



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

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DOCKET NO. 0605-N-01-HG

RE: APPLICATION OF MICHAEL R. MARTINEZ D.B.A. STAR MOVERS,
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 NAUGATUCK, CONNECTICUT.

FINAL DECISION

January 12, 2007

I. INTRODUCTION

A. Applicant's Proposal

By application filed on May 4, 2006, pursuant to Section 13b-389 of the Connecticut General Statutes, Michael R. Martinez d.b.a. Star Movers, LLC. (hereinafter "applicant"), located at 74-4 Ridge Road, Naugatuck, Connecticut, 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 Naugatuck.

B. Hearing Held

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 December 14, 2006.

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. Legal notice to the public was given by publication in the Waterbury Republican, a newspaper having a circulation in the area of concern.

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

C. Appearances

Mr. Michael Martinez appeared on behalf of the applicant. The applicant was represented by William Hickey with a mailing address of 49 Leavenworth Street, Waterbury, Connecticut 06702.

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

D. Applicant's Mailing Address

The applicant notified the department at the hearing of a change in its mailing address to 45 Morning Dove Road, Naugatuck, Connecticut 06770.

II. FINDINGS OF FACT

1. The applicant has worked for Muscle Man Movers for the past six years. He has operated the trucks, performed packing and quoted jobs.

2. The applicant owns a house and two condos. One of the condos has no mortgage and is valued at \$140,000 and one has \$70,000 in equity.

3. The applicant has a van and a twenty-four foot box truck in storage.
4. The applicant will be operating the business out of his residence.
5. The applicant will be paying \$5,679 in insurance for the vehicles.
6. The applicant owns two vehicles worth \$17,300 with no loans outstanding.
7. As of June 23, 2006, the applicant had a balance of \$9,398 in the bank.
8. The applicant has a CD in the amount of \$88,130.

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 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 Connecticut General Statutes.

The applicant has presented the following financial information:

1. The applicant's insurance is \$5,679 annually.
2. The applicant has \$9,398 in the bank and a CD worth \$88,130.
3. The applicant owns two vehicles worth \$17,300 with no loans outstanding.
4. The applicant owns a house and two condos. One of the condos has no mortgage and is valued at \$140,000 and one has \$70,000 in equity.

Based on the evidence presented, the applicant possesses the financial wherewithal to operate the proposed service.

The applicant needs to prove that it is suitable to operate the proposed service. The applicant has submitted criminal record check for its only member Michael Martinez which shows no convictions. The applicant has experience working for the past six years with a moving company. The applicant appears ready, willing and able to operate the proposed moving service.

It is also necessary to consider the effect that granting this application may have on the existing carriers and the highways. There was no opposition raised to the application so the effect on the existing carriers would be negligible. The applicant seeks to operate two vehicles, a van and a 24 foot box truck. These vehicles would have little effect on the highways.

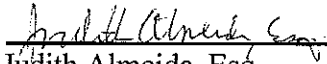
Lastly, the applicant must prove that there is a public need for the proposed service. The applicant only produced the testimony of the principal, Michael Martinez in support of the application. There was no documentary evidence or independent witness support to show a public need for this household goods moving service. Therefore, the applicant has failed to show public need for the service.

IV. ORDER

Based upon the above and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of Michael R. Martinez d.b.a Star Movers, LLC is hereby denied.

Dated at Newington, Connecticut, on this the 12th day of January 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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