

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone: (860) 594-2875

DOCKET NO. 1106-N-57-HG

RE: APPLICATION OF SEAMEN'S MOVING & DELIVERY OF CONNECTICUT, INC. TO OPERATE MOTOR VEHICLES IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR HIRE, AS A HOUSEHOLD GOODS CARRIER, OVER IRREGULAR ROUTES BETWEEN ALL POINTS IN CONNECTICUT UPON CALLS RECEIVED FROM A HEADQUARTERS IN BRIDGEPORT.

FINAL DECISION

August 26, 2011

I. INTRODUCTION

A. Applicant's Proposal

By application filed on June 9, 2011, pursuant to Section 13b-389 of the Connecticut General Statutes, and assigned Docket No. 1106-N-57-HG, Seamen's Moving & Delivery of Connecticut, Inc. (hereinafter "applicant"), with a mailing address of 3854 Main Street, Bridgeport, Connecticut seeks authorization from the Connecticut Department of Transportation (hereinafter "department") to operate motor vehicles in the transportation of household goods for hire, as a household goods carrier, over irregular routes between all points in Connecticut from a headquarters in Bridgeport.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-390, a hearing on this application was held at the administrative office of the Department, in Newington, Connecticut, on August 23, 2011.

Notice of the application and of the hearing to be held thereon was given to the applicant and to other parties as required by Connecticut General Statutes Section 13b-390. Notice to the public was given by publication on the department's website.

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

C. Appearances

Mr. Ronen Zeidman, appeared on behalf of the applicant. The applicant was represented by Attorney Greg Kimmel who has a mailing address of 9 Morgan Avenue, P.O. Box 2013, Norwalk, CT 06852.

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

II. FINDINGS OF FACT

1. The applicant seeks authorization to transport household goods from a headquarters in Bridgeport.
2. The applicant has extensive business experience in the moving business including owning his own moving company since 2000 in New York.
3. The applicant hopes to provide intrastate moving services to clients that he has transported to Connecticut in prior moves.
4. The applicant moves eight to twelve customers per month to Connecticut.
5. The applicant will operate out of the Bridgeport office Monday through Saturday either 8 or 9 a.m. to 5 p.m.
6. The applicant presented the testimony of two witnesses who spoke about referring business to Docket No. 1106-N-57-HG Seamen's Moving & Delivery of Connecticut, Inc.

the applicant. Tim Mincin, works as a District Director for Westy Storage and Claude Lewis works as a realtor in the office next to where the applicant is leasing office space. Both witnesses testified that they would refer business to the applicant.

7. The applicant gets ten to fifteen requests for intrastate Connecticut moves per month.
8. The applicant has received no complaints about his New York moving company.
9. The applicant submitted testimonials from clients about his good service.
10. The applicant has bank accounts which total \$395,421 in cash.
11. The applicant expects to use newer trucks which cost \$25,000 to \$35,000 each.
12. The applicant's office rent is \$850 a month, property tax is about \$1,000 annually, fuel is about \$12,000, repairs are about \$2,400 and the insurance will be \$11,050.
13. There was no opposition to this application.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over any person operating any motor vehicle in the transportation of household goods for hire as a household goods carrier pursuant to Section 13b-389 of the Connecticut General Statutes. Further, no person shall operate as a household goods carrier, within Connecticut, without first obtaining a certificate of public convenience and necessity to so operate.

In determining whether such a certificate shall be granted, the Commissioner of Transportation shall take into consideration the existing motor transportation facilities and the effect upon them of granting such a certificate, the public need for the proposed service, the suitability of the applicant, the financial responsibility of the applicant, the ability of the applicant efficiently to perform the service for which the authority is requested, the condition of and effect upon the highways involved and the safety of the public using such highways, pursuant to Section 13b-392 of the Connecticut General Statutes.

The first criterion to be taken into account is the effect on the existing motor carrier facilities by granting the certificate. This application was not opposed by any existing motor carrier. Since the application was not opposed at the hearing, it appears that there would not be any effect on the existing motor carrier facilities if this application were granted.

The next criterion that the applicant must prove is the public convenience and necessity for the proposed service. With regard to this requirement, the applicant presented the testimony of two witnesses who would both refer moving business to the applicant. One witness is a realtor who works in the office next to the one the applicant has leased. The other witness refers moving business to the applicant in New York as he is in charge of a concierge program for Westy Storage. He also stated that if the applicant moves into Connecticut, he will refer Connecticut moving business to him. Westy has six Connecticut locations. Based on the evidence presented, the applicant has proven public convenience and necessity.

As far as the applicant's financial suitability is concerned the applicant presented evidence that it

As far as the applicant's financial suitability is concerned the applicant presented evidence that it has \$395,421 in cash. The applicant's office rent is \$850 a month, property tax is about \$1,000 annually, fuel is about \$12,000, repairs are about \$2,400 and the insurance will be \$11,050. The applicant has proven the requisite financial ability to operate the proposed service.

The applicant will be adding several trucks and vans to the highways of Connecticut. The applicant plans to purchase newer vehicles which will be well maintained. As a result, these additional vehicles will not have that much effect. The business appears to be well researched and will be able to operate in an efficient manner.

The applicant has proven sufficient suitability to operate the proposed service. The applicant submitted a criminal record check which shows no criminal convictions. The applicant has extensive experience in the moving industry and has owned a moving company in New York since 2000. The applicant produced testimonials from various clients which spoke to his good quality service. The applicant has the experience already having worked successfully in the moving business since 2000.

Based upon the evidence presented, the applicant has proven the necessary elements to be granted a certificate.

IV. ORDER

Based upon the above and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of Seamen's Moving & Delivery of Connecticut, Inc. is hereby granted and Certificate Number 1766 is issued as follows:

CERTIFICATE NUMBER 1766
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY
FOR HIRE AS A MOTOR COMMON CARRIER

Seamen's Moving & Delivery of Connecticut, Inc. is hereby permitted and authorized, subject to such regulations and conditions as the department may from time to time prescribe, to transport property for hire as a motor common carrier over irregular routes as follows:

Household goods, within the State of Connecticut, between all points upon calls received at its headquarters in Bridgeport.

The certificate holder must accept and transport property, as herein authorized in accordance with its tariff on file, for all persons who desire the service to the extent of the certificate holder's facilities at uniform rate for all similar service.

CONDITIONS:

A motor vehicle must be registered under this certificate within thirty (30) days from the date of this decision.

There shall be carried in each vehicle operated under this authority a copy of the certificate registration receipt by the department.


This certificate shall remain in effect until suspended, amended or revoked by the department. Failure of the certificate holder to maintain proper insurance or to comply with all motor vehicle laws and other pertinent State statutes and/or the rules, regulations and orders of the department shall be considered sufficient cause to revoke said certificate.

This certificate may not be sold or transferred until it has been operational for more than twenty-four (24) months.

This certificate is transferable only with the approval of the department and is issued subject to compliance by the holder thereof 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.

Dated at Newington, Connecticut, on this 26th day of August 2011.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida, Esq.

Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration