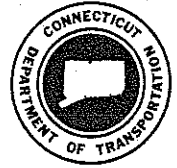




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 0905-N-39-L

RE: APPLICATION OF TIFF, LLC TO OPERATE ONE (1) MOTOR VEHICLE HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, IN GENERAL (LIMITED) LIVERY SERVICE, BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN STAMFORD, CONNECTICUT.

FINAL DECISION

May 24, 2010

I. INTRODUCTION

A. Application

By application filed on May 4, 2009 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, TIFF, LLC (hereinafter "applicant") located at 14 Hillcrest Avenue, Stamford, Connecticut seeks authorization to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in general (limited) livery service between all points in Connecticut from a headquarters in the Stamford, Connecticut.

B. Hearing

Pursuant to Connecticut General Statutes, Section 13b-103(a), as amended, a public hearing on this application was held on April 15, 2010.

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. Notice to the public was given by publication on the department's website at www.ct.gov/dot.

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

C. Appearances

Daniel Barragan and Stevenson Joseph, owners of the applicant, appeared, without counsel, on behalf of Tiff. The applicant's mailing address is 14 Hillcrest, Avenue, Stamford, Connecticut.

Sheldon Lubin, utilities examiner with the Regulatory and Compliance Unit of the department, appeared at the hearing.

No opposition was presented to the application.

II. FINDINGS OF FACT

1. The applicant seeks to establish a transportation company to provide transportation to those members of the public who have family members and friends in prison.
2. There is no other such service in the area.
3. There was no opposition to the application.
4. The applicant's representatives, Daniel Barragan and Stevenson Joseph, have developed a method by which the applicant provides rides to people with family and friends incarcerated in a Connecticut prison.
5. The applicant will be providing transportation to fifteen (15) facilities.

6. The applicant will begin providing an average of twenty-four (24) trips per month with one vehicle.
7. Currently, to visit their friends or loved ones in some of the correctional facilities in Connecticut, people must commute on two trains and use a taxicab to arrive at their destination.
8. The estimated cost of current travel by train and other transportation from Stamford to Hartford to visit someone who is incarcerated is approximately \$140 round trip.
9. Often, people visiting correctional facilities have children who travel with them, making the trip onerous.
10. The applicant's representatives have researched the visiting hours of the prisons in Connecticut and the requirements that must be met prior to visitation. With this information, the applicant has established a system by which it can provide rides for its clientele, to ensure that the clients arrive in time for visitation and have a ride back home.
11. Several witnesses who testified at the hearing have been unable to visit their incarcerated loved ones because the witnesses do not have transportation. A grant of this application and provision of this service would improve the convenience and necessity of the target public.
12. The applicant intends to finance a Ford E-350 Wagon and purchase convertible car seats.
13. The applicant's insurance premium quote is \$4,500 for one vehicle, provided by Stone Transportation Group insurance company.
14. Stevenson Joseph has no criminal convictions.
15. Barragan has some criminal convictions, the most recent of which is for domestic issues and which is still pending.
16. There is no other company in Connecticut that offers the same type of service as the applicant proposes.
17. The applicant will not offer services to the county jails or holding facilities, however, they will distribute business cards to those people so that they can be passed on to inmate family and friends.
18. TIFF has a planned schedule in place for its transports.
19. A research report issued by the State of Connecticut shows that the inmate population in Connecticut has increased from 3,845 on January 1, 1980 to 18,052 on January 1, 2010.

III. DISCUSSION

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, 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.

The applicant in this matter seeks to provide a service to a very unique section of the community that appears to be without dedicated transportation. The applicant seeks to provide transportation to the families and friends of people incarcerated in Connecticut's prison system. Currently, many of the families and friends of inmates in Connecticut have little or no transportation. They might have to take a train or two trains, buses and taxicabs to reach their destination. Many have children and find it difficult and prohibitively expensive to make the trip to their destination to visit their incarcerated family member or friend.

The applicant's representatives have researched the market for such transportation and find that they can develop the service to meet the needs of this particular market of clients. The applicant's representatives, Daniel Barragan and Stevenson Joseph, have developed a schedule by which they can reach many of the correctional institutions during visitation for their clientele. They have a marketing plan to get the word out regarding their service through those who are incarcerated in holding facilities.

Barragan and Joseph both submitted a criminal conviction history form and, while Joseph does not have a criminal history and no criminal involvement, and therefore is considered suitable to operate the proposed service, Barragan does have a criminal history. Barragan's criminal conviction history shows that much of his problems occurred during the years of 2003 through 2006, with one recent breach of the peace and resisting arrest and several related misdemeanors. Barragan testified that the recent problems stemmed from a domestic dispute which is still pending. Because the violations were misdemeanors and occurred several years ago, with the exception of the domestic issue, Barragan's past violations will not be held against him with regard to suitability to operate the proposed business.

Based on the evidence presented, it appears that the applicant's representatives have thought out the proposed business, from projections of passengers and income to the schedules for each institution with regard to visitors. The representatives' attention to detail from figuring out the times and places for pick up and for drop off and returns and visitation to certain facilities support the Barragan's and Joseph's suitability to operate the proposed service. They testified that they are willing and able to operate within the confines of the livery regulatory scheme. Accordingly, they are found to be suitable to operate the proposed service.

With regard to public convenience and necessity, the several witnesses testified on behalf of the proposed service. They witnesses testified that they each had a family member who was incarcerated and how difficult it was to arrange visits with their incarcerated family members. They each testified that they would use the service and knew other family members and friends who would use the service. As there is no such service currently in existence in the State of Connecticut, it appears that the establishment of such a service would improve the public's convenience and necessity and would provide a service that is currently unavailable within the state.

Lastly, in support of financial wherewithal, the applicant provided the requisite balance sheet and supporting financial evidence which includes the purchase of a 2008 Ford E-350 van, which the applicant's representatives will finance with a \$4,500 down payment and monthly payments of \$378. The annual operating expenses are estimated at \$4,500 for insurance, property taxes of \$375, repairs and maintenance at \$1,500, fuel costs at \$1,310 and cell phone costs at \$500.

The applicant's owners provided a conservative cash flow projection based on their estimate of their projected costs and service to be provided. Barragan has a cash balance of \$3784 and income from another business that he owns and Joseph has a cash balance of \$3,631. Both Barragan and Joseph have some financial interest in property which they hold with co-owners. The co-owners have pledged their interests in the property, providing additional monies that the company can use should it be required.

IV. CONCLUSIONS OF LAW

The evidence of records supports a grant of authority in accordance with Connecticut General Statutes Section 13b-103 in that the applicant's management possesses the suitability and financial wherewithal to operate the proposed service and the public's convenience and necessity with regard to this specific type of service will be improved.

V. ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of TIFF is hereby granted and Permit Number 3240 is hereby issued as follows:

**LIVERY PERMIT NO. 3240
FOR THE OPERATION OF LIVERY SERVICE**

TIFF is hereby permitted and authorized to operate ONE (1) motor vehicle having a seating capacity of less than ten (10) adults in limited LIVERY SERVICE -- LIMITED TO THE TRANSPORTATION OF FRIENDS AND FAMILIES OF INCARCERATED INMATES TO AND FROM CORRECTIONAL INSTITUTIONS WITHIN THE STATE OF CONNECTICUT from a headquarters in Stamford, Connecticut.

This Permit 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.

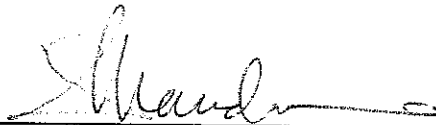
This Permit shall remain in effect until it is amended, suspended or revoked by the Department. Failure of the Permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the Department shall be considered 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 24th day of May 2010.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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