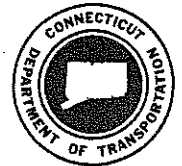


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STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 0712-N-190-L

RE: APPLICATION OF AFFORDABLE TRANSPORTATION, LLC D/B/A  
AFFORDABLE TRANSPORTATION TO OPERATE ONE (1) MOTOR  
VEHICLE HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS,  
IN GENERAL LIVERY SERVICE, BETWEEN ALL POINTS IN  
CONNECTICUT FROM A HEADQUARTERS IN DARIEN.

FINAL DECISION

November 3, 2008

## I. INTRODUCTION

### A. Application

By application filed on September 18, 2007 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Affordable Transportation, LLC d/b/a Affordable Transportation (hereinafter "applicant") located at 73 Hecker Avenue, Darien, Connecticut seeks authorization to operate one (1) motor vehicle having a seating capacity of ten (10) adults or less, in general livery service, between all points in Connecticut from a headquarters in Darien, Connecticut.

### B. Hearing

Pursuant to Connecticut General Statutes Section 13b-103(a), as amended, a public hearing on this application was held on September 25, 2008.

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 General Statutes Section 13b-103(a)(1), as amended. Legal notice to the public was given by publication in the 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

Affordable Transportation, LLC d/b/a Affordable Transportation appeared through its member, Rock Shtufaj and was represented by Charles S. Harris, Esq. of the law firm of Harris, Harris & Schmid, 11 Belden Avenue, Second Floor, Norwalk, Connecticut.

Sheldon Lubin, utilities examiner for the Regulatory & Compliance Unit of the department, appeared at the hearing.

No opposition was presented to the application.

## II. FINDINGS OF FACT

1. The applicant holds Permit Number 2735 for the registration of its federal authority for the transportation of passengers in interstate livery service, as a motor common carrier from a headquarters Darien, and has been so operating since 1998.

2. The applicant currently has a fleet of four (4) vehicles with "Z" plates in interstate livery service.

3. The applicant company is managed by Anton Shtufaj, who, along with an office person, takes reservations and assigns calls.

4. Margarita Martir works for the General Electric company in Stamford and is responsible for booking transportation for approximately 100 of the company's 900 employees in Stamford and Norwalk.

5. General Electric uses the applicant for its interstate trips and would like to use the applicant for intrastate trips, as well.

6. General Electric has used other companies for intrastate work, but has a preference for the applicant because Martir is familiar with the drivers and the company is timely with its service.

7. None of the three members of the applicant's management have criminal convictions.

8. As of August 29, 2008, the applicant's checking account contained cash on hand in the amount of \$4,065. As of August 29, 2008, the managing member of the company had a total \$270,346 in an investment account and IRA, which he would use for the company should the money be required.

9. The applicant has successfully changed its trade name from "Jet Blue" to Affordable Transportation.

10. No opposition was presented to this application.

## III. DISCUSSION

### A. Jurisdiction

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to General Statutes Section 13b-102, et seq., 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 General Statutes Section 13b-103.

B. Present and Future Public Convenience and Necessity

Anton Shtufaj is a part owner of the business. Shtufaj is responsible for taking reservations and scheduling cars and driving. The livery company has been in existence since 1995 and Anton Shtufaj has been working with the livery company since 2005. He has noticed an increase in calls for intrastate service from his clientele.

The applicant has established a clientele that would like to use the applicant's services within the state. In that regard, Margarita Martir works for General Electric as a support analyst. Among her responsibilities, is included the task of arranging for transportation for approximately one hundred employees on a daily basis to and from the tri-state area airports and within Connecticut. She has used the applicant's services for several years and would like to use the applicant for instate service. Because she is familiar with the applicant's drivers and because she has had some problems with timeliness with other companies, she supports the applicant's request for instate service. Martir has also been declined service by other companies due to the lack of vehicles for instate work.

C. Suitability

In support of suitability to operate the proposed intrastate business, the applicant provided criminal conviction history forms for all of the owners of the company. None of the owners have criminal convictions. The applicant's management appears to be willing and able to follow the directives of the statutes and regulations governing livery service within the state. The tariff that the company filed was incorrect and Rock Shtufaj testified that he was not familiar with the tariff requirements; however, he made an appointment with the department's utilities examiner and met to learn about how to proceed with the proper tariff. Accordingly, the applicant has shown that its management is willing and able to follow the statutory framework for intrastate livery service.

#### D. Financial Wherewithal

Lastly, in support of financial wherewithal, the applicant offered that it is already in business and has four vehicles operating in interstate livery service. The applicant is not intending to purchase a new vehicle to place into intrastate service; rather it will register one of its current vehicles with an "L" plate, if authorized. The applicant had \$4,065 in its checking account as of August 29, 2008. Rock Shtufaj, the managing member of the finances of the company, had a total of \$270,346 in an investment account and IRA, which he will use in the business if required. The applicant will not incur additional costs as a result of a grant of the authority requested. The maintenance and repair costs will be approximately the same as the current amount, which is estimated at \$3,000 per year. Fuel expenses are estimated currently at \$400 per week and insurance for each vehicle is \$3,800 per year, which is paid and current. The applicant may realize incidental expenses, but the bulk of the expense is already accounted for.

#### IV. CONCLUSIONS OF LAW

In accordance with Connecticut General Statutes Section 13b-103(b), Affordable Transportation, LLC d/b/a Affordable Transportation possesses the financial wherewithal and the managers possess the suitability to operate the proposed intrastate service. In addition, the public's convenience and necessity will be improved by a grant of intrastate authority.

#### V. ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Affordable Transportation, LLC d/b/a Affordable Transportation is hereby granted and Permit Number 2735, standing in the name of Affordable Limousine, LLC d/b/a Affordable Limousine, is hereby amended and reissued as follows:

#### LIVERY PERMIT NO. 2735 FOR THE OPERATION OF LIVERY SERVICE

Affordable Transportation, LLC d/b/a Affordable Transportation, is hereby permitted and authorized to operate ONE (1) motor vehicle, having a seating capacity of less than ten (10) adults, in GENERAL LIVERY SERVICE between all points in Connecticut from a headquarters in Darien.

Affordable Transportation, LLC d/b/a Affordable Transportation is further permitted and authorized to operate motor vehicles as a common carrier of passengers, in charter and special 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-344417C.

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

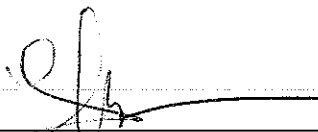
This Permit shall remain in effect until it is amended, suspended or revoked by the Department. Failure of the Permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the Department shall be considered 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 hereof 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, this 3<sup>rd</sup> day of November 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Laila A. Mandour  
Staff Attorney III  
Administrative Law Unit  
Bureau of Finance and Administration