

STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION

BUREAU OF PUBLIC TRANSPORTATION OFFICE OF PROGRAM MANAGEMENT



MOTOR BUS CERTIFICATE FR5003 FOR THE OPERATION OF MOTOR BUSES

APPLICATION NUMBER 1909-CFR-108-B (913) FASTRAK
APPLICATION OF FIRST TRANSIT, INC (OPERATED BY H.N.S. MANAGEMENT
COMPANY INC.) TO OPERATE BUS TYPE MOTOR VEHICLES IN INTRASTATE FIXED
ROUTE BUS SERVICE

INTRODUCTION

A. Application

On September 24, 2019, First Transit, Inc. ("First Transit" or "Applicant") filed an application for Intrastate Fixed Route Bus Authority under Connecticut General Statutes § 13b-80 with the State of Connecticut Department of Transportation ("Department").

B. Background

The Department's Office of Regulatory and Compliance¹ ("ORC") has jurisdiction over each person, association, limited liability company or corporation operating a motor bus in service in the State of Connecticut pursuant to Conn. Gen. Stat. § 13b-80, as amended.

First Transit has operated motor bus service through its subsidiary H.N.S. Management Company, Inc. ("H.N.S.") under contract administered by the Department's Office of Transit and Ridesharing ("OTR") pursuant to Conn. Gen. Stat. § 13b-34 authority.

The Superior Court issued a Memorandum of Decision dated February 11, 2019, in which it determined that Conn. Gen. Stat. § 13b-80 requires any company operating motor bus service to have a certificate of public convenience and necessity pursuant to Conn. Gen. Stat. § 13b-80 ("certificate"), regardless of whether the company has been operating under a contract with the Department pursuant to Conn. Gen. Stat. § 13b-34. See DATTCO Inc. et al. v. DOT, Docket X07 HHD-CV-10-6079022-S, DATTCO Inc. v. DOT, Docket X07 HHD-CV-14-6079021-S, and The New Britain Transportation Co. v. DOT, Docket X07 HHD-CV-15-6079020-S, Superior Court, judicial district of Hartford, (February 11, 2019).

Since First Transit did not possess a certificate, it filed an application for Intrastate Fixed Route Bus Authority under Connecticut General Statutes §13b-80 ("Application") with the ORC on September 24, 2019.

¹ All references to the Department, when referencing regulatory matters under Chapter 244 of the General Statutes refers to the Office of Regulatory and Compliance.

The ORC assigned Docket Number 1909-CFR-108-B (913) FASTRAK to the Application. First Transit seeks authorization pursuant to Conn. Gen. Stat. § 13b-80 to operate motor bus service along the route as set forth in Exhibits A (which is a turn by turn narration of the route) and B (which is a map of the route) which was designed as CTtransit Route 913 by the OTR. First Transit filed the Application in response to the Superior Court's February 11, 2019 Memorandum of Decision.

On October 1, 2019, the ORC provided notice to (i) the applicant, First Transit, (ii) the mayor of each city, the warden of each borough or the first selectman of each town in or through which the Applicant desired to operate,² and (iii) all fixed route certificate holders regardless of whether or not the proposed route was along or substantially parallel to a route in an active certificate.³

After consideration by the ORC and in accordance with Conn. Gen. Stat. § 13b-81, the ORC on October 4, 2019 issued Temporary Bus Certificate Number CFR5003 ("Temporary Certificate") to First Transit for Route 913.

On October 29, 2019, Dattco, Inc. ("Dattco"), The New Britain Transportation Company, Inc. ("NBT"), and Collins Bus Service, Inc. ("Collins") filed petitions in opposition to the Application and sought a public hearing on the Application.

On November 5, 2019, the ORC issued an amended notice, extending the comment and petition period through November 15, 2019. On January 24, 2020, the comment period was further extended through February 7, 2020.

The ORC obtained information from some of the fixed route certificate holders in opposition to First Transit's Application, and also obtained memoranda by the OTR in support of First Transit's Application.

As a result of an injunction issued in Dattco, Inc. et al v. State of Connecticut, Department of Transportation et al., Docket No. X07 HHD-CV20-6124097-S, the ORC was not permitted to take any further action on the Application and the Temporary Certificate remained in effect. On February 24, 2021, that lawsuit was withdrawn and the injunction lifted.

FINDINGS OF FACT

- 1. The Applicant seeks a certificate under Conn. Gen. Stat. § 13b-80.
- 2. First Transit seeks authorization to operate motor bus service, through its subsidiary H.N.S. along CTtransit Route 913 the route as set forth in Exhibits A (which is a turn by turn narration of the route) and B (which is a map of the route), designated by the OTR as CTtransit Route 913.
- 3. First Transit currently operates motor bus service through its subsidiary H.N.S. under contract with the Department pursuant to Conn. Gen. Stat. § 13b-34 ("Contract").

² For CTtransit Route 913 those were Hartford, East Hartford, Manchester, Mansfield, Coventry, South Windsor, Vernon, Tolland and Storrs.

³ ORC notified all fixed route certificate holders in Connecticut: Arrow Line Acquisition, LLC; Collins Bus Service, Inc.; Dattco, Inc.; The New Britain Transportation Company, Inc.; North-East Transportation Company, Incorporated; Peter Pan Bus Lines, Inc.; and Post Road Stages, Inc.

- 4. The Department entered into the Contract with the Applicant to operate motor bus service along numerous Department designated routes within the State, including, but not limited to CTtransit Route 913.
- 5. The current Contract commenced on January 1, 2016 and was set to expire on December 31, 2020. A copy of the Contract was submitted with the Application.
- 6. The ORC takes administrative notice that the Contract was extended prior to December 31, 2020 and that the new expiration date of the Contract is December 31, 2022.
- 7. The OTR, which administers the Contract for the Department, filed a memorandum dated November 15, 2019 in support of the Application ("2019 Memorandum") and a memorandum dated February 14, 2020 in support of the Application ("2020 Memorandum"). The ORC incorporates the 2019 and 2020 Memoranda herein.
- 8. Three certificate holders, Dattco, Inc., The New Britain Transportation Company, Inc., and Collins Bus Service, Inc., filed petitions, including a supplemental petition, in opposition to the Application.
- 9. After consideration of the 2019 and 2020 Memoranda submitted by OTR in support of the Application, the ORC finds the information submitted is persuasive in support of the Application.
- 10. Conversely, after consideration of the petitions in opposition to the Application, the ORC finds the information in opposition was unpersuasive and does not form a basis to deny the Application.
- 11. The Applicant has been operating CTtransit Route 913 since its inception in August 2017.
- 12. The Applicant's subsidiary, H.N.S., operates the motor bus service under the Contract.
- 13. CT*transit* Route 913 provides direct express bus service between Storrs, Tolland, Manchester and Hartford.
- 14. CTtransit Route 913 utilized the Interstate 84 ("I-84") corridor between Hartford and Tolland, including the dedicated high occupancy vehicles ("HOV") lanes that separate high occupancy vehicles such as buses from other traffic.
- 15. The HOV lanes, which run between Hartford and Vernon, allow CT*transit* Route 913 buses to avoid much of the congestion associated with rush hour traffic on the other lanes of I-84 east of Hartford.
- 16. CTtransit Route 913 provides a vital link for University of Connecticut ("UCONN") students between the campus in Storrs and the downtown Hartford campus. However, the service is not limited to UCONN students but is available to the general public, both to and from Hartford, providing commuter access in both directions. The service provides a transportation alternative for UCONN students living off campus. The route also provides entertainment and shopping opportunities for UCONN students who utilize the service to access the Buckland area of Manchester and provides the general public with access to cultural and sporting events in Storrs.

- 17. Once in Hartford, CT*transit* Route 913 connects with CT*fastrak*, which is Connecticut's first Bus Rapid Transit ("BRT") system. It operates along a dedicated 9.4 mile bus-only roadway between downtown New Britain and downtown Hartford, known as the Hartford New Britain Busway ("Busway" or "guideway").
- 18. At Union Station in Hartford, CTtransit Route 913 provides access to CTrail (the New Haven-Springfield railroad line) which connects in New Haven with Metro-North rail service west to New York City, Shoreline East rail service to New London, and Amtrak, a nationwide intercity rail network.
- 19. Once in Hartford, CT*transit* Route 913 allows passengers to connect with other buses in downtown Hartford and stops at the Sigourney Street CT*fastrak* station as well, allowing connections to UCCON Medical Center in Farmington.
- 20. For State fiscal years 2018 and 2019, CTtransit Route 913 ridership steadily increased from 105,510 a year to 162,776 a year, respectively. Fiscal year 2018 represents a 10 ½ month period since CTtransit Route 913 began operations in mid-August 2017. For that 10 ½ month period, ridership averaged 10,048 riders per month. For fiscal year 2019, CTtransit Route 913 averaged over 13,500 riders a month.
- 21. CTtransit Route 913 provides a number of benefits to the public:
 - An Enjoyable, Stress-Free Ride Equipped with Wi-Fi, riders can take advantage of their travel on the bus, using their time to do something more productive than driving, or to just relax. The CTtransit system uses low-floor buses that are easy to board and comfortable to ride.
 - Efficient and Reliable Travel Operating on a regular schedule with numerous trips throughout the day, the CTtransit Route 913 express bus service utilizing HOV lanes is able to operate at speeds that are faster than conventional vehicles moving in the regular lanes of I-84 during rush hour traffic. CTtransit Route 913 service typically delivers shorter travel times, often shorter than the equivalent automobile commute.
 - Convenience With fast, frequent and direct service from local communities to popular destinations, CT*transit* offers a safe and worry-free ride to busy commuters and other travelers.
 - Environmentally-Friendly Service The transit service replaces the need for thousands of daily automobile trips on Connecticut roads and highways. As a result, the CT*transit* system helps achieve better air quality by reducing the carbon footprint and achieving other positive environmental goals.

DEPARTMENT ANALYSIS

Conn. Gen. Stat. § 13b-80 does not require the Department's ORC to hold a hearing on the Application. The ORC determines that based upon the circumstances of this Application for a certificate on a contract route which is supported by the Department's OTR, a hearing on the Application is unnecessary.

Looking at the record in this docket, the OTR has determined that there is a need for motor bus service along CTtransit Route 913 and executed the Contract with the Applicant to operate bus service, inter alia, on CTtransit Route 913. The ORC-determines that the 2019 Memorandum and the-2020 Memorandum provide substantial evidence to support the certification of public convenience and necessity with regard to the Application.

It is the policy of the State of Connecticut for the Department to provide a transportation system for the general public. See Conn. Gen. Stat. § 13b-32. In order to achieve that goal, the Commissioner of the Department has statutory authority under Conn. Gen. Stat. § 13b-34 to contract for bus service "for the purposes of initiating, continuing, developing, providing or improving any such transportation service."

Based upon the above, it is clear to the ORC that CTtransit Route 913 is operated not only in furtherance of legislative policy, but it is utilized by the general public and provides a great benefit to its riders, the communities along the corridor and to the overall transportation system in the State.

CONCLUSION

The ORC finds that the Applicant is a proven operator for CTtransit Route 913. It began operating the service through its subsidiary H.N.S., since its inception in August 2017 with continuous operation through today pursuant to the Contract. Nevertheless, should that Applicant fail to perform in accordance with the terms and conditions of the Contract, the OTR has the right to terminate the Contract and seek another operator. This safeguard provides additional protection to the general public.

It is clear from the evidence produced by OTR that the Department determined that there is a need for CTtransit Route 913 to be run for the general public and that CTtransit Route 913 is providing a great benefit to the general public. It is logical then to conclude that the existence of the Contract, in conjunction with the supporting memoranda from the OTR, firmly establishes public convenience and necessity under Conn. Gen. Stat. § 13b-80.

ORDER

Based upon the above and pursuant to Conn. Gen. Stat. § 13b-80, the Application in the name of First Transit, Inc. is granted and following certificate is issued:

CERTIFICATE NUMBER FR5003

First Transit, Inc. is hereby permitted and authorized, to operate under Certificate Number FR5003 motor bus service along the route designated by the State of Connecticut CT*transit* Route 913 as set forth in Exhibits A and B, incorporated herein by reference, subject to the restrictions and conditions below. In general, the route passes through the following municipalities: HARTFORD, EAST HARTFORD, MANCHESTER, MANSFIELD, COVENTRY, SOUTH WINDSOR, VERNON, TOLLAND AND STORRS

RESTRICTIONS & CONDITIONS

First Transit may utilize its subsidiary H.N.S. to operate the motor bus service authorized by this certificate.

This certificate is contingent upon First Transit having a contract with the Department to operate CT*transit* Route 913 and expires upon the earlier of the expiration or termination of its contract with the Department to operate CT*transit* Route 913.

First Transit is authorized to operate CTtransit Route 913 on behalf of the Department on the schedule and at the rates of fare established by the OTR during the Contract's duration.

This certificate is not transferable without prior written approval from the OTR and the ORC and is issued subject to compliance with all motor vehicle laws and with such rules and regulations as the Department or ORC may prescribe with respect to routes, equipment, accounts, fares, speed, schedules, continuity of service and the convenience and safety of passengers and the public.

This certificate shall remain in effect until the earlier of the expiration or termination of the Contract with the Department to operate Route 913 or until revoked by the ORC. Failure of the certificate holder to maintain proper insurance or comply with all pertinent motor vehicle laws or state statutes or the rules, regulations and orders of the ORC, which may be amended from time to time may result in the suspension or revocation of this certificate.

A memorandum of this certificate shall be displayed in a conspicuous place in each motor bus operated under this certificate.

Dated at Newington, Connecticut on this 23rd day of March 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

Philip Scarroz Constitution of the Scarroz Philip Scarroz Constitution of the Scarroz

Philip T. Scarrozzo Transit Manager Office of Program Management Bureau of Public Transportation

913 -Hartford/Storrs Express

OUTBOUND

Sigourney Street Station

Bus Stop D

S – Hawthorn St.

L - Sigourney St.

R – Farmington Ave.

S - Asylum St.

R - Ford St.

L - Pearl St.

S – Central Row

Weekdays before 9:00AM

L - Market St.

R - Talcott St.

R – Columbus Blvd.

L – Founders Bridge

All other times

S - State St.

S – Founders Bridge

Bear R – Exit 2

S – I-84 East

Bear R – HOV East

L – Buckland St. Exit

L – Buckland St.

L – Buckland Park & Ride

Service both bus shelters

Via Buckland Hills Mall

R - Buckland St.

L – Pavillions Dr.

R - Ring Rd.

L – Past Macy's

R – Ring Rd.

L – Past Dave & Busters

OUTBOUND

L – Buckland Hills Dr.

L – Buckland St.

L – I-84 East

All other times

R - Buckland St.

L - I-84 East

R - Exit 68

L - CT - 195

R – Tolland Park & Ride

Circle Lot to Bus Stop

L – CT-195 (Merrow Rd.)

S – Storrs Rd.

L – Charles Smith Way

L – Wilbur Cross Way

L – Royce Circle to

Nash-Zimmer Transportation

Center Bus Stop NW

No layover at Transportation

Center. After dropping off

passengers, continue to

layover point at Mansfield

Post Office:

S – Royce Circle

L – Bolton Rd. Ext.

L – Storrs Rd.

L – Charles Smith Way

L – Wilbur Cross Way

Return to Transportation

Center after layover to start

inbound trip
DEPARTMENT'S EXH.# 4- Route
Updated: 17

___ FULL/I.D. <u>C-FR 50</u>03

913 -Hartford/Storrs Express

INBOUND

Nash-Zimmer Transportation

Center Bus Stop NW

L - Bolton Rd. Ext.

R – Storrs Rd.

S – Merrow Rd.

R – Tolland Park & Ride

Circle Lot to Bus Stop

L – Merrow Rd.

R – I-84 West (No HOV)

Do Not Use HOV Lane

Via Buckland Hills Mall

R - Exit 62

Bear Right

R – Pleasant Valley Rd.

con't past park & ride

S – Buckland Hills Dr.

R - Buckland Hill Mall

R - Ring Rd.

L-Past Macy's

R - Ring Rd.

L – @ Stop Sign after Dave & Buster's

L-Buckland Hills Dr.

L - Buckland St.

R - Buckland Park & Ride

All other times

R – Pleasant Valley Rd.

R – Buckland Park & Ride

Service both bus shelters

R – Buckland St.

R – HOV West

S-I-84 West

L - Exit 54

INBOUND

S – Founders Bridge

S - State St.

Bear L – Central Row

S – Pearl St.

R – Ford St.

L – Asylum St.

Bear L – Farmington Ave.

L – Sigourney St.

R – Hawthorn St.

L – Sigourney Street Station

R – Bus Stop C

Wait for any buses ahead to

clear Bus Stop C then exit

station R-- Hawthorn St.

Layover at Bus Stop D.

DEPARTMENT'S EXH. # A - Route 913 ρ.2

DATE: 3/23/21 FULL/1.D. C-FR 5003

Updated: 18-08-21



TURN LIST ROUTING INSTRUCTIONS

913 Hartford/Buckland/Storrs Express

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913 Buckland-Storrs Express

Outbound

Sigourney Street Station

Bus Stop D

S - Hawthorn St.

L - Sigourney St.

R - Farmington Ave.

S - Asylum St.

R - Ford St.

L - Pearl St.

S - Central Row

Weekdays before 9:00AM

L – Market St.

R - Talcott St.

R - Columbus Blvd.

L - Founders Bridge

All other times

S - State St.

S - Founders Bridge

Bear R - Exit 2

S - I-84 East

Bear R - HOV East

L - Buckland St. Exit

L - Buckland St.

L - Buckland P&R

Circle Lot to Bus Stop A

Circle Lot to Bus Stop B

Via Buckland Hills Mall

R – Buckland St.

L - Pavilions Dr.

R - Ring Rd.

L - Past Macy's

R - Ring Rd.

L - Exit Dr. (Dave &

Buster's)

L - Buckland Hills Dr.

L - I-84 East

All other trips

R - Buckland St.

L - I-84 East

R - Exit 68

L - CT 195 (Merrow Rd.)

R - Tolland P&R

Circle Lot to Bus Stop

Exit L - CT-195 (Merrow Rd.)

S - Storrs Rd.

To UCONN Campus

L – Charles Smith Way

L - Wilbur Cross Way

L - Royce Circle to Nash-

Zimmer Transportation Center

Bus Stop NW

Refer to paddle for layover

instructions.

DEPARTMENT'S EXH.# <u>A - Route 913 ρ.3</u>

DATE: <u>3/23/21</u> FULL/I.D. <u>C-FR50</u>03



TURN LIST ROUTING INSTRUCTIONS

913 Hartford/Buckland/Storrs Express

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913 Hartford Express

<u>Inbound</u>

Nash-Zimmer

Transportation Center

S - Royce Cr.

L - Bolton Rd. Ext.

R - Storrs Rd. (CT-195)

R - Tolland P&R

Circle Lot to Bus Stop

Exit L - Merrow Rd.

R - I-84 West (NO HOV)

R - Exit 60/62

R - Pleasant Valley Rd.

Via Buckland Hills Mall

S - Buckland Hills Dr.

R - Mall Driveway

(opp. Target/Lowe's)

R - Ring Rd.

L - Past Macy's

R - Ring Rd.

L - Exit Dr. (Dave &

Buster's)

L - Buckland Hills Dr.

L - Buckland St.

R - Buckland P&R

All other trips

R - Buckland P&R

Circle Lot to Bus Stop A

Circle Lot to Bus Stop B

R - Buckland St.

R – HOV West

L - Exit 54

S - Founders Bridge

S - State St.

Bear L - Central Row

S - Pearl St.

R - Ford St.

L - Asylum St.

Bear L - Farmington Ave.

L - Sigourney St.

R - Hawthorn St.

L - Sigourney Street Station

R - Bus Stop C

Drop off at Bus Stop C

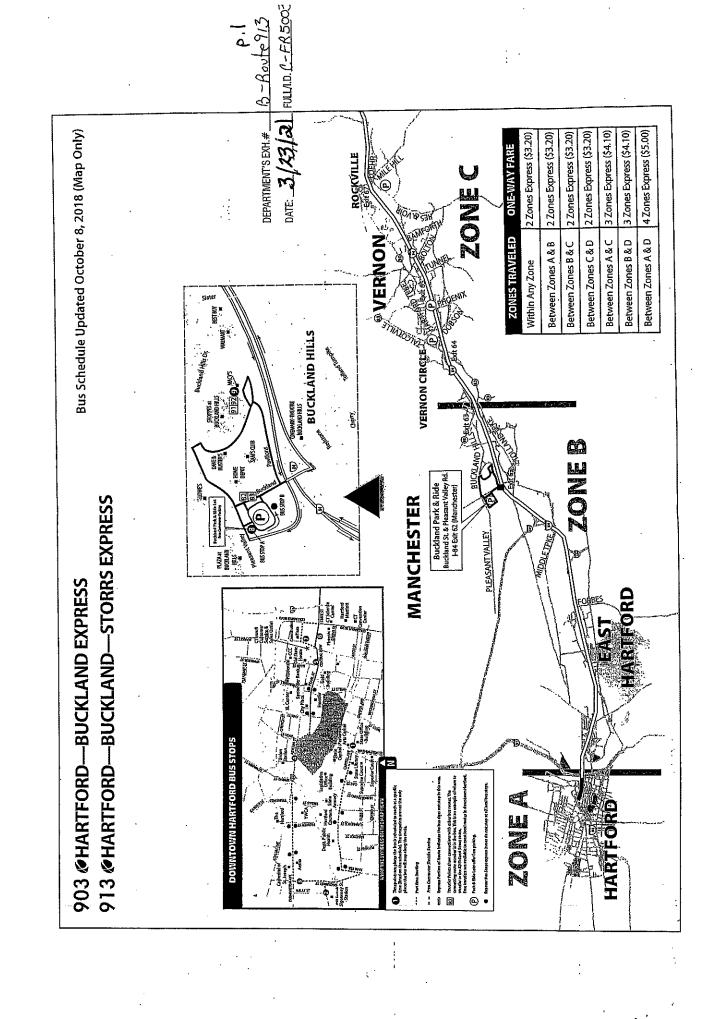
R – Exit Dr.

R - Hawthorn St.

Layover at Bus Stop D.

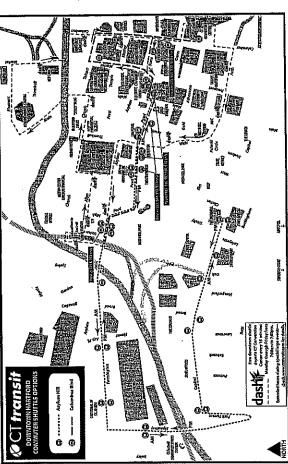
DEPARTMENT'S EXH. # A- Route 913 p.4

DATE: 3/23/21 FULL/I.D. C-FR5003



903 @HARTFORD—BUCKLAND EXPRESS

913 @HARTFORD—BUCKLAND—STORRS EXPRESS



Options for CT*transit* Express Commuters: Free Shuttles Available Downtown to Make it Easier to Get More Places!

The **Asylum Hill Free Commuter Shuttle** is a service linking Central Row and Pearl St. with Union Station, Asylum Hill and Capitol Ave. Many trips on Routes 903, 904, 905, 906, 907, 910, 914 & 915 offer through-service on the Asylum Hill Shuttle. Connections an with *all trips on all express bus routes* are available at Central Row or Pearl St; connections with inter-city buses and trains are available at Union Station.

- Buses depart Central Row North (Old State House) on weekday mornings beginning at 6:35AM then approximately every 3 to 5 minutes until 9:00AM. Customers can also board the Asylum Hill Shuttle at Pearl & Trumbull (100 Pearl St.), Pearl & Ann (Goodwin Square) or at Asylum & Union.
- On weekday afternoons, buses start from Capitol & Trinity at The Bushnell at 12:05, 2:05 & 3:18Pw, then approximately every 4 to 6 minutes until 5:05Pw, with two final trips at 5:25 & 6:17Pw. Buses depart Aetna on Sigourney Street approximately 7 to 10 minutes after leaving The Bushnell. Travel time to Pearl St. is approximately 18 minutes from The Bushnell and approximately 11 minutes from Aetna, but may vary due to traffic. Ride any trip on Express Routes 903, 904, 905, 906, 907, 910, 914 or 915 direct to your final destination or change buses quickly and easily at Pearl St. Please note that Routes 903, 904, 8 914 stop at the west end of Pearl St. near Ann St. (TheaterWorks) and Routes 905, 906, 907, 910 & 915 stop at the east end of Pearl St. near Trumbull Street (Frontier Communications).

DEPARTMENT'S EXH.# 8 - 80 U.F. 913

DATE: 3/23/21_ FULL/10. 0-FR5003

The Columbus Boulevard Free Commuter Shuttle is a new service linking Pearl St. and Central Row with Market St. & Columbus Blvd. Most trips on Routes 901, 902, 909 & 912 offer through-service on the Columbus Blvd. Shuttle. Connections with *all trips on all express bus routes* are available at Central Row or Pearl St.; connections with intercity buses and trains are available at Union Station.

- Buses depart Central Row South (Travelers) on weekday mornings beginning at 6:50Am then approximately every 5 minutes from 7:10 to 8:55AM. Customers can also board the Columbus Blvd. Shuttle on Asylum St. at Bushnell Park or at Pearl & Trumbull Sts. (Frontier Communications).
- On weekday afternoons, buses start from Columbus Blvd, at the CT Convention Center at 12:09, 12:14, 2:14 & 3:18pw, then approximately every 5 to 10 minutes until 5:38pw, with a final trip at 6:24pw. Travel time from the CT Convention Center to Central Row is about 3 to 5 minutes, depending on traffic. Ride any trip on Express Routes 901, 902, 909 or 912 direct to your final destination or change buses quickly and easily at Central Row or Pearl St. Please note that Routes 902 & 909 are unable to serve the bus stop at Asylum & Union in the afternoon.

