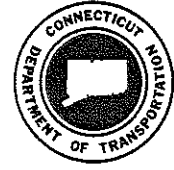
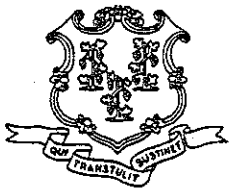


File

**STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION**



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

Phone:

(860) 594-2875

DOCKET NO. 0706-N-76-L

RE: APPLICATION OF CLASS A LIMOUSINE, LLC TO OPERATE ONE (1) MOTOR VEHICLE, HAVING A SEATING CAPACITY OF TEN (10) ADULTS OR LESS, IN THE TRANSPORTATION OF PASSENGERS FOR HIRE IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN STAMFORD.

FINAL DECISION

July 7, 2008

2043

I. INTRODUCTION

A. Application

By application filed on June 5, 2007 with the Department of Transportation (hereinafter "Department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Class A Limousine, LLC (hereinafter "applicant") located at 27 Judy Lane, Stamford, Connecticut seeks authorization to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in the transportation of passengers for hire in general livery service between all points in Connecticut from a headquarters in the town of Stamford.

B. Hearing

Pursuant to Connecticut General Statutes Section 13b-103(a)(3), as amended, a public hearing on this application was held on November 29, 2007. The applicant was given an opportunity to bring witnesses to support its case but failed to make arrangements with the Department after several attempts were made to schedule another hearing date.

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(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

Fernando Katrink appeared on behalf of Class A Limousine, LLC. The applicant has a mailing address of 27 Judy Lane, Stamford, Connecticut 06906.

Sheldon Lubin, from the Regulatory and Compliance Unit, was present at the hearing.

II. FINDINGS OF FACT

1. The applicant seeks authorization to operate one (1) motor vehicle in intrastate livery service to transport passengers from a headquarters in Stamford.
2. The applicant has held interstate livery authority since 2006.

3. The applicant receives three (3) requests per day for intrastate livery transportation.
4. The applicant is currently operating two (2) vehicles with interstate plates.
5. The applicant never produced any witnesses on the issue of need for additional intrastate livery service.

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 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 there under, in accordance with Connecticut General Statutes Section 13b-103.

To show financial support the applicant submitted a bank balance reflecting that the sales revenue as of October 2007 was \$162,239 with a net loss of \$36,575. The insurance premium is \$5,800 a year for the one vehicle. The October bank statement had a beginning bank balance of \$560, an ending balance of \$1,267, a low of \$219 and a high of \$4,545. There were eleven insufficient charges of \$28 each for a total of \$308. The company showed a reconciled cash balance as of November 28, 2007 of \$6,960. The applicant has little cash and a lot of debt including a car loan on a 2006 Chrysler 300, with payments of \$780 per month. Since the applicant appears to be in great financial stress, it is not able to pass the standard of review necessary to ensure that it is financially viable to operate one (1) vehicle in intrastate livery service at this time.

In support of suitability to operate the proposed service, the applicant provided a criminal conviction history form for Fernando Catrinck which shows no criminal record. Since Barbara Benson is listed as a member in the LLC, her criminal record check was requested to be filed within two weeks from the hearing. The applicant has not filed a criminal record check for Ms. Benson. Since the applicant has not submitted the proper criminal record check, the applicant cannot be deemed suitable to operate the proposed service.

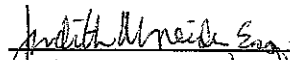
Lastly, the applicant must prove that the public's convenience and necessity will be improved by the proposed service. At the hearing the applicant produced no evidence of public convenience and necessity. The applicant was granted additional time to present witnesses on the issue of need. The Department tried several times to contact the applicant to schedule an additional hearing date with no success. Based on the evidence presented, the applicant has not proven suitability to operate the proposed service, financial ability to operate the proposed service or that the public convenience and necessity would be improved by a grant of this application.

IV. ORDER

Based upon the above and pursuant to Conn. Gen. Stat. Section 13b-103, as amended, the application of Class A Transportation, LLC is hereby denied

Dated at Newington, Connecticut, this 7th day of July 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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