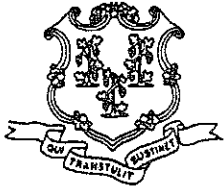


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STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 0705-N-71-L

RE: APPLICATION OF BEST CARRIAGE LIMOUSINE, LLC TO OPERATE SEVEN (7) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF TEN (10) ADULTS OR LESS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN STAMFORD.

FINAL DECISION

January 2, 2008

I. INTRODUCTION

A. Application

By application filed on May 25, 2007 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Best Carriage Limousine, LLC (hereinafter "applicant") seeks authorization to operate seven (7) motor vehicles, having a seating capacity of ten (10) adults or less, in general livery service between all points in Connecticut from a headquarters in Stamford, Connecticut.

B. Hearing

Pursuant to Connecticut General Statutes Section 13b-103(a), as amended, a public hearing on this application was held on November 20, 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 Stamford Advocate, 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

Alexander Rojas appeared on behalf of the applicant. Rojas is a member and part owner of the applicant company. The applicant's mailing address is 56 Catoona Lane, Stamford, Connecticut.

Sheldon Lubin, utilities examiner for the Regulatory and Compliance Unit attended the hearing.

No opposition was presented to the application.

II. FINDINGS OF FACT

1. The applicant holds livery permit number 2675 and has been in operation, providing interstate livery service, for approximately 10 years.

2. The applicant often has clients who change their reservations last minute from interstate trip destinations to include intrastate destinations that the applicant cannot perform which causes problems for the applicant.

3. Due to the applicant's lack of intrastate authority, the applicant was the subject of two citations because of last minute changes by the applicant's clients to arrive in Connecticut. The applicant did not have intrastate authority but accommodated the customers because the applicant could not get the trips covered by another company.

4. The demand for intrastate service has been increasing and the applicant cannot provide intrastate services for its clients. This situation is negatively affecting the applicant's relationship with its clients, since it cannot provide its clients with the services they want and need.

5. One of the applicant's clients provides ongoing recruiting for its employees and would like the applicant to provide limousine service to the recruits to bring them to the offices and return to the airport or train station.

6. The applicant turns away over fifteen calls per week.

7. The applicant has a white stretch limousine that many companies do not provide. The applicant receives calls for its 2007 white stretch Cadillac for weddings, but it cannot be used for intrastate service.

8. The applicant has attempted to use other livery providers for intrastate trips but have been turned down because the other companies are busy and cannot spare intrastate vehicles.

9. The applicant also has farmed out jobs but there were large inconsistencies between the applicant's service and the service that the other livery companies have provided. Other companies provided less professional services which resulted in the loss of customers for the applicant.

10. The applicant's vehicles have been upgraded with GPS systems and "drive cameras" for the public's safety, which other companies do not provide.

11. ohn Ferazzi, owner of Ferazzi Limousine, has provided service for the applicant intrastate. Occasionally, Ferazzi cannot provide those intrastate services because his company is busy.

12. Ferazzi Limousine, holder of limousine permit number 2498. He has covered intrastate calls that the applicant has referred. Ferazzi Limousine has also turned down calls that it received from the applicant because Ferazzi's vehicles were in use or the calls were last minute and Ferazzi could not get a driver.

13. The applicant is current with all loans; its accounts receivables are up \$76,399; its average balance is \$40,000. The applicant's fleet has a fair market value of \$222,875.

14. The applicant's insurance is approximately \$27,190 for its fleet of vehicles.

15. The applicant's vehicles are mostly 2006 and 2007 models.

16. The applicant's management, Ramon and Anita Rojas have no criminal conviction history. Alexander Rojas had a suspended license and failure to appear for the same case in 2003. The matter was disposed of with a fine.

17. Edilson Forero is part owner of Millennium Limousine, holder of limousine permit number 2827. He has known the applicant's owners for over 20 years. Forero's company has worked with the applicant and has provided many last minute trips to and from Bradley Airport for the applicant. Millennium has also had to turn down jobs referred by the applicant because Millennium was busy with its own business.

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 support of suitability, the applicant provided the requisite criminal conviction history forms for the members of the business. Two of the members show no criminal record. Alexander Rojas had a license suspension in 2003 and failed to appear for the court hearing, records show. The matter was resolved by fine. The matter will not be held against the applicant since it was the only issue that Rojas has experience with regard to his criminal background. He has not had any incidents since and the matter was resolved and is remote in time.

The applicant has been the subject of two citations as a result of sending a vehicle to provide intrastate service to two clients who changed their trip schedules last minute and who required intrastate service. Rojas and John Ferazzi, a witness for the

applicant, both testified that Ferazzi was contacted to pick up the intrastate fare, but Ferazzi could not accommodate because he had his own business calls to attend to. Rojas testified that this is one of the reasons that the applicant is seeking intrastate authority.

It is clear from the witness testimony and from a review of the applicant's billing information submitted into evidence that the applicant does refer calls to other companies and is not in the habit of performing trips illegally with malicious intent. Therefore, the citation matters will not fare negatively in the suitability requirement.

The applicant provided the requisite balance sheet and other documentation in support of financial wherewithal. The applicant currently has a fleet of seven vehicles that are used in interstate livery service. The applicant's holds an average of \$40,000 in its checking account. The applicant's insurance premiums are approximately \$27,000 per year. Expenses should be relatively limited for this company to assume intrastate authority because the vehicles are already registered and in use. Accordingly, the applicant possesses the financial wherewithal to operate the proposed intrastate service.

Lastly, in support of public convenience and necessity, the applicant's owner testified that the applicant turns away approximately 15 calls per week. The calls are either turned away or referred to another livery company who holds intrastate authority. The witness testimony shows that some of the other livery companies that receive the referrals from the applicant cannot provide all of the livery requests that the applicant refers. Those companies are busy themselves and are unable to take on other work sent by the applicant. The applicant's account receivables show that the applicant refers quite a few calls to other companies.

IV. CONCLUSIONS OF LAW

Based upon the above, the evidence supports the conclusion that the applicant possesses the financial wherewithal and suitability to operate the proposed service and that the present and future public convenience and necessity will be improved by a grant of authority for intrastate livery service in accordance with Connecticut General Statutes Section 13b-103(a). The extent of vehicles to be granted is the full extent of the request for authority.

V. ORDER

The application for intrastate livery service filed by Best Carriage Limousine, LLC is hereby approved and Livery Permit No. 2675 and Permit Number 2675, standing in the name of Best Carriage Limousine, LLC is hereby amended and reissued as follows:

LIVERY PERMIT NO. 2675
FOR THE OPERATION OF LIVERY SERVICE

Best Carriage Limousine, LLC is hereby permitted and authorized to operate seven (7) motor vehicles having a seating capacity of less than ten (10) adults in GENERAL LIVERY SERVICE between all points in Connecticut from a headquarters in Stamford, Connecticut.

Best Carriage Limousine, LLC is further permitted and authorized to operate motor vehicles as a common carrier of passengers, in charter and special operations, in interstate commerce under such authorization as issued or amended by the Federal Motor Carrier Safety Administration in the issuance of Certificate No. MC-305648.

This Permit may not be sold or transferred until it has been operational, i.e., a vehicle registered with the livery plates thereunder, for not less than twenty-four (24) consecutive months.

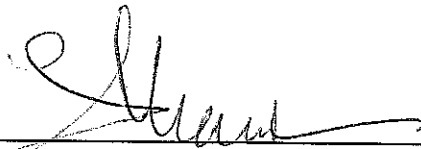
This Permit shall remain in effect until it is amended, suspended or revoked by the Department. Failure of the Permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the Department shall be considered sufficient cause to amend, suspend or revoke this Permit.

This Permit is transferable only with the approval of the Department and is issued subject to compliance by the holder hereof 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.

A memorandum of this Permit, bearing the seal of the Department, shall be kept conspicuously posted in the motor vehicles operated under this Permit.

Dated at Newington, Connecticut, this 2nd day of January 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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