



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 1212-N-155-L

RE: APPLICATION OF A PLUS LIMOUSINE, LLC. 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 NORWALK.

FINAL DECISION

May 15, 2013

I. INTRODUCTION

A. General

By application filed on December 4, 2012, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, A Plus Limousine, LLC (hereinafter "applicant") with a mailing address of 54 Linden Street, Norwalk, Connecticut 06851 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 the town of Norwalk.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on May 2, 2013.

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 the Connecticut General Statutes Section 13b-103. Legal notice to the public was given by publication on the department's website.

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

C. Appearances

Ernst Angrand appeared pro se on behalf of the applicant. His mailing address is 54 Linden Street, Norwalk, Connecticut 06851.

II. FINDING OF FACTS

1. The applicant seeks to operate one (1) livery vehicle in intrastate livery service from a headquarters in Norwalk.
2. The applicant has been operating in interstate livery service for the past ten (10) years.
3. The applicant receives requests from his existing clients for intrastate livery service. In the summer he receives six (6) to seven (7) requests for service per week, while during winter he receives three (3) to four (4) requests for service per week.
4. Mr. Angrand and his nephew are currently driving for the company.
5. The applicant is not opposed to increasing his tariff rate if it is determined that it is too close to the prevailing taxicab rate.
6. The applicant has \$5,789 in cash on hand for the business which is in an increase from an earlier amount.

7. The applicant plans to use a 2007 Lincoln Town Car worth \$11,585 with no outstanding auto loans in the business.

8. The applicant's total assets are \$17,374.

9. The annual insurance premium for the vehicle is \$3,148.

10. The applicant presented the testimony of Joseph LaLanne who owns All Star Limo, a Bridgeport based limousine company. Mr. LaLanne testified that he will send five (5) to six (6) requests for intrastate work to the applicant because he is unable to handle that work with his interstate authority.

11. The applicant's wife, Amelita Angrand, will be working in the office to handle the requests for service.

III. DEPARTMENT ANALYSIS

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

In support of financial wherewithal the applicant has presented evidence that the applicant has \$5,789 in cash on hand for the business. The applicant plans to use a 2007 Lincoln Town Car worth \$11,585 with no outstanding auto loans. The applicant's total assets are \$17,374. The annual insurance premium is \$3,148. The applicant is already operating an interstate livery service so he would not incur any additional expenses beyond what he is currently paying to operate in interstate livery service. Based on the evidence presented, the applicant has proven the financial suitability to operate this livery service.

With regard to suitability, the applicant provided the requisite criminal conviction history for Ernest Angrand which showed no criminal record. Mr. Angrand has been in the livery business for ten (10) years providing interstate livery service. Mr. Angrand has not had any citation actions with the department and appears ready, willing and able to operate the proposed service.

The applicant must also prove public convenience and necessity. In that regard, the applicant has been in the livery business and has developed a customer base and corporate clientele who want intrastate livery service. The applicant presented several letters of support from current customers for the intrastate service.

The applicant also presented the testimony of Pastor Joseph LaLanne who testified that he will send the applicant his intrastate livery work since he cannot do it with his current authority. This work would amount to about six (6) trips per week.

Since the applicant has been in business for a decade and has developed a defined customer base, it would most definitely improve public convenience and necessity for the applicant's customers to be able to use that service for intrastate livery. Therefore, the applicant will be approved to operate one (1) livery vehicle in intrastate livery service from a headquarters in Norwalk.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of A Plus Limousine, LLC. is hereby granted and Livery Permit Number 2906 is issued as follows:

LIVERY PERMIT NO. 2906 FOR THE OPERATION OF LIVERY SERVICE

A Plus Limousine, LLC. is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in general livery service from a headquarters in Norwalk to all points in Connecticut.

A Plus Limousine, LLC. is hereby 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-435499.

RESTRICTIONS:

The applicant must have a meeting with the department before registering a vehicle under this authority to determine whether its chosen tariff amount of \$25 per hour travel time and waiting time of \$35 an hour waiting time is too close to the prevailing taxicab rate.

The applicant must register the one (1) vehicle granted under this decision within sixty (60) days from the date of this decision.

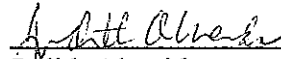
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

This permit shall remain in effect until 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 may from time to time prescribe thereunder.

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 on this 15th day of May 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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