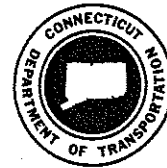


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STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 0712-N-189-L

RE: APPLICATION OF A LIMO COMPANY, LLC TO OPERATE TWO (2) MOTOR VEHICLES, HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN CLINTON, CONNECTICUT.

FINAL DECISION

May 14, 2008

I. INTRODUCTION

A. Application

By application filed on December 11, 2007 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, A Limo Company, LLC (hereinafter "applicant") of Clinton, Connecticut seeks authorization to operate two (2) 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 Clinton, Connecticut.

B. Hearing

Pursuant to Connecticut General Statutes, Section 13b-103(a), as amended, a public hearing on this application was held on May 8, 2008.

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 Middletown Press, 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

Allen Holliman, owner of A Limousine Company, LLC, appeared on its behalf. A Limousine Company, LLC has a mailing address of 10 Woodland Drive, Clinton, Connecticut 06413.

Sheldon Lubin, utilities examiner for the Regulatory and Compliance Unit of the department was present.

No opposition was presented to this application.

II. FINDINGS OF FACT

1. The applicant is holder of Livery Permit 3185 and is authorized to operate motor vehicles in the transportation of passengers in interstate livery service as authorized by the Federal Motor Carrier Safety Administration in the issuance of MC-620769-C.

2. The applicant has been in operation with one motor vehicle for six months.

3. The applicant's manager/owner, Allen Holliman, has approximately 7 years of experience in the transportation of people with other livery companies. Holliman has worked in all aspects of livery service from being a driver to dispatcher and reservationist, in addition to owning and operating a courier company.

4. The applicant's current interstate clients request the applicant for intrastate service.

5. The applicant has referred intrastate calls to other companies; but the applicant has also declined several calls that he could not accommodate or make arrangements to accommodate.

6. In April 2008, the applicant's reservations line received approximately 33 calls, several of which were for intrastate livery service that the applicant could not accommodate.

7. Holliman has no criminal record.

8. Alex Grodski is one of the applicant's clients and has used the applicant for several interstate trips. Grodski would like to use the applicant for in-state livery service to Connecticut airports and other in-state destinations.

9. If the application is approved, the applicant will use the vehicle that is currently registered in interstate service and will purchase another vehicle.

10. The applicant currently has approximately \$18,559 in cash, available for the proposed business.

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 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.

Allen Holliman is the owner of A Limo Company, LLC, which is an interstate livery business. He operates the business with one vehicle. He is requesting authority to operate two vehicles in general, intrastate, livery service. In support of financial wherewithal, Holliman will not incur significant additional expenses because he is already operating the company with one vehicle. He has permission from the town to operate up to four vehicles from his home. His initial costs will be for the purchase of an additional vehicle, which he will finance over a period of three years, and registration costs. The applicant has funds available in the amount of \$18,559.

In support of suitability, Holliman provided a criminal conviction history form dated September 2007 that shows no criminal record; nor, Holliman testified, has he had any criminal trouble since that date. Alex Grodski testified that he has known Holliman for several years and has used his interstate livery service extensively. Grodski testified that Holliman is an upstanding individual and one who knows how to operate a business since he has several years of business experience. Holliman has extensive knowledge of the livery business from working with several livery companies over the past 7 years.

Lastly, in support of public convenience and necessity, Grodski testified that he is a client of the applicant and would like to use the applicant's service for intrastate trips. Grodski will be traveling from Connecticut airports and would like to use the applicant for those trips, which he presently cannot do.

In addition, the applicant has a client base to which he provides interstate livery services. It is reasonable to conclude that these clients would also choose to use the applicant for all of their livery needs. The applicant submitted a month of calls that it received for reservations for livery service. There were several calls from the 32 calls listed that were referred to other companies or turned away because the applicant could not provide service with its current authority.

IV. CONCLUSION OF LAW

The evidence of record supports the conclusion that the applicant possesses the financial wherewithal and the suitability to operate the proposed intrastate livery business. Further, the evidence shows that the present and future public convenience and necessity would be improved by a grant of the requested authority in accordance with Connecticut General Statutes Section 13b-103(b).

V. ORDER

Based upon the above and pursuant to Section 13b-103(b) of the Connecticut General Statutes, as amended, the application of A Limo Company, LLC is hereby granted and Permit Number 3185, standing in the name of A Limo Company, LLC, is hereby amended and reissued as follows:

LIVERY PERMIT NO. 3185
FOR THE OPERATION OF LIVERY SERVICE

A Limo Company, LLC is hereby permitted and authorized to operate TWO (2) 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 Clinton, Connecticut.

A Limo Company, 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-620769-C.

The additional authority granted in this decision 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 14th day of May 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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