

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 1310-N-362-L

RE: APPLICATION OF GUIDING LIGHT TRANSPORT, LLC. TO OPERATE THREE (3) MOTOR VEHICLES, HAVING A PASSENGER SEATING CAPACITY OF TEN (10) ADULTS OR LESS, IN LIVERY SERVICE TO TRANSPORT ELDERLY AND HANDICAPPED PASSENGERS, BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN STAMFORD.

FINAL DECISION

January 22, 2014

I. INTRODUCTION

A. General

By application filed on October 15, 2013, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-105 of the Connecticut General Statutes, as amended, Guiding Light Transport, LLC. (hereinafter "applicant") with a mailing address of 198 Strobel Road, Trumbull, Connecticut 06611, seeks authorization to operate three (3) motor vehicles, having a seating capacity of ten (10) adults or less in livery service, for elderly and handicapped persons, between all points in Connecticut from a headquarters in the town of Stamford.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-105, as amended, a public hearing on this application was held on January 14, 2014.

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

Agron Gelevic appeared on behalf of the applicant. He was represented by Attorney Jane Freeman of the law firm Cacace, Tusch and Santagata. The mailing address for the firm is 777 Summer Street, Stamford, Connecticut 06901-1022.

D. Finding of Facts

1. The applicant seeks to operate three (3) livery vehicles for transporting elderly and handicapped persons from a headquarters in Stamford.
2. Agron Gelevic has a business degree and is completing his MBA.
3. Mr. Gelevic worked as an intern with Diana's Angels, a caregiver organization. He is currently employed in his family flood and fire restoration business as an office manager. In this job he is responsible for dispatching crews, quoting jobs and processing invoices, among other things.
4. Mr. Gelevic has a public service license and will be driving one livery vehicle. He will also employ his mother who has a public service license to drive another livery vehicle. His mother is a Licensed Practical Nurse with experience working with the elderly and handicapped. Mr. Gelevic's wife is attending college but will be able to staff the livery office in Stamford.

5. The applicant's assets include \$55,000 in the bank.

6. The applicant's annual expenses include an insurance premium of \$16,611 for the three vehicles, office rent of \$24,750, advertising costs of \$3,600, vehicle repair of \$4,800, property tax of \$2,400, office supplies of \$1,800, communication costs of \$1,260, utilities of \$3,600 and fixtures and equipment of \$3,000.

7. The applicant plans to utilize three Chevrolet Express 3500 passenger vans. A 2000 Chevrolet Express 3500 wheelchair accessible van has already been purchased for \$4,000. The fair market value for this vehicle is between \$5,077 to \$5,952. The applicant plans to purchase two additional 2004 wheelchair accessible vans with a fair market value of between \$10,125 and \$11,475.

8. After the applicant's expenses are met, the applicant will have a surplus of \$13,940.

9. Ms. Minette Zambo works as the Director of Admissions and Marketing for Regency Heights of Stamford, a skilled nursing facility. For six years she was a unit manager over short term rehabilitation. While in this position she was responsible for overseeing the transportation needs of her patients to go to doctor appointments. These trips were paid for by the patient or their family members. Their current provider, Access Ambulance, is not doing a sufficient job transporting patients as they are often late or do not show up. Some of these patients also want to return home for brief periods of time and need transportation to do so.

10. Mr. Gelevic visited four nursing homes and two doctors' offices and found support for the proposed livery service.

11. The applicant will be charging a smaller fee for transportation than Access Ambulance.

12. There was no opposition to the application.

II. 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 it has \$55,000 in the bank. The applicant's annual expenses include an insurance premium of \$16,611 for the three vehicles, office rent of \$24,750, advertising costs of \$3,600, vehicle repair of \$4,800, property tax of \$2,400, office supplies of \$1,800, communication costs of \$1,260, utilities of \$3,600 and fixtures and equipment of \$3,000.

The applicant plans to utilize Chevrolet Express 3500 passenger vans. A 2000 Chevrolet Express 3500 wheelchair accessible van has been purchased for \$4,000. The fair market value for this vehicle is \$5,077 to \$5,952. The applicant plans to purchase two (2) 2004 wheelchair accessible vans with a fair market value of between \$10,125 and \$11,475. Based on the evidence presented, the applicant has proven the financial suitability to operate this livery service.

With regard to suitability, the applicant submitted a criminal record check showing no convictions for Mr. Gelevic, the sole member. Mr. Gelevic has an undergraduate degree in business and is in the process of getting his master's degree. He currently has a public service license and has worked in the family business as an office manager. He appears to be familiar with the requirements of a livery service and will be able to comply with the rules and regulations regarding this new service.

The applicant must also prove that the service proposed is needed in the community. To prove public need the applicant presented Ms. Minette Zambo, the Director of Admissions and Marketing for Regency Heights of Stamford, a skilled nursing facility. Ms. Zambo testified that her facility could use the applicant's service since the current provider Access Ambulance is not meeting their needs. They often arrive late or do not show up to transport her patients to their doctor appointments.

Based on the evidence presented, it appears there is some need for additional authority in this area however there has not been a showing of need for three additional vehicles. There are other concerns also such as the fact that the applicant and his mother are the only potential drivers and the applicant has not operated a livery service before. The applicant's wife has agreed to staff the livery office but since she is attending college, Mr. Gelevic may have to also staff the office. Given these additional considerations, the applicant will be granted authorization for only two (2) vehicles at this time.

Taking all of the factors into consideration, the applicant will be approved to operate two (2) livery vehicles to service the elderly and handicapped in livery service from a headquarters in Stamford.

I. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-105, as amended, the application of Guiding Light Transport, LLC. is hereby granted in part and Livery Permit Number 3370 is issued as follows:

LIVERY PERMIT NO. 3370
FOR THE OPERATION OF LIVERY SERVICE

Guiding Light Transport, LLC. is hereby permitted and authorized to operate two (2) motor vehicles, having a seating capacity of ten (10) adults or less, in livery service for handicapped and elderly persons from a headquarters in Stamford to all points in Connecticut.

RESTRICTIONS:

The applicant must register the two (2) vehicles granted under this decision within sixty (60) days from the date of this decision.

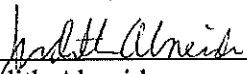
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

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 22nd day of January 2014.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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