



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NUMBER 1310-N-344-L

RE: APPLICATION OF FUTURE ENTERPRISES, INC. 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 FAIRFIELD.

FINAL DECISION

May 8, 2014

## I. INTRODUCTION

### A. General

By application filed on October 1, 2013, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Future Enterprises, Inc. (hereinafter "applicant") with a mailing address of 2 Cedar Hurst Lane, Fairfield, Connecticut 06855, 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 the town of Fairfield.

### B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on April 17, 2014.

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

Karim Douich appeared pro se on behalf of the applicant. The applicant's mailing address is 2 Cedar Hurst Lane, Fairfield, Connecticut 06855.

## II. FINDING OF FACTS

1. The applicant seeks to operate two (2) livery vehicles in intrastate livery service from a headquarters in Fairfield.
2. The applicant currently has interstate livery authority under which four (4) vehicles are being operated.
3. The applicant's assets include cash of \$2,610, motor vehicles of \$144,595 and other assets of \$7,191 for total assets of \$154,396.
4. The applicant's liabilities include personal property tax of \$800, auto loans of \$104,747, other liabilities of \$11,392, insurance of \$13,127 and accounts payable of \$1,520.
5. The applicant operates a 2012 Toyota Avalon with a fair market value of \$20,187, a 2012 Chevrolet Suburban with a fair market value of \$46,715, a 2010 Mercedes Benz with a fair market value of \$39,387 and a 2005 Super Stretch Lincoln with a fair market value of \$26,970.
6. Sean Morris has been the owner of Absolute Transportation since 2006 which operates out of Redding, Connecticut. His company has both interstate and intrastate livery authority under which he operates six (6) vehicles in interstate service and two (2) vehicles in intrastate service. When he has too much interstate business, he refers the applicant these extra calls. The applicant also refers some of his intrastate requests to Absolute.
7. Maria Douich, the applicant's cousin, works for Sacred Heart University in Fairfield. Part of her job is to arrange car service to transport students arriving from the airport to the university. This is an ongoing situation as the university has five semesters each year. Ms. Douich has had difficulty getting a car service in the past and relies on the applicant. The applicant also transports university staff.

8. Samara Nieves works for a company that utilizes the applicant's interstate livery service. Her company uses the applicant exclusively and is quite pleased with the service he provides.

9. Hicham Zaim has operated Lexon Limo for the past four years out of New Haven. Lexon operates two (2) interstate and two (2) intrastate vehicles. He also works with the applicant who provides interstate trips for him while he performs intrastate livery trips for the applicant. He estimates that he can refer to the applicant at least five (5) to six (6) intrastate trips per month.

10. No opposition was expressed to this application being granted.

### 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's assets include cash of \$2,610, motor vehicles of \$144,595 and other assets of \$7,191 for total assets of \$154,396. The applicant's liabilities include personal property tax of \$800, auto loans of \$104,747, other liabilities of \$11,392, insurance of \$13,127 and accounts payable of \$1,520. After six months in intrastate operation the applicant will be in a positive cash position. Based on the evidence presented, the applicant has the financial suitability.

With regard to suitability, the applicant provided the requisite criminal conviction history form for Karim Douich which only showed an old conviction from 1997. Since this conviction is more than ten years old, it won't be held against the applicant. The applicant has been operating in interstate livery for several years and has had no citation actions against his company. Based on the evidence presented, the applicant is suitable to be granted this authority.

The applicant is also required to prove that public convenience and necessity would be improved by a grant of this application. In that regard, the applicant presented two current intrastate livery operators whom he does business with. Both witnesses testified that they would refer some of their intrastate livery business to the applicant. It is not common to have two competing livery businesses support an application and this speaks as much to the need for additional intrastate livery service as it does to the quality of service the applicant is providing.

In addition to the witness support, the applicant has been operating a successful interstate livery service for some time. He has established clientele that have requested him to perform intrastate livery trips. Based on the evidence presented, the applicant has proven public convenience and necessity.

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Future Enterprises, Inc. is hereby granted and Livery Permit Number 3285 is hereby amended and reissued as follows:

**LIVERY PERMIT NO. 3285**  
**FOR THE OPERATION OF LIVERY SERVICE**

Future Enterprises, Inc. 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 Fairfield to all points in Connecticut.

Future Enterprises, Inc. is 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 number MC-605247.

**RESTRICTIONS:**

The applicant must register two (2) vehicle 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 8<sup>th</sup> day of May 2014.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Judith Almeida  
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Bureau of Finance and Administration