



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1307-N-280-HG

RE: APPLICATION OF MAC'S MOVING SERVICE, LLC 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 EAST HAVEN, CONNECTICUT.

FINAL DECISION

November 25, 2013

I. INTRODUCTION

A. Applicant's Proposal

By application filed on July 10, 2012 with the Connecticut Department of Transportation (hereinafter "department") pursuant to Section 13b-389 of the Connecticut General Statutes, Mac's Moving Service, LLC (hereinafter "applicant"), located at 192 Cosey Beach Avenue, East Haven, Connecticut, seeks authorization from the 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 East Haven.

B. Hearing

Pursuant to Connecticut General Statutes Section 13b-390, a hearing on this application was held at the administrative office of the department, in Newington, Connecticut on November 14, 2013.

Notice of the application and of the hearing to be held thereon was given to the applicant and to other parties as required by General Statutes Section 13b-390. Notice to the public was given by publication on the department website at www.ct.gov/dot.

The Commissioner of Transportation designated a hearing officer to conduct the hearing on this matter, pursuant to Connecticut General Statutes Section 13b-17.

C. Appearances

The applicant appeared through its owner, Eric Carlson, and was represented by Paul L. Chello, Esq. whose address is 274 Hemingway Avenue, 2nd Floor, East Haven, Connecticut 06512.

No opposition to this application was filed.

II. FINDINGS OF FACT

1. Eric Carlson is the owner of Mac's Moving Service, LLC. Carlson, who works part-time for Yale Catering, began his company in 2012 providing the labor for packing and moving to customers who rented their own trucks to move.
2. Carlson has established a clientele to whom he provides services and from whom he receives requests to transport household goods. He turns those requests down because he does not have a household goods moving certificate.

3. In the summer, Carlson has moved up to twelve customers per week and in the cooler months, he has moved up to four per week. He has turned away jobs that required transporting household goods that he packed. Approximately one out of four customers requires transportation to move.
4. Carlson wants to specialize in moving student, elderly, and small family households.
5. While there are approximately 26 household moving companies in New Haven County, it also has five universities. The applicant would be able to provide small local moves to the student population. Surrounding counties have less moving companies where the applicant will advertise to the public.
6. Carlson's five year business plan includes continuing his business with a 22 foot box truck, owned outright, to provide small, affordable moves. He plans to target advertising to local newspapers, storage facilities and real estate.
7. Carlson has worked for a moving company and has gained moving experience from past employment.
8. No opposition was filed against this application.
9. The applicant has general liability insurance and, if the application is approved, will be purchasing cargo insurance and commercial property insurance.
10. Eric Carlson has no criminal conviction records.
11. The applicant's truck was purchased with cash at a cost of \$5,500. The applicant finances its insurance costs and pays \$375 per month for ten months. The insurance premium is \$2,245 for six months. The repairs and maintenance are estimated at approximately \$1,200 for six months. As of June, the applicant's bank balance was \$4,318 and averages approximately \$6,000 per month.
12. Mikhael Fincher, who has worked with the applicant's owner since the inception of the venture, has received many requests from current clients for moving services which include the transportation of goods.

III. 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 public need for the proposed service, 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 condition of and effect upon the highways involved and the safety of the public using such highways, pursuant to Section 13b-392 of the General Statutes.

The applicant has the suitability to operate the proposed service as the owner has no criminal conviction history or involvement. The applicant possesses the financial wherewithal to operate the proposed service. There is a need for the proposed service as some of the applicant's current clients have asked for transportation services in addition to packing services. The applicant has general liability insurance and plans to secure commercial insurance and cargo insurance. The owner of the applicant has the proper licensing and has workers who also have proper licensing, in addition to experience in household moves. No evidence was presented to support a finding that the applicant's proposed operation would have any effect on the existing motor transportation facilities or the highways, or the safety of the public.

To the contrary, the owner of the applicant and one of his employees provided evidence that support a conclusion the applicant meets the elements required to operate a household goods moving business, in accordance with Connecticut General Statutes Section 13b-392.

V. ORDER

Based upon the above and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of Mac's Moving Service, LLC is hereby granted and Certificate Number 1774 is hereby issued in the name of Mac's Moving Service, LLC as follows:

CERTIFICATE NO. 1774
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION
OF PROPERTY FOR HIRE AS A MOTOR COMMON CARRIER

Mac's Moving Service, LLC 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 East Haven.

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 rate for all similar service.

CONDITIONS:

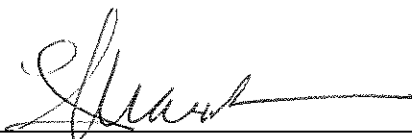
A motor vehicle must be registered under this certificate within thirty (30) days from the date of this final decision.

There shall be carried in each vehicle operated under this authority a copy of the Certificate Registration Receipt issued 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.

Dated at Newington, Connecticut, on this 25th day November, 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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