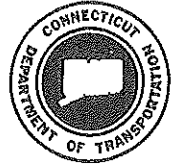


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-2875

DOCKET NO. 1507-N-86-HG

RE: APPLICATION OF DONNA FINOCCHIARO DBA ORGANIZED EAST OF THE RIVER 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 MARLBOROUGH.

FINAL DECISION

November 19, 2015

I. INTRODUCTION

A. Applicant's Proposal

By application filed on July 28, 2015, pursuant to Section 13b-389 of the Connecticut General Statutes, and assigned Docket No. 1507-N-86-HG, Donna Finocchiaro dba Organized East of the River (hereinafter "applicant"), with a mailing address of 3 James Lane, Marlborough, Connecticut 06447 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 Marlborough.

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 November 5, 2015.

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

Donna Finocchiaro appeared pro se on behalf of the applicant. The applicant's mailing address is 3 James Lane, Marlborough, Connecticut 06447.

II. FINDINGS OF FACT

1. The applicant has applied for authorization to transport household goods from a headquarters in Marlborough.

2. The applicant wants to do local and small moves in conjunction with her other business which is estate organizing, helping seniors downsize and staging homes for sale.

3. The applicant already owns a E350 box truck outright and uses part-time help in her current business.

4. Many of the applicant's potential moves would have very little notice and not be of the larger size that a traditional moving company would handle.

5. Phil Rischall is a Geriatric Care Manager. In his job of helping to organize seniors, he will be able to refer the applicant for moves.

6. Patricia Giordano is a senior Travel Consultant. She would be able to refer the applicant to her clients requesting such a referral.

7. Sally Flaig works in health care. She will be able to refer the applicant to her patients who need moving services.

8. The applicant also has contacts with real-estate agents who may be able to refer her services to their clients.

9. The applicant's insurance will cost \$679 per year. The vehicle personal property taxes are \$85 and the repairs and maintenance are \$500.

10. The net income from 2014 was \$16,579. The applicant has cash of \$10,593. The net income from the profit and loss statement is \$15,884.

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 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 criminal history of the applicant, 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 of 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 negative effect on the existing motor carrier facilities if this application were granted.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the applicant's insurance will cost \$679 per year. The vehicle personal property taxes are \$85 and the repairs and maintenance are \$500. The net income from 2014 was \$16,579. The applicant has cash of \$10,593. The net income from the profit and loss statement is \$15,884. Based on the

evidence presented, the applicant has sufficient assets to be financially suitable.

The applicant submitted a criminal record checks for Donna Finocchiaro which showed no criminal record. The applicant had a good understanding of what was needed to operate a household moving company and it is a natural extension of what her existing company does. Based on the evidence presented, the applicant is suitable to operate the proposed service.

Also to be considered is the ability of the applicant to efficiently perform the service for which the authority is requested and the condition of and effect upon the highways involved and the safety of the public using such highways. The applicant has experience in downsizing homes and will be able to efficiently handle the household goods moves. The applicant will be utilizing a box truck which will have a minimal effect on the highways in Connecticut.

Based upon the evidence presented, the applicant has proven all of 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 Donna Finocchiaro dba Organized East of the River is hereby granted and Certificate Number 1780 is issued as follows:

CERTIFICATE NUMBER 1780
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY
FOR HIRE AS A MOTOR COMMON CARRIER

Donna Finocchiaro dba Organized East of the River 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 Marlborough.

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.

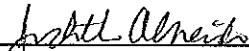
This certificate shall remain in effect until suspended, amended or revoked by the department. Failure of the certificate holder to maintain proper insurance or to comply with all motor vehicle laws and other pertinent State statutes and/or the rules, regulations and orders of the department shall be 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 19th day of November 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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