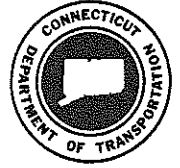


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone: (860) 594-2875

DOCKET NO. 1105-R-51-T

RE: PETITION OF THE DEPARTMENT OF TRANSPORTATION, REGULATORY AND COMPLIANCE UNIT, TO CHANGE THE UNDER FIFTEEN MILE TAXICAB METER RATE AND ADD THE FUEL SURCHARGE WITHIN AND TO AND FROM THE TOWNS OF DARIEN, GREENWICH, NEW CANAAN, STAMFORD, WESTON, WESTPORT AND WILTON.

Final Decision

August 4, 2011

I. INTRODUCTION

A. PETITIONER'S PROPOSAL

By petition filed on May 31, 2011, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-96 of the Connecticut General Statutes, the Regulatory and Compliance Unit of the Department of Transportation (hereinafter "petitioner"), seeks authorization to change the under fifteen mile taxicab meter rate and add the fuel surcharge within and to and from the towns of Darien, Greenwich, New Canaan, Stamford, Weston, Westport and Wilton.

CURRENT METERED TAXICAB RATES OF FARE:

METER DROP: \$ 3.00 first 1/10 mile
TRAVEL: .25 each additional 1/10 mile
WAITING TIME: .25 every 29 seconds

PROPOSED METERED TAXICAB RATES OF FARE:

METER DROP: \$ 2.50 first 1/10 mile
TRAVEL: .25 each additional 1/10 mile
WAITING TIME: .25 every 29 seconds

B. HEARING HELD

Pursuant to Sections 13b-96 of the Connecticut General Statutes, as amended, and Sections 4-177 through 4-182 of the Connecticut General Statutes, inclusive, this petition was assigned for a public hearing which was held at the administrative offices of the department in Newington, Connecticut on June 30, 2011.

Notice of the petition and of the hearing to be held thereon was given to the petitioner, and to such other parties as deemed necessary by the department as required by Connecticut General Statutes Section 13b-97, as amended. Legal notice to the public was given by publication on the department's website.

C. APPEARANCES

Several taxicab companies participated in this matter but were not intervenors:

Mr. Gerald Clancy appeared on behalf of Westport Star Taxi-Certificate Number 284. Mr. Clancy has a mailing address of P.O. Box 3231, Westport, Connecticut 06880.

Mr. Vito Bochicchio appeared on behalf of Eveready Cab Company of Greenwich-Certificate Number 1134, Eveready Cab Company of Darien-Certificate Number 1124, Stamford Yellow Cab-Certificate Number 1065, Hoyt Taxi Service, Inc.-Certificate Number 1094 and Canaan Parish Taxi, Inc.-Certificate Number 197. The mailing address for these companies is P.O.

Box 15, Darien, Connecticut 06820.

Mr. Anthony Boskello appeared on behalf of Greenwich Taxi, Inc. The mailing address is 1 Greenwich Plaza, Greenwich, CT 06830.

Sheldon Lubin, department staff, appeared as a witness to explain the Regulatory and Compliance Unit's proposal.

D. ADMINISTRATIVE NOTICE

The department requested that administrative notice be taken of the following final decisions:

1. 0406-R-02-T-Transportation General
2. 0309-R-13-T-Eveready Cab Co. of Greenwich
3. 0504-R-07-T-Transportation General
4. 0510-R-13-T-Maffei's Taxi
5. 0504-R-60-T-Grigory Bratslavski
6. 0804-R-78-T-Taxicab Fuel Surcharge
7. 0606-R-45-T-Eveready Transportation
8. 1103-R-19-T-Grigory Bratslavski
9. 0806-R-113-T-Transportation General
10. 0804-R-82-T-Bradley International Airport

II. FINDINGS OF FACT

1. The Regulatory and Compliance Unit seeks to implement a change in the taxicab meter rate in Darien, Westport, Wilton, New Canaan, Stamford, Greenwich and Weston and to mandate the fuel surcharge.

2. The taxicab operators in attendance at the hearing opposed the department's proposal; Greenwich Taxi, Inc., Westport Star Taxi, Eveready Cab Company of Greenwich, Eveready Cab Company of Darien, Stamford Yellow Cab, Hoyt Taxi Service, Inc. and Canaan Parish Taxi, Inc.

3. The department wants to reduce the meter drop and instead compensate the drivers by implementing a taxicab fuel surcharge.

4. Having a fuel surcharge increase or decrease costs the taxicab companies each time a meter is resealed with a new rate and for the stickers that need to be placed on the vehicle.

5. The costs associated with operating a taxicab company vary by many factors including which region of the state the company operates in, size of the company, technology used by the company, population density, taxicab utilization and operating expenses.

6. While the cost of gas fluctuates, it is not the only cost which can be used to justify a taxicab rate increase.

7. Insurance, labor and car parts have all increased since the last taxicab rate increase in 2007.

8. Fairfield County is the most expensive county in Connecticut to operate a business.

III. DEPARTMENT ANALYSIS

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a taxicab in accordance with Connecticut General Statutes Section 13b-93 as amended. In addition, the department is authorized to prescribe adequate service and reasonable rates and charges with respect to fares, service, operations and equipment, as it deems necessary.

The proposal by the Regulatory and Compliance Unit is to reduce the meter drop and institute the fuel surcharge as a way to change the meter rate without having further rate hearings. Three of the taxicab companies in the area oppose the idea of reducing the drop and relying on a fluctuating gas fuel surcharge to decide what the meter will read. They cite additional costs associated with sealing the meter and the stickers that need to be purchased. Participation in the fuel surcharge is not mandatory at this time but will be under the department's proposal.

The basic fallacy behind this proposal is the idea that since gas prices have not been fluctuating as much recently, there is no need for a meter increase and the meter rate should be decreased. Gasoline is a very volatile commodity that rises and falls with no possible prediction. While prices may be lower now, it will certainly increase in the future.

In addition, the operation of a taxicab business involves many costs of which gas is but one. To base the companies meter rate on gasoline fluctuations alone without considering the other costs associated with operating a taxicab business, does not seem to be fair. The companies in opposition have chosen not to participate in the fuel surcharge which is their right. They have also put forth their own request for a meter rate increase which will be addressed in the accompanying Docket Numbers 1105-R-42-T and 1104-R-34-T.

The department wants to avoid having future rate hearings by incorporating a fuel surcharge into the taxicab meter rate and thus relying solely on the price of gasoline to change the meter rate. There is no cost savings in having a quarterly review of gas prices with the expense of the meter rate change to be borne by the companies, including the cost of printing the stickers and resealing

resealing the meters. The last rate request in this area was four years ago. Having a rate increase hearing every four or five years is hardly a labor intensive process. It is more labor intensive for the department to review gas prices quarterly and for the companies to change their meters and stickers.

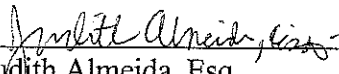
Based on the evidence presented, the department's request must be denied.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to the authority granted under Connecticut General Statutes Section 13b-96, as amended, the petition filed by the Regulatory and Compliance Unit is hereby is denied.

Dated at Newington, Connecticut on the 4th day of August 2011.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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