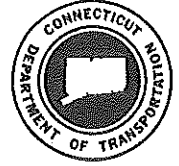




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1508-N-106-HG

RE: APPLICATION OF LOGIC MOVING COMPANY, LLC 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 NEW HAVEN, CONNECTICUT.

FINAL DECISION

March 1, 2016

I. INTRODUCTION

A. Applicant's Proposal

By application filed on August 21, 2015, pursuant to Section 13b-389 of the Connecticut General Statutes, Logic Moving Company, LLC (hereinafter "applicant"), located at 9 University Place, Unit 1, New Haven, 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 New Haven, Connecticut.

B. Hearing

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 January 7 and February 11, 2016.

Notice of the application and of the hearing to be held thereon was given to the applicant and to other parties as required by General Statutes Section 13b-390. Notice to the public was given by publication on the department website at www.ct.gov/dot.

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

C. Appearances

The applicant appeared through its owners Chukwuka Amaechi and Charles Orji and was represented by Michael Stone, Esq., whose mailing address is 129 Church Street, Suite 806, New Haven, Connecticut 06510. The applicant's mailing address is 9 University Place, Suite 1, New Haven, Connecticut 06511.

Christopher Monks, owner of 2 Young Studs Moving, LLC, holder of Certificate No. 1759, appeared in opposition to the application. Monks filed the petition on the basis that there is no need for the applicant company. 2 Young Studs Moving, LLC was granted intervenor status. The intervenor's address is 48 Clark Street, New Haven, Connecticut 06511.

II. FINDINGS OF FACT

1. Charles Orji and Chukwuka Chauncey Amaechi are members of the applicant company. Both members have had experience in moving from working in commercial moving and from working with other moving companies.

2. Joy Okafor is Chukwuka's mother and financial backer for the applicant. Okafor is familiar with the applicant company in that she worked with the company and was its financial person when the company was working under a master contract with Staples for commercial moves. The members provided good service under that contract.

3. Okafor intends to pledge the money for the startup costs for the applicant.

4. The applicant's startup costs include insurance with an annual premium of \$1,476, which will be paid for with a down payment and monthly installments. Repairs and maintenance for the startup of six months is estimated at \$300. Marketing and advertising will be word of mouth and the members will use their personal cell phones for communications. The applicant estimates the cost of a box truck at \$3,000 to \$4,900.

5. The applicant has cash on hand in the amount of \$1,542. The cash on hand is not enough to meet the startup costs, but the startup costs will be fronted Okafor.

6. Okafor provided proof of cash in the amount of \$8,499.00 and a pledge of said funds to the applicant for its startup costs.

7. The applicant has experience in the moving business from working on commercial moves for Staples.

8. Christine Moreda from New Haven knows the owners of the applicant. She saw the applicant's owners working to move pick up furniture and deliver it (un-paid) for a research project on which she was working with a real estate developer. She believes, from observing the applicant work, that it will provide good service. She moves often and would use the applicant to move if the application is approved

9. William Wezenter has a home improvement business in New Haven. He rehabs houses and meets people who ask him for referrals to moving companies when it comes time for them to move into those houses. He is familiar with the owners through their mother. He would refer the applicant, whom he believes to have competitive prices and who would likely undertake smaller moves than the bigger moving companies.

10. Christopher Monks is the owner of Two Young Studs Moving, LLC d/b/a Two Young Studs Moving with a headquarters in New Haven. He opposes the applicant based on failure to have financial suitability.

III. DISCUSSION 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 General Statutes.

The first criterion to discuss is the effect of granting a certificate upon the existing motor transportation facilities. Although there was opposition to this application, the opposition was made on the suitability and the financial responsibility of the applicant and not the effect upon the existing motor transportation facilities. As there was no evidence supporting a conclusion that a grant would be detrimental, then the applicant has met this requirement.

As for the suitability of the applicant, the owners of the company provided the requisite criminal conviction histories for both Amaechi and Orji which both show no record for the members of the company. The applicant's owners have had experience in working in the moving industry so that they appear able to conduct the business efficiently and no evidence supported a conclusion that there would be a negative effect on the highways involved and the safety of the public.

Lastly, the applicant must prove that it is financially responsible to operate the proposed business. The applicant must have the sufficient resources to operate for a six month startup period. Christopher Monks opposed the application on this basis, arguing that the applicant has less than two thousand dollars in its account and that it does not own its equipment nor does it have the requisite insurance. The evidence provided by the applicant showed that the applicant has a pledge of resources for the startup costs. The testimony and pledge of funds from Joy Okafor shows that she is committed to providing the monetary resources for the company's costs. Proof and a pledge of these resources were provided as evidence and based on this evidence, the applicant is deemed to have the financial resources to operate the proposed household moving business.

IV. ORDER

Based upon the evidence of record and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of Logic Moving, LLC is hereby granted and the following certificate is hereby issued as follows:

CERTIFICATE NO. 1782
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION
OF PROPERTY FOR HIRE AS A MOTOR COMMON CARRIER

Logic Moving, LLC 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 follow:

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

RESTRICTIONS:

The certificate holder must register a vehicle under this certificate within thirty (30) days from the date of this Final Decision.

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

This certificate cannot be sold or transferred until it has been operational for more than 24 months.

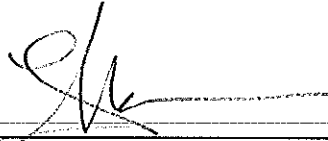
There shall be carried in each vehicle operated under this authority, a copy of the certificate registration receipt issued by the department.

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

This Final Decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut, on this 1st day of March 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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