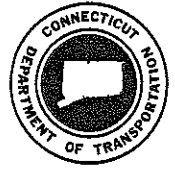


File
STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 0705-C-56-HG

RE: IN THE MATTER OF THE CITATION OF DAVID A.
DAVIDSON D.B.A. DAVIDSON ENTERPRISES.

Reissued Final Decision

July 7, 2008

I. INTRODUCTION

A. General

By citation dated April 29, 2008, by the Department of Transportation (hereinafter "Department"), pursuant to Connecticut General Statutes Section 13b-407, as amended, David A. Davidson d.b.a. Davidson Enterprises (hereinafter "respondent"), holder of Certificate Number 355, was ordered to come before the Department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Certificate Number 355, issued for the operation of a household goods motor carrier, should not be suspended or revoked or a civil penalty imposed for violation of its household certificate pursuant to Connecticut General Statutes Section 13b-410.

More specifically, it is alleged that on December 31, 2006, the certificate holder failed to file a 2007 annual intrastate permit fee for each vehicle that such household goods motor carrier intended to operate under authority of the Connecticut Department of Transportation in violation of Connecticut General Statutes Section 13b-410c(b).

The citation was served upon the respondent at 19 Morrissey Lane, West Haven, Connecticut by first class and certified mail and recited the Department's reasons for issuing it. This hearing occurred after Mr. Davidson sent a letter requesting the reopening the final decision issued on November 30, 2007 wherein the respondent was revoked for failing to appear at the hearing. The respondent was given a second opportunity to appear on May 29, 2008 and again failed to do so after a hearing notice was sent to its address of record on April 29, 2008.

B. Hearing Held

Pursuant to Section 13b-410 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on May 29, 2008.

Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Section 13b-410, as amended.

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

C. Appearances

No one appeared on behalf of the respondent, David A. Davidson d.b.a. Davidson Enterprises. The respondent's mailing address is 19 Morrissey Lane, West Haven, Connecticut 06516.

Sheldon Lubin, a member of staff, presented the Department's case in this matter.

II. FINDINGS OF FACT

1. The respondent is the holder of Certificate 355 in the name of David A. Davidson d.b.a. Davidson Enterprises and has been authorized to operate as a household goods motor carrier from a headquarters in West Haven.

2. On October 24, 2006, Sheldon Lubin sent a letter to the respondent asking for intrastate permit fees to be paid by December 31, 2006.

3. On December 31, 2006, the certificate holder failed to file a 2007 annual intrastate permit fee for each vehicle that such household goods motor carrier intended to operate under authority of the Connecticut Department of Transportation in violation of Connecticut General Statutes Section 13b-410c(b).

4. A Notice of Hearing was sent to the respondent at 19 Morrissey Lane, West Haven, Connecticut.

5. The Notice of Hearing was not claimed by the respondent.

6. The respondent failed to appear at the citation hearing on October 23, 2007 after three attempts at delivery of the Notice of Hearing.

7. On November 30, 2008, the Department issued a Final Decision revoking the respondent's certificate for its violations and failure to appear at the October 23, 2007 hearing.

8. After the respondent received the Final Decision, it sent to the Department of Transportation a letter asking to have the hearing reopened.

9. On April 29, 2008, the respondent was sent a second Notice of Hearing.

10. On May 29, 2008, the respondent failed to appear at the citation hearing.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over matters pertaining to the operation of household goods carriers in the State of Connecticut accordance with Connecticut General Statutes Section 13b-407, as amended.

Pursuant to Connecticut General Statutes Section 13b-410, the Department may amend or for sufficient cause suspend or revoke any such permit. Further, the Department may impose a civil penalty on any person who violates any provision of the governing chapter or any regulation adopted under Section 13b-389 through 13b-415, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one hundred dollars per day for each violation.

The Department has given the respondent two opportunities to appear to answer the allegations charged that the respondent failed to file its 2007 intrastate permit fee. On each occasion the respondent failed to appear. Since the respondent failed to appear, the respondent's certificate will be revoked.

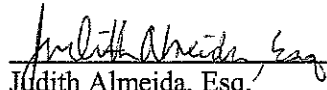
IV. ORDER

Based on the above, Certificate Number 355, standing in the name of David A. Davidson d.b.a. Davidson Enterprises, is hereby revoked. The revocation shall become effective fifteen (15) days from the date of this final decision.

This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 7th day of July 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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