



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2875

DOCKET NO. 2006-N-33-HG

RE: APPLICATION OF HARRINGTON HUNKS, INC DBA COLLEGE
H.U.N.K.S. HAULING JUNK AND MOVING TO OPERATE MOTOR
VEHICLES IN THE TRANSPORTATION OF HOUSEHOLD GOODS
FOR HIRE, AS A HOUSEHOLD GOODS CARRIER, OVER
IRREGULAR ROUTES BETWEEN ALL POINTS IN CONNECTICUT
UPON CALLS RECEIVED FROM A HEADQUARTERS IN
NEWTOWN.

DECISION

JULY 21, 2020

I. INTRODUCTION

A. Applicant's Proposal

By application filed on May 5, 2020, pursuant to Section 13b-389 of the Connecticut General Statutes, and assigned Docket No. 2006-N-33-HG, Harrington Hunks, Inc. dba College H.U.N.K.S. Hauling Junk and Moving (hereinafter "applicant"), with a mailing address of 3 Turnberry Lane, Unit 5, Newtown, Connecticut 06482 seeks authorization from the Connecticut Department of Transportation (hereinafter "department") to operate motor vehicles in the transportation of household goods for hire, as a household goods carrier, over irregular routes between all points in Connecticut from a headquarters in Newtown.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-390, a hearing on this application was held by telephone conference on August 4, 2020 at 10:00 AM.

Notice of the application and of the hearing to be held thereon was given to the applicant and to other parties as required by Connecticut General Statutes Section 13b-390. Notice to the public was given by publication on the department's website.

The matter was heard by a hearing officer designated by the Commissioner of Transportation pursuant to Connecticut General Statutes Section 13b-17.

C. Appearances

Kylie Harrington and Joshua Claffey appeared pro se by phone on behalf of the applicant. The applicant's mailing address is 3 Turnberry Lane, Unit 5, Newtown, Connecticut 06482.

Maria Misaray appeared pro se as an intervenor on behalf of Armstrong Moving and Storage, LLC. Her mailing address is 10 Turnberry Lane, Sandy Hook, CT 06482.

II. FINDING OF FACT

1. The applicant is seeking to operate a household goods moving service from a headquarters in Newtown.
2. The applicant has been operating as a junk hauler for several weeks.
3. The applicant's tariff was approved by the department.

4. The applicant will operate its moving business in a wide territory.
5. The applicant has \$54,135 in a Chase Bank account.
6. The applicant will be operating two trucks, one for the junk removal and one for the moving business.
7. The applicant's first six months of expenses includes insurance costs of \$10,486, vehicle financing of \$17,100, maintenance and repairs of \$3000, property tax of \$1,668, advertising costs of \$12,000, rent costs of \$7,500 and communication costs of \$1,800.
8. Both of the applicant's officers have worked or are currently working in the medical field.
9. Both officers of the applicant corporation have clean criminal records.
10. The applicant's business receives moving referrals through its franchise connection in Florida.
11. Armstrong Moving and Storage opposed the application.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over any person operating any motor vehicle in the transportation of household goods for hire as a household goods carrier pursuant to Section 13b-389 of the Connecticut General Statutes. Further, no person shall operate as a household goods carrier, within Connecticut, without first obtaining a certificate of public convenience and necessity to so operate.

In determining whether such a certificate shall be granted, the Commissioner of Transportation shall take into consideration the existing motor transportation facilities and the effect upon them of granting such a certificate, the suitability of the applicant, the financial responsibility of the applicant, the ability of the applicant efficiently to perform the service for which the authority is requested, the criminal history of the applicant, the condition of and effect upon the highways involved and the safety of the public using such highways, pursuant to Section 13b-392 of the Connecticut General Statutes.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the applicant's first six months of start-up costs includes insurance costs of \$10,486, vehicle financing of \$17,100, maintenance and repairs of \$3000, property tax of \$1,668, advertising costs of \$12,000, rent costs of \$7,500 and communication costs of \$1,800 for a total expense of \$53,554. The applicant has \$54,135 in a business bank account which is sufficient to cover these costs

making the applicant financially suitable.

The applicant submitted a criminal record check for Ms. Harrington and Mr. Claffey showing that no criminal record was found. Both members have just started in the junk removal business and want to expand into performing household moves. Based on the evidence presented, the applicant is suitable to handle this proposed operation.

Another factor to be considered is the ability of the applicant to efficiently perform the service for which the authority is requested and the condition of and effect upon the highways involved and the safety of the public using such highways. The applicant plans to operate one truck to perform the moving part of the service, which will have little effect on the public or highways.

The last criterion to be taken into account is the effect on the existing motor carrier facilities by granting the certificate. Armstrong Moving and Storage opposed to this application on the grounds that the applicant's presence in the market would dilute its business. There was however no proof offered to support the allegation that the applicant's business would have a negative effect on its business. All of the applicant's business is received from a franchise connection referral in Florida and the applicant will operate over a wide territory in the state. The fact that both businesses are operating from the same headquarters town is not enough to reject the application.

Based upon the evidence presented, the applicant has proven all the necessary elements to be granted a certificate to operate a household good moving company.

IV. ORDER

Based upon the above and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of Harrington Hunks, Inc. dba College H..U.N.K.S. Hauling Junk and Moving is hereby granted and Certificate Number 1805 is issued as follows:

CERTIFICATE NUMBER 1805
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY
FOR HIRE AS A MOTOR COMMON CARRIER

Harrington Hunks, Inc. dba College H..U.N.K.S. Hauling Junk and Moving is hereby permitted and authorized, subject to such regulations and conditions as the department may from time to time prescribe, to transport property for hire as a motor common carrier over irregular routes as follows:

Household goods, within the State of Connecticut, between all points upon calls received at its headquarters in Newtown.

The certificate holder must accept and transport property, as herein authorized in accordance with

its tariff on file, for all persons who desire the service to the extent of the certificate holder's facilities at uniform rates for all similar service.

CONDITIONS:

A motor vehicle must be registered and insured under this certificate within ninety (90) days from the date of this decision. Failure to do so may result in a revocation of authority.

There shall be carried in each vehicle operated under this authority a copy of the certificate registration receipt by the department.

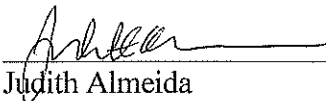
This certificate shall remain in effect until suspended, amended or revoked by the department. Failure of the certificate holder to maintain proper insurance or to comply with all motor vehicle laws and other pertinent State statutes and/or the rules, regulations and orders of the department shall be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

This certificate may not be sold or transferred until it has been operational for more than twenty-four (24) months.

This certificate is transferable only with the approval of the department and is issued subject to compliance by the holder thereof 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.

Dated at Newington, Connecticut on this 21st day of July 2020.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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