



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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DOCKET NO. 1709-NGOV-98-L

RE: APPLICATION OF PHOENIX PROFESSIONAL SERVICES, LLC DBA PHOENIX PROFESSIONAL SERVICES TO OPERATE ONE (1) MOTOR VEHICLE, 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 EAST HARTFORD.

DECISION

NOVEMBER 20, 2017

I. INTRODUCTION

A. APPLICATION

By application filed on September 27, 2017, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Phoenix Professional Services, LLC dba Phoenix Professional Services (hereinafter "applicant") with a mailing address of 29 Connecticut Boulevard, East Hartford, Connecticut 06108 seeks authorization to operate one (1) motor vehicle, having a passenger seating capacity of less than eleven (11) adults, 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 East Hartford.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103, as amended, a public hearing on this application was held on November 16, 2017.

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, 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

Tamar Draughn appeared on pro se behalf of the applicant. The applicant's mailing address is 29 Connecticut Boulevard, East Hartford, Connecticut 06108.

Judith Jordan, Director of Contract Management, appeared as a witness for the Department of Children and Families, hereinafter "DCF".

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle under contract with DCF.
2. Judith Jordan is the Director of Contract Management for the Department of Children and Families (DCF).
3. DCF needs transportation of children in the Hartford area to after school programs, supervised visits and to school.

4. Tamar Draughn has operated Phoenix Professional Services, LLC for the past four years. The company provides therapy services to children and other services. Ms. Draughn proposes to transport the children to and from her programs.

5. There are timeliness issues with the transportation services currently being used by the applicant to transport the children.

6. The applicant will use drivers from her program who are familiar with the children's needs.

7. The applicant's first six months of expenses includes insurance of \$3,273, maintenance costs of \$475, property tax of \$300, payroll of \$6,000 and a vehicle purchase of \$4,500 for total expense of \$14,548.

8. The applicant has \$40,280 in the bank.

9. The applicant has two drivers who will drive the 2006 Mazda 5 to be used in the business. Victor Acevedo will supervise the drivers and act as a backup driver.

10. This application was not opposed.

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 has presented evidence that the first six months of expenses includes insurance of \$3,273, maintenance of \$475, property tax of \$300, payroll of \$6,000 and a vehicle purchase price of \$4,500 for total expense of \$14,548. The applicant has \$40,280 in the bank. Based on the evidence presented, the applicant is financially viable to operate the proposed livery service since its assets far outweigh the costs.

Regarding the applicant's suitability, Mr. Draughn submitted a criminal record check which disclosed no convictions. She has been working with children in a therapeutic setting and wants to be able to transport the children to and from the programs she operates as well as supervised visits. Based on the evidence presented, applicant is suitable to perform the proposed livery service.

On the issue of public convenience and necessity, Ms. Jordan from DCF testified that DCF will contract with the applicant to provide transportation in the greater Hartford area. Based on all of the evidence presented, the applicant will be granted one (1) governmental livery permit.

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 3619, standing in the name of Phoenix Professional Services, LLC dba Phoenix Professional Services is hereby issued as follows:

LIVERY PERMIT NO. 3619

DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH DEPARTMENT OF CHILDREN AND FAMILIES DOCKET NO. 1709-NGOV-98-L-GRANTED ON NOVEMBER 20, 2017

Phoenix Professional Services, LLC dba Phoenix Professional Services is authorized to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with Department of Children and Families from a headquarters in East Hartford.

RESTRICTIONS:

The applicant must register and insure the one (1) motor vehicle granted in this docket within sixty (60) days from the date of this final decision. If the vehicle is not registered or insured within the sixty (60) day period, it will be revoked automatically.

The authority for the one (1) vehicle granted in Docket No. 1709-NGOV-98-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 Department of Children and Families.

The permit holder shall notify the department of any termination of its contract with 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

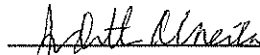
extension of said contract. Failure to file an extension of the contract, or a new executed contract shall void the authority for the vehicles authorized pursuant to this contract.

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 November 20, 2017.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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Bureau of Finance and Administration