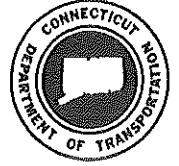


STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 1406-N-110-L

RE: APPLICATION OF PROFESSIONAL LIMO, LLC TO OPERATE ONE  
(1) MOTOR VEHICLE HAVING A SEATING CAPACITY OF LESS  
THAN ELEVEN (11) ADULTS, IN GENERAL LIVERY SERVICE,  
BETWEEN ALL POINTS IN CONNECTICUT FROM A  
HEADQUARTERS IN VERNON.

FINAL DECISION

October 7, 2014

## I. INTRODUCTION

### A. Application

By application filed on June 20, 2014 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Professional Limo, LLC (hereinafter "applicant") located at 93 West Street, Vernon, Connecticut seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) adults, in general livery service between all points in Connecticut from a headquarters in Vernon, Connecticut.

### B. Hearing

Pursuant to Connecticut General Statutes §13b-103(a), as amended, a public hearing on this application was held on September 4, 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 General Statutes §13b-103(a)(1). Legal notice to the public was given by publication on the department's web site at [www.ct.gov/dot](http://www.ct.gov/dot).

The commissioner of transportation designated a hearing officer to conduct the hearing on this matter, pursuant to Connecticut General Statutes §13b-17.

### C. Appearances

Professional Limo, LLC appeared through its owner, Shafiq Parvez, and was represented by Michael Stone, Esq. whose mailing address is 129 Church Street, New Haven, Connecticut 06510.

Ace Taxi Service, Inc. d/b/a Ace Transportation (hereinafter "Ace Transportation") is holder of Livery Permit Number 2699 and is authorized to operate general livery vehicles from a headquarters in Enfield, Connecticut. Ace Transportation also holds authority to operate livery services for elderly and handicapped persons and livery services under contract from a headquarters in Vernon, Connecticut. Ace Transportation appeared through its owner Michael Olshafski and was represented by Mary Alice Moore Leonhardt, Esq. of the law firm of Rome McGuigan, P.C. whose mailing address is One State Street, 13<sup>th</sup> Floor, Hartford, Connecticut 06103. Ace Transportation was afforded intervenor status based on the representation that Ace Transportation operated ten (10) motor vehicles in general livery service from a headquarters in Vernon.

### D. Administrative Notice

Administrative notice was taken of Ace Transportation's permanent livery authority file for Livery Permit Number 2699 in order to determine the actual authority that the petitioner holds.

A review of the transactions, final decisions and grants of authority to Ace Transportation contained in its permanent livery file (Livery Permit No. 2699) shows that Ace Taxi Service, Inc. d/b/a Ace Transportation holds the following authority:

TWO (2) motor vehicles in elderly and handicapped from a headquarters in Vernon;  
TWO (2) motor vehicles under contract from a headquarters in Vernon;  
NINE (9) motor vehicles under contract with Dyntek from a headquarters in Vernon;  
THREE (3) motor vehicles in governmental contract service with Logisticare from a headquarters in Vernon; and  
TEN motor vehicles in general livery service from a headquarters in Enfield.

Based on the actual authority held by Ace Transportation, it has no standing to be granted intervenor status in that it does not operate general livery vehicles from a headquarters in Vernon, nor from a headquarters contiguous to Vernon.

Ace Transportation argued that it has the ability to provide information to assist the hearing officer in making her determination relative to financial wherewithal, suitability and public convenience and necessity; however, no such information was introduced so as to assist this hearing officer in the determination of the issues. Accordingly, the information provided by Ace Transportation will not be considered in the determination of findings of fact and conclusions of law.

## II. FINDINGS OF FACT

1. Shafiq Parvez is the owner of Professional Limo, LLC and currently works as an owner-operator taxicab driver for A-1 Taxi, LLC located in Vernon. He has several years of experience in all aspects of operating a transportation services company. He has driven, dispatched, managed and been responsible accounts payable and collections.
2. Parvez has built a client base through his driving for several companies in Connecticut.
3. Parvez has clients who would like to use him for livery service. These clients understand that they would have to pay more for livery service and they are willing and able to do so to be driven by Parvez.
4. The service that Parvez provides to his clients would be virtually the same as what he provides to them now because his clients for the most part call to make an appointment for transportation.
5. Although Parvez operates his vehicle in taxicab service, several of his clients would prefer to use livery transportation rather than taxicab transportation.
6. Parvez has no criminal conviction history or record of citations relative to his driving as an owner operator.

7. Jacqueline Hardy from South Windsor works for a consulting firm and is responsible for making transportation arrangements for staff at her company and for the company's clients. Hardy uses Parvez exclusively because of his excellent service. While her clients use the taxicab service Parvez provides, they would rather use livery service and have transportation in non-taxicab vehicles. Hardy usually books the trips in advance.
8. Apurva Borikar is employed by Price Waterhouse and is an assurance manager from Boston. He is currently working in Hartford and travels at least twice a week to and from Bradley Airport. He will be working in Harford for the foreseeable future. He has been using Parvez, and will continue to use Parvez's services because Parvez provides excellent service. Borikar would rather be transported in a livery vehicle.
9. Michael Dunham is an investment banking partner from Simsbury. Dunham travels extensively and he uses Parvez exclusively for transportation to and from the airport because of Parvez's excellent service. He would use Parvez's livery service and would rather have Parvez at his disposal as a livery operator. Dunham would pay more for livery service if Parvez would provide it.
10. Parvez's executive clients would rather use livery service than taxicab service.
11. Parvez's clients are willing to pay more for livery service because Parvez provides excellent, on time, professional transportation service.
12. Parvez's clients want transportation that is available to hire on their schedules rather than have to wait in the event Parvez's taxicab is being used by on demand or on call solicitation.
13. Parvez also wants to provide livery service to his clients because of the increased insurance coverage that livery requires.
14. Parvez will use his Toyota Avalon, the car he is currently using in taxicab service, to provide livery service. He will remove the taxicab equipment, such as the dome light and the taxi meter. Parvez owns the vehicle outright.
15. The annual premium for the requisite insurance for the applicant's vehicle is \$5,200, and for six months the cost would be \$3,120, which will be paid monthly.
16. The applicant's annual property tax for the vehicle is \$434. For a six month start-up period the applicant's costs are estimated at \$750 for advertising, \$660 for utilities, \$180 for supplies, and repairs and maintenance are estimated at \$300.
17. As of August 2014, the applicant had cash on hand in the amount of \$19,000.
18. Ace Taxi Service, Inc. d/b/a Ace Transportation does not hold general livery authority from its headquarters in Vernon, or any contiguous town.

### 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 evidence shows that the applicant has clients that would like to use the applicant for livery services rather than taxicab services. Witness testimony included support for the applicant even if the tariff they would have to pay would be more, based on the excellent service that the applicant's owner currently provides. Evidence presented showed that the witnesses were aware of the existence of other livery providers but based on the service they currently receive, they would not use other providers. The witnesses who testified were particularly interested in using livery vehicles for their transportation rather than taxicabs. Moreover, they indicated that they would rather use a livery vehicle and hire the applicant for the time they require transportation. It was apparent from the evidence that it would be more convenient for some of the witnesses to have the transportation available for them when they wanted it.

The applicant's owner/manager has no criminal conviction history or citation or violation history. No negative evidence was introduced on the record so as to reflect negatively on the applicant's suitability to operate within the confines of the livery statutes, regulations and orders of the department.

Lastly, the applicant has cash on hand in the amount of \$19,000. The vehicle that will be used to provide service has no existing loans on it. The applicant's costs include utilities, advertising, maintenance and insurance, totaling less than \$3000 for the first six months start-up costs. The applicant has sufficient funds for the first six months start-up costs.

### IV. CONCLUSION OF LAW

The applicant possesses the suitability to operate the proposed service, the financial wherewithal to operate the proposed service and the public convenience and necessity will be improved by a grant of this authority, in accordance with Connecticut General Statutes §13b-103(a).

V. ORDER

Based upon the foregoing and pursuant to General Statutes §13b-103, the application of Professional Limo, LLC is hereby granted and Permit Number 3452 is hereby issued as follows:

LIVERY PERMIT NO. 3452  
FOR THE OPERATION OF LIVERY SERVICE

Professional Limo, LLC is hereby permitted and authorized to operate ONE (1) motor vehicle having a seating capacity of less than eleven (11) adults, in GENERAL LIVERY SERVICE, between all points in Connecticut from a headquarters in Vernon, Connecticut.

RESTRICTIONS:

Professional Limo, LLC must insure and register the vehicle granted in this permit within thirty (30) days from the date of this final decision. Failure to insure and register this vehicle within said thirty (30) days will result in revocation of this authority.

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 7<sup>th</sup> day of October 2014.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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