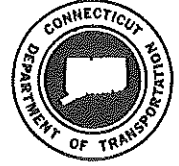




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1510-NGOV-141-L

RE: APPLICATION OF NOANK COMMUNITY SUPPORT SERVICES, INC.
TO OPERATE THREE (3) MOTOR VEHICLES, HAVING A SEATING
CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, FOR THE
TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A
CONTRACT WITH, OR A LOWER TIER CONTRACT FOR ANY
FEDERAL, STATE OR MUNICIPAL AGENCY BETWEEN ALL
POINTS IN CONNECTICUT FROM A HEADQUARTERS IN GROTON.

FINAL DECISION

ERRATA

MARCH 2, 2016

I. INTRODUCTION

A. APPLICATION

By application filed on February 18, 2015, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Noank Community Support Services, Inc. (hereinafter "applicant") located at 306 Thames Street, Groton, Connecticut 06340, seeks authorization to operate three (3) motor vehicles, having a seating capacity of less than eleven (11) passengers, for the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, any federal, state or municipal agency between all points in Connecticut from a headquarters in Groton.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a) (3), as amended, a public hearing on this application was held on February 23, 2016.

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 Connecticut General Statutes Section 13b-103(a)(1), as amended. 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

Regina Moller appeared pro se on behalf of the applicant. The applicant's address is 306 Thames Street, Groton, Connecticut 06340.

II. FINDINGS OF FACT

1. The applicant is seeking to perform contract work for the Department of Children and Families (hereinafter "DCF") with three (3) vehicles.

2. The applicant has not yet submitted a signed executed contract with the Department of Children and Families to provide transportation services. DCF does not want to issue a contract unless the Department grants livery authority to the applicant. Once the applicant receives livery authority, DCF will execute a contract with the applicant within ninety (90) days.

3. Ann Adams, Director of Credentialing for the Department of Children and Families, testified in support of the applicant's request for authority for the three (3) livery vehicles to provide transportation for DCF under contract.

4. The three (3) livery vehicles requested by DCF will provide transportation for students to afterschool programs.

5. The Norwich office of DCF has been asking the applicant to provide transport for their clients.

6. The applicant has cash of \$326,803, current assets of \$851,537 with total assets equaling \$1,811,707.

7. The applicant has annual expenses which include insurance of \$23,122, current liabilities of \$265,061 and total liabilities of \$805,164.

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 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.

To show financial suitability, the applicant submitted information that the applicant has cash of \$326,803, current assets of \$851,537 with total assets equaling \$1,811,707. The applicant has annual expenses which include insurance of \$23,122, current liabilities of \$265,061 and total liabilities of \$805,164. The applicant has sufficient funds to operate during the six month start up period.

Regarding the applicant's suitability, a criminal record check for the three owners of the applicant company which show no convictions was submitted. The applicant provides vital care to DCF clients and providing transportation is a natural extension of that service. The applicant has shown the requisite suitability to be granted a livery permit.

The final element that needs to be proven is that there is an executed contract with the Department of Children and Families. Ann Adams testified as to the need for this livery service and the fact that an executed contract will be forthcoming once the department grants this livery application. Based on the evidence presented, the applicant will be granted the authority to operate the three (3) vehicles that DCF has requested.

The applicant must submit to the hearing officer an executed contract with the Department of Children and Families within ninety (90) days from the date of this decision or the durational authority granted will be revoked automatically without further hearing.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application is hereby granted. Accordingly, Livery Permit Number 3523, standing in the name of Noank Community Support Services, Inc. is hereby issued as follows:

LIVERY PERMIT NO. 3523

DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH THE DEPARTMENT OF CHILDREN AND FAMILIES DOCKET NO. 1510-NGOV-141-L-GRANTED ON FEBRUARY 25, 2016

Noank Community Support Services, Inc. is authorized to operate three (3) motor vehicles, having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with the Department of Children and Families from a headquarters in Groton.

RESTRICTIONS:

The applicant must submit an executed contract with the Department of Children and Families within ninety (90) days of the date of this final decision or the authority contained herein will be automatically revoked. This decision constitutes notice pursuant to Connecticut General Statute Section 4-182.

The applicant must register and insure all of the motor vehicles granted in this docket within ninety (90) days from the date of this final decision. Any vehicles not registered or insured within the ninety (90) day period will be revoked automatically.

The authority for the three (3) vehicles granted in Docket No. 1510-NGOV-141-L, shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with the Department of Children and Families.

The permit holder shall notify the department of any termination of its contract with the Department of Children and Families or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicles authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract shall void the authority for the vehicles authorized pursuant to this contract.

This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. Failure of the permit holder to maintain proper insurance and/or 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 permit.

A memorandum of this permit, bearing the seal of the department, shall be conspicuously posted in each motor vehicle operated under this permit.

Dated at Newington, Connecticut on this 2nd day of March 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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