



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 1303-N-194-L

RE: APPLICATION OF TRANSPORT EXPRESS CO., LLC. D.B.A. I-RIDE
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 WINDHAM.

FINAL DECISION

October 7, 2013

I. INTRODUCTION

A. General

By application filed on June 5, 2013, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Transport Express Co., LLC d.b.a. I-Ride (hereinafter "applicant") with a mailing address of 421 Main Street, Windham, Connecticut 06226 seeks authorization to operate two (2) motor vehicles, each having a seating capacity of ten (10) adults or less in general livery service between all points in Connecticut from a headquarters in the town of Windham.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on September 19, 2013.

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 the Connecticut General Statutes Section 13b-103. Legal notice to the public was given by publication on the department's website.

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

C. Appearances

Layesh Tala and Ketan Tala appeared on behalf of the applicant. The applicant was represented by Gary Lavigne, Esq. Attorney Lavigne's mailing address is 452 Jackson Street, Willimantic, Connecticut 06226.

II. FINDING OF FACTS

1. The applicant seeks to operate two (2) livery vehicles in intrastate livery service from a headquarters in Windham.
2. Members of the applicant company worked for Peter Pan for over ten years.
3. Peter Pan serviced the Windham community with a bus route which stopped over a year ago.
4. The area around Windham has two colleges, the University of Connecticut and Eastern.
5. Two taxicab companies are licensed to service Windham but appear to actually go there infrequently.
6. The annual insurance premium is \$4,000 for each vehicle.
7. The applicant has two vehicles already purchased outright for the business.

8. As of April 30, 2013, the applicant has a cash asset of \$30,000 in the bank.

9. The applicant presented a letter of credit for \$150,000 which was not notarized. There was also no proof of the funds.

10. The six months of startup costs are as follows: registrations of \$250, legal and accounting of \$500, advertising of \$500, taxes of \$500 and repairs of \$750.

11. The applicant presented the testimony of several witnesses in support of the application. The witnesses, including local residents and college students, testified as to the lack of public transportation including a dedicated taxicab service. The nearest taxicabs are not located within Windham and take a lot of time to respond to the requests for service. The local bus service stopped operating over a year ago.

12. There was no opposition to this application.

III. DEPARTMENT ANALYSIS

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 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 Connecticut General Statutes Section 13b-103.

In support of financial wherewithal the applicant has presented evidence that the applicant has a cash asset of \$30,000. The six months of startup costs include registrations of \$250, legal and accounting costs of \$500, advertising of \$500, taxes of \$500, repairs of \$750 and the annual insurance premium of \$4,000 for each vehicle. The applicant has two vehicles already purchased outright for the business.

The applicants submitted a letter from Mahesh Tala, their father, that stated that he would give them a line of credit for \$150,000 for business use. Since the letter is not notarized and there is no proof of the actual funds, the line of credit is not being considered in the financial analysis. Based on the evidence presented, the applicant has proven the financial suitability to operate this livery service.

With regard to suitability, the applicant provided the requisite criminal conviction history forms for both members Layesh and Ketan Tala which showed no criminal convictions. They have experience operating a bus company through their work with operating Peter Pan for ten years. The applicant already has a bus permit and is waiting to begin using it in conjunction with the livery service. Based on the evidence presented, the applicant appears to be suitable to operate the proposed service.

The applicant must also prove public convenience and necessity. In that regard, the applicant presented several area residents and students who support the application. The general consensus was that the area has little public transportation and this is a much needed service. Several people mentioned the lack of taxicab service and the elimination of the local bus service. Given the testimony of record, public convenience and necessity would be improved by the application being granted.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Transport Express Co., Inc. d.b.a. I-Ride is hereby granted and Livery Permit Number 3337 is issued as follows:

LIVERY PERMIT NO. 3337 FOR THE OPERATION OF LIVERY SERVICE

Transport Express Co., Inc. d.b.a. I-Ride is hereby permitted and authorized to operate two (2) motor vehicles, having a seating capacity of ten (10) adults or less, in general livery service from a headquarters in Windham to all points in Connecticut.

RESTRICTIONS:

The applicant must register the two (2) vehicles granted under this decision within sixty (60) days from the date of this decision.

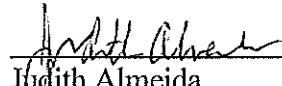
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

This permit shall remain in effect until 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 may from time to time prescribe thereunder.

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 on this 7th day of October 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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