



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 2307-N-105-L

RE: APPLICATION OF LEXA TRANSPORTATION LLC TO OPERATE  
THREE (3) GENERAL LIVERY VEHICLES, WITH A SEATING  
CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A  
HEADQUARTERS IN WEST HAVEN

DECISION

SEPTEMBER 12, 2023

## I. INTRODUCTION

### A. APPLICATION

By application filed on July 18, 2023, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, LeXa Transportation LLC (hereinafter "applicant") with a mailing address of 164 Blohm Street, FL1, West Haven, Connecticut 06516 seeks authorization to operate three (3) motor vehicles, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in West Haven.

### B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on September 5, 2023.

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

Lijeamsy Philogene appeared pro se on behalf of the applicant. The applicant's mailing address is 164 Blohm Street, FL1, West Haven, Connecticut 06516.

## II. FINDINGS OF FACT

1. The applicant seeks to operate three (3) motor vehicles in general livery service from a headquarters in West Haven.

2. The applicant will operate a 2004 Ford van, 2023 Toyota Corolla and a 2014 Toyota Sienna van. The Ford is paid for while the other two vehicles are financed.

3. The applicant has been working for the State of Connecticut in human services. She has experience transporting young adults.

4. The first six months of expenses includes vehicle financing of \$5,110, insurance of \$4,686, property tax of \$464, maintenance of \$200, advertising of \$50 and communication costs of \$500.

5. The applicant has \$11,582 in a business bank account.
6. The applicant has been performing student transportation for the past few months.
7. The applicant, her husband and her mother will drive the livery vehicles.
8. Ms. Plilogene has a clean criminal history.
9. The applicant will be receiving livery referrals from various organizations.
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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Lijeamsy Philogene which disclosed no criminal record. Ms. Philogene has some transportation experience and has been operating successfully in student transport for a few months. Based on the evidence presented, the applicant is suitable to conduct the additional proposed intrastate livery business.

As far as the applicant's financial ability is concerned, vehicle financing of \$5,110, insurance of \$4,686, property tax of \$464, maintenance costs of \$200, advertising costs of \$50 and communication costs of \$500 for a total expense of \$11,010. The applicant has \$11,582 in a business bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant has been performing student transportation and wants to expend into livery transportation which includes transportation

to after school programs. She will be receiving livery referrals from various organizations. Based on the evidence presented, the applicant will receive authorization for three (3) general livery vehicles.

#### IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of LeXa Transportation LLC is hereby granted, and Livery Permit Number 3803 is hereby issued as follows:

#### **LIVERY PERMIT NUMBER 3803**

LeXa Transportation LLC is authorized to operate three (3) motor vehicles in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in West Haven.

#### **RESTRICTIONS:**

**The applicant must register and insure the three (3) motor vehicles granted in this decision within ninety (90) days. Failure to do so may result in revocation of the general livery authority.**

The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

This permit shall remain in effect until it is amended, suspended or revoked by the department. 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 the 12th day of September 2023.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

A handwritten signature in black ink, appearing to read "Judith Almeida", is written over a solid horizontal line.

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