



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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DOCKET NO. 0603-N-18-L

RE: APPLICATION OF ULTIMATE LIMOUSINE SERVICE, LLC D.B.A. LIMOUSINE SERVICE TO OPERATE THREE (3) 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 DANBURY.

FINAL DECISION

January 2, 2007

I. INTRODUCTION

A. General

By application filed on March 15, 2006 with the Department of Transportation (hereinafter "Department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Ultimate Limousine Service, LLC d.b.a. Limousine Service (hereinafter "Applicant"), located at 6 Candlewood Isle Causeway, New Fairfield, Connecticut, 06812 seeks authorization to operate three (3) 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 Danbury.

B. Hearing Held

Pursuant to Connecticut General Statutes, Section 13b-103(a), as amended, a public hearing on this application was held on September 28, 2006 and November 30, 2006.

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 in the News Times, a newspaper having a circulation in the area of concern.

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

C. Appearances

The Applicant appeared pro se through its member, Raymond Cesarski. The Applicant's mailing address is 6 Candlewood Isle Causeway, New Fairfield, Connecticut 06812.

Sheldon Lubin, Public Utilities Examiner, was present at the hearing.

II. FINDINGS OF FACT

1. The Applicant has held an interstate livery permit authority since August 31, 2001.
2. The Applicant presented the testimony of Nina Colella, an employee of Desimone Limousine, which is located across the street from the Applicant. Ms. Colella testified that she would like to refer some wedding business to the Applicant because her company does not have enough vehicles to handle weddings. She also testified that it is hard to find reliable livery companies to refer the work to.
3. The Applicant receives several requests for intrastate livery service per week which he is unable to perform due to his lack of intrastate authorization.
4. Neil Graner, an employee of American Office Equipment, wants to use the Applicant to provide livery transportation to and from Bradley International Airport instead if going to New

York airports. The sales staff in his company travel between five to ten times a month. The company has been using the Applicant for interstate travel for four years. The company wants to be able to have only one livery company for all their transportation needs. In the past they had problems with other livery companies that were not on time or forgot a pick up.

5. The Applicant's insurance costs \$25,154 each year for the three vehicles the Applicant seeks to place into intrastate service.
6. The Applicant will be placing into service a 2004 Lincoln Town Car sedan and two nine passenger stretch limousines. The 2004 stretch limousine is valued at \$51,270, the 2005 stretch limousine is valued at \$2,520, and the 2004 sedan is valued at \$25,400.
7. The Applicant's bank balance ranges from \$4,946 to \$21,305.
8. The Applicant's 2004 tax return reflects a net income of \$103,199 with revenue of \$508,409.

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 provided financial information that shows:

1. The Applicant pays an annual insurance cost of \$25,154.
2. The total N.A.D.A. value for the Applicant's three vehicles is \$129,190.
3. The Applicant has cash in the bank ranging from \$4,946 to \$21,305.
4. The 2004 tax return reflects a net income of \$103,199 with revenue of \$508,409.

Based on the financial information presented, the Applicant has the financial wherewithal to operate three (3) vehicles.

With regard to suitability, the Applicant provided updated criminal conviction history forms for the three members in the limited liability company. The criminal history forms show no criminal

convictions. The Applicant Company has been in the interstate livery business for the past five years with only a dismissed citation hearing against it. Based on the evidence presented, the Applicant is suitable to operate the proposed service.

As part of the requirements that must be met for a livery service permit to be granted, the Applicant must show that public convenience would be improved by the service. The Applicant presented the testimony of two witnesses who support the application. Nina Colella testified that she would like to refer business to the Applicant when she needs additional livery vehicles. She finds the Applicant to be reliable unlike other services she has used in the past.

Neil Graner also testified in support of the Applicant. Mr. Graner's sales staff often need instate airport transportation. The company is not pleased with other livery companies they have used due to the late pick ups and no shows. The evidence presented shows that the Applicant has proven that public convenience and necessity would be improved by a grant of this application.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Ultimate Limousine Service, LLC d.b.a. Limousine Service is hereby granted and Livery Permit Number 2883 is amended and reissued as follows:

LIVERY PERMIT NO. 2883 **FOR THE OPERATION OF LIVERY SERVICE**

Ultimate Limousine Service, LLC d.b.a. Limousine Service is hereby permitted and authorized to operate three (3) motor vehicles having a seating capacity of less than ten (10) adults in general livery service between all points in Connecticut from a headquarters in Danbury.

Ultimate Limousine Service, LLC d.b.a. Limousine Service is also hereby permitted and authorized to operate motor vehicles for the transportation of passengers in special and charter 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-411455.

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

This permit shall remain in effect until it is amended, suspended, or 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 rules, regulations and orders of the Department shall be considered sufficient cause to amend, suspend, or revoke this permit.

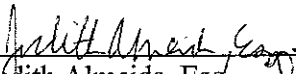
This permit is transferable only with the approval of the Department and is issued subject to compliance by the holder with all motor vehicle laws of the State of Connecticut and with such rules, regulations and orders as this Department may from time to time prescribe.

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 2nd day of January 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida, Esq.
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Bureau of Finance and Administration