



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 0605-N-32-L

RE: APPLICATION OF ALL AROUND LIMOUSINE, LLC TO OPERATE TWO (2) MOTOR VEHICLES, HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN NORWALK.

FINAL DECISION

January 11, 2007

I. INTRODUCTION

A. General

By application filed on April 24, 2006 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, All Around Limousine, LLC (hereinafter "applicant"), located at 2 Van Zant Street, #12, Norwalk, Connecticut, seeks authorization to operate two (2) 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 Norwalk.

B. Hearing Held

Pursuant to Connecticut General Statutes, Section 13b-103(a), as amended, a public hearing on this application was held on December 12, 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 Norwalk Hour, 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 through its member, Ridah Abbas. The applicant was represented by Kevin Dehghani, Esq. with a mailing address of 205 Church Street, Suite 438, New Haven, Connecticut 06510.

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

II. FINDINGS OF FACT

1. The applicant has held interstate Livery Permit Number 2993 for the operation of interstate livery service since August 2004.
2. The applicant pays an annual cost of \$12,718 to insure its vehicles.
3. The applicant maintains an account balance of \$10,940 with total assets of \$59,362.
4. The applicant receives an average of more than 15 intrastate requests for service each month. The month of March alone produced over 32 requests for intrastate service.

5. The applicant owns a 2000 and 2001 Lincoln Town Car and a 2005 Lincoln Town Car stretch limousine. The applicant owns outright two Lincoln Town Car sedans valued at \$11,275. The stretch limousine is financed, with a balance of \$48,600.

6. The applicant had difficulty referring intrastate livery jobs to other livery operators that it could not perform.

7. Charles Wisniewski, President of Teddy's Transportation, appeared to support the applicant. Teddy's would like to be able to refer its excess intrastate work to the applicant which it had difficulty doing in the past. Mr. Wisniewski believes that customers want to have one livery service for all their transportation needs.

8. There was no opposition to the application.

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 that the applicant has over \$10,940 in the bank. The applicant owns three (3) vehicles, two sedans and a stretch limousine. The applicant pays an annual cost of \$12,718 to insure each vehicle. Based on the financial information presented, the applicant has the financial wherewithal to provide the proposed service.

With regard to suitability, the applicant provided the requisite criminal conviction history form for Ridah Abbas, the only member of the company. The criminal history form shows no criminal convictions. Mr. Abbas is an experienced livery owner having operated the applicant for over two years. During this time, the applicant has operated in interstate livery authority with no complaints. The Mr. Abbas's wife, Laima Abbas, is also involved in the business. She has extensive accounting experience and handles bookings and the company records. Based on the evidence presented, the applicant has proven the requisite suitability to operate the proposed livery service.

As part of the requirements that must be met for a livery permit to be granted, the applicant must show that public convenience and necessity would be improved by the service. To

show the need for the service, the applicant presented a witness who is currently an operator of a livery service in Norwalk. Mr. Charles Wisniewski, owner of Teddy's Transportation appeared in support of the applicant. Mr. Wisniewski would like to refer overflow intrastate livery service to the applicant. At the current time, Teddy's Transportation only refers interstate livery work to the applicant. The applicant is the first choice for Teddy's Transportation to refer overflow work.

The applicant also presented a log of intrastate livery trips which it could not perform due to its lack of an intrastate livery license. These records reflect that the applicant receives over fifteen intrastate livery requests per month that it cannot perform. The applicant also submitted a list of referred calls which it attempted to refer to other livery operators and had difficulty doing so. The applicant has shown through its witness testimony and exhibits that its service would improve the public convenience and necessity.

Therefore, based on the witnesses and documentary evidence presented, the applicant will be granted the authorization to operate two (2) vehicles to start in livery service.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of All Around Limousine, LLC is hereby granted and Livery Permit Number 2993 is reissued as follows:

LIVERY PERMIT NO. 2993 FOR THE OPERATION OF LIVERY SERVICE

All Around Limousine, LLC. is hereby permitted and authorized to operate two (2) motor vehicles, each having a seating capacity of ten (10) adults or less, in general livery service between all points in Connecticut from a headquarters in Norwalk.

All Around Limousine, LLC. is 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 No. MC-496306.

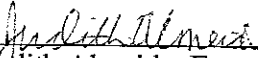
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

This permit shall remain in effect until 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 the rules, regulations and orders of the department may from time to time prescribe thereunder.

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 11th day of January 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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