



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NO. 1409-EXP-154-T

RE: APPLICATION OF USA TAXI OF STAMFORD, LLC TO OPERATE ONE (1) MOTOR
VEHICLE IN TAXICAB SERVICE WITHIN AND TO AND FROM THE TOWN OF
STAMFORD.

FINAL DECISION

SEPTEMBER 30, 2015

I. INTRODUCTION

A. Applicant's Proposal

By application filed on September 9, 2014, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, USA Taxi of Stamford, LLC (hereinafter "applicant") with a mailing address of P.O. Box 1005, Stamford, Connecticut 06902 seeks authorization to operate one (1) additional motor vehicle in taxicab service within and to and from the town of Stamford.

B. Hearing Held

Pursuant to Section 13b-97(a) of the Connecticut General Statutes, as amended, a public hearing on this application was held at the Department of Transportation in Newington, Connecticut on September 22, 2015.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required by Section 13b-97(a) of the Connecticut General Statutes, as amended. Legal notice to the public was given by publication on the department's website.

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

C. Appearances

Mr. Francisco Rendon appeared pro se on behalf of the applicant. The applicant's mailing address is P.O. Box 1005, Stamford, Connecticut 06902.

Mr. Vito Bochicchio, President of Stamford Yellow Cab, Inc. dba Eveready Stamford was granted intervenor status in this matter. Mr. Bochicchio's mailing address is 130 Lenox Avenue, Suite 32, Stamford, Connecticut 06906.

D. Administrative Notice

Administrative Notice was taken of the denial of the applicant's last application for additional taxicabs in Docket Number 0806-AV-124-T.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) additional taxicab within and to and from Stamford. The applicant currently operates sixteen (16) taxicabs in Stamford.

2. This application was originally filed as an expedited application but was assigned for a hearing because of opposition filed by Stamford Yellow Cab dba Eveready Stamford on June 3, 2015.

3. The presence of UBER in Stamford has not had any negative effect on the applicant's taxicab

business because their clients don't use applications to access transportation or use credit cards which are needed to utilize UBER.

4. Mr. Bochicchio applied in June 2014 for one expedited taxicab. His application was denied by the department in April 2015 due to the fact that not all of his motor vehicles were in service. Mr. Bochicchio operates 38 taxicabs in Stamford under certificate 1065.

5. The applicant submitted trip records for one of its drivers between 6/4/15 and 8/1/15 for the various days he worked during this time period. The analysis of these records shows that this driver performed an average of 19 trips per day.

6. The applicant also submitted trip records from 9/7/15, 9/10/15, 9/11/15, 9/12/15, and 9/13/15 for all of the taxicabs in his 16 car fleet. These records show that on average, the drivers each performed 24 trips per day.

7. The applicant owns outright the vehicle it plans to utilize in the taxi service.

8. The applicant's expenses include \$435 for property tax, repairs of \$2,000, taxicab conversion costs of \$2,000 and insurance costs of \$8,000.

9. The applicant's assets include cash of \$11,147 and net income of \$45,247. Mr. Rendon stated that the cash balance is now around \$30,000.

10. Juana Gamarra is the manager of a Peruvian club in Stamford. Many of the guests that want to use taxi services are either unable to get a taxicab or have to wait on average 35 minutes. The members of the club, for the most part, only speak Spanish and therefore prefer the applicant's bilingual taxi service.

11. Cesar Huacho has been a driver for the applicant since 2004. He has seen how busy the applicant is and how often they don't have enough vehicles to handle the service requests.

12. Nixey Rivera works at a Stamford restaurant. She uses a taxicab to get to and from work and for patrons who need a ride home. She finds it difficult to get a ride and often has to wait 45 minutes or more for service.

13. Alejandro Martinez is a dispatcher and driver for the applicant on the evening shift. Often he finds there are no taxicabs available and it's a 30 minute wait for service. Sometimes it is so hard to find a free taxicab that the dispatchers don't want to answer the phones.

14. Gregory Walker and his wife Maria use the applicant's taxicab service and have found it difficult to access. Their main complaint is the lack of taxicabs.

15. The applicant has both a phone application which customers can use to access service and a new computerized dispatch service.

16. Mr. Rendon has recently purchased a new building to expand his taxicab operation.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over common carriers, which include each person, association, limited liability company or corporation owning or operating a taxicab in the State of Connecticut in accordance with Connecticut General Statutes Section 13b-96, as amended. The Department is authorized to prescribe regulations with respect to fares, service, operation and equipment, as it deems necessary for the convenience, protection and safety of the passengers and the public.

Pursuant to Section 13b-97(a), as amended, any person who applies for authority to operate a taxicab shall obtain from the Department a certificate of public convenience and necessity certifying that the public's convenience and necessity requires the operation of a taxicab or taxicabs for the transportation of passengers. No certificate shall be issued unless the department finds that the person is suitable to operate a taxicab service. In so doing, the department must take into consideration any convictions of the applicant under federal, state or local laws relative to safety, motor vehicle or criminal violations, the number of taxicabs to be operated under the certificate, the adequacy of the applicant's financial resources to operate the service, the adequacy of insurance coverage and safety equipment and the availability of qualified operators.

With regard to suitability, the applicant submitted State Police Bureau of Identification Criminal History Form for Francisco Rendon which showed no criminal convictions. The applicant has been operating a taxi service for years and is familiar with the rules and regulations regarding its operation. Based on the evidence presented, the applicant has proven his suitability to operate the proposed service.

As far as the applicant's financial suitability, the applicant's expenses include \$435 for property tax, repairs of \$2,000, cost to convert the vehicle to a taxicab of \$2,000 and insurance costs of \$8,000. The applicant's assets include cash of \$11,147 and net income of \$45,247. Mr. Rendon stated that the cash balance is now around \$30,000. The applicant is only adding one taxicab to its fleet and has the sufficient financial resources to do that, given that the vehicle is already paid for. Based on the evidence provided, the applicant has shown the requisite financial ability to have this application granted.

The applicant presented several witnesses who use his services and are have difficulty getting a taxicab when they request it. Mr. Rendon testified that UBER has had no negative impact on his taxicab business because his clients, for the most part, do not use applications to access service or have credit cards.

He also presented trip records for the company for five different dates and for one driver over several months. The company records show utilization of 24 trips per day per taxicab. The driver's records show approximately 19 trips per day. Based on this information, in conjunction with the witness testimony, it appears that the applicant needs this additional taxicab to service the public. Based upon the evidence presented, the applicant has proven that public convenience and necessity requires a grant of this application.

IV. CONCLUSION

Therefore, based upon the above and pursuant to Connecticut General Statutes Section 13b-97, as amended, the application of USA Taxi of Stamford, LLC is hereby granted and Certificate Number 1182 is hereby reissued as follows:

CERTIFICATE NUMBER 1182
FOR THE OPERATION OF MOTOR VEHICLES IN TAXICAB SERVICE

USA Taxi of Stamford, LLC is hereby permitted and authorized to operate seventeen (17) motor vehicles in taxicab service within and to and from Stamford to all points in Connecticut.

RESTRICTIONS

The applicant shall register the one (1) vehicle granted under this certificate within thirty (30) days from the date of this decision.

This certificate may not be sold or transferred until it has been operational, i.e., its vehicles registered with taxicab plates thereunder, for not less than twenty-four (24) consecutive months. This certificate is transferable only with the approval of the department.

This certificate shall remain in effect until it is amended, suspended, or revoked by the department. Failure of the certificate holder to maintain proper insurance and/or to comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the department, as this department may from time to time prescribe, shall be considered sufficient cause to amend, suspend or revoke this certificate.

Dated at Newington, Connecticut on this 30th day of September, 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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