



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1604-AV-74-L

RE: APPLICATION OF WRIGHT TRANSPORTATION, INC. TO OPERATE SIX (6) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF ELEVEN (11) ADULTS OR LESS, 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 MONTVILLE.

DECISION

JANUARY 31, 2016

I. INTRODUCTION

A. APPLICATION

By application filed on July 5, 2016, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Wright Transportation, LLC (hereinafter "applicant") located at 152 B Route 163, Uncasville, Connecticut seeks authorization to operate six (6) motor vehicles, having a seating capacity of eleven (11) adults or less, 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 Montville.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a) (3), as amended, a public hearing on this application was held on August 25, 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

Gary Wright appeared pro se on behalf of the applicant. The applicant's address is 152 B Route 163, Uncasville, Connecticut 06382.

D. APPLICATION CHANGE

The applicant originally applied in April 2016, for a restricted intrastate governmental livery permit. On July 5, 2016, the applicant changed the application to a general livery application. At the hearing, the application was amended and the application was reinstated as a governmental livery application.

E. DELAY IN ISSUANCE OF THE DECISION

At the hearing, the applicant requested additional time to submit updated financial information to show that additional money was deposited in the bank in the name of the company. The hearing officer granted several extensions to the applicant from August 25, 2016 until January 30, 2017. No updated financial information was submitted by the final deadline.

II. FINDINGS OF FACT

1. The applicant is seeking to perform contract work to provide livery trips for Logisticare, a transportation broker in Connecticut.
2. The applicant currently operates five (5) motor vehicles for Logisticare from a headquarters in Montville.
3. The applicant submitted a signed executed contract with Logisticare.
4. Claude Bisson, Transportation Manager for Logisticare, testified in support of the applicant's request for authority to provide transportation for Logisticare under contract with six (6) wheelchair accessible vehicles.
5. The six (6) livery vehicles requested by Logisticare will be used in the eastern part of the state.
6. Logisticare's wheelchair requests have increased from fourteen to eighteen percent.
7. The criminal record check for Gary Wight shows two old arrests which will not be held against the applicant. The criminal record check for Jason Kenney shows no record found.
8. The applicant's six months of operating expenses includes \$37,505 to insure the six vehicles and \$45,000 to purchase each vehicle, for an expenditure of \$270,000. The combined six month operating expense is \$307,505.
9. The applicant currently has \$2,277 cash in Chase bank.
10. There was opposition to the application.

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 support, the applicant submitted information that the applicant has a bank balance of \$2,277. The applicant needs \$37,505 to insure the vehicles for six months and \$270,000 to purchase the vehicles for a total of \$307,505. The applicant is completely underfunded having only \$2,277 in the bank and is therefore not financially suitable.

Regarding the applicant's suitability, the applicant submitted a criminal record check for both Mr. Wight and Mr. Kenney. Mr. Kenney has no convictions and Mr. Wright does not have any recent convictions. The applicant is currently in the livery business and has the necessary suitability to receive a grant of this application.

The applicant submitted copies of a current executed contract he has with Logisticare providing wheelchair transportation with five (5) vehicles. Mr. Bisson testified that Logisticare is having difficulty providing wheelchair transportation in the south east corner of the state and has been asking vendors with headquarters further out to cover these calls. There has been a four percent increase in wheelchair requests since last year.

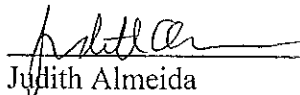
Based on the above, the applicant has not shown financial suitability to be granted additional authorization.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application is hereby denied.

Dated at Newington, Connecticut on January 31, 2017.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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