereby issued in the name of People to Places, Inc. as follows:

LIVERY PERMIT NO. 3175

FOR THE PROVISION OF DURATIONAL TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A CONTRACT WITH, OR A LOWER TIER CONTRACT FOR, ANY FEDERAL, STATE OR MUNICIPAL AGENCY

DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH
LOGISTICARE SOLUTIONS, INC.

Issued on September 12, 2007 in Docket No. 0612-GOV-113-L

CONDITIONS PRECEDENT:

Within fifteen (15) days of the date of this Final Decision and prior to registering vehicles, People to Places, Inc. must file with the department a copy of the executed contract with Logisticare Solutions, Inc.

People to Places, Inc. is hereby permitted and authorized to operate **Five (5)** motor vehicles, having a seating capacity of less than ten (10) adults, for the provision of livery service under contract with Logisticare Solutions, Inc. from a headquarters in Bridgeport, Connecticut.

The authority granted in this Docket (No. 0612-GOV-113-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 Logisticare Solutions, Inc.

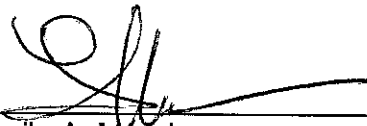
The permit holder shall notify the Department of any termination of its contract with Logisticare Solutions, Inc. or the cessation of the active provision of service thereunder. **The permit holder shall file with the Department on an annual basis, upon registration or re-registration of the motor vehicles authorized in this Final Decision, a current, executed copy of the extension of said contract.** Failure to file an extension of the contract or a new executed contract with Logisticare Solutions, Inc. shall void the authority for the vehicles authorized in accordance with this Final Decision.

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.

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

Dated at Newington, Connecticut, this 12th day of September 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Laila A. Mandour
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration