

File

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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DOCKET NUMBER 0705-C-63-HG

IN THE MATTER OF THE CITATION OF J.D.J.B., INC.
DBA NEW CANAAN MOVING AND STORAGE.

FINAL DECISION

December 3, 2007

I. INTRODUCTION

A. Background

By citation dated June 25, 2007 issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-407, J.D.J.B., Inc. dba New Canaan Moving and Storage (hereinafter "respondent"), of Bridgeport, Connecticut, was ordered to come before the department to answer allegations made therein. J.D.J.B., Inc. dba New Canaan Moving and Storage is holder of Certificate Number 1744 and is authorized to operate motor vehicles for the transportation of property for hire as a motor common carrier to all points in Connecticut from a headquarters in Bridgeport.

Pursuant to said citation, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Certificate Number 1744 should not be suspended or revoked or a civil penalty imposed for failure to file a 2007 annual Intrastate Permit fee for each vehicle that the respondent intended to operate under the authority of the department in violation of Connecticut General Statutes section 13b-410c(b). The citation was sent to the respondent by first class and certified mail and recited the department's reasons for issuing same.

B. Hearing

Pursuant to Section 13b-407 of the Connecticut General Statutes, the public hearing for this citation was held on November 8, 2007.

Notice of the citation and of the hearing to be held thereon was given to the respondent and to such other parties as required by General Statutes Section 4-182 and 13b-407.

The hearing on this matter was conducted by a hearing officer designated by the Commissioner of Transportation, pursuant to Section 13b-17 of the General Statutes.

C. Appearances

The respondent failed to appear at the hearing.

Sheldon Lubin, utilities examiner for the Regulatory and Compliance Unit of the department, presented the evidence in this matter.

II. FINDINGS OF FACT

1. The respondent holds a certificate of public convenience and necessity (Number 1744) from the department authorizing the transportation of household goods for hire as a household goods carrier in the State of Connecticut.
2. The respondent was advised by the department, by letter dated October 24, 2006, that it must return its application for its annual state permits by December 31, 2006.
3. The respondent failed to file for its annual state permits by December 31, 2006.
4. Sheldon Lubin, utilities examiner with the Regulatory and Compliance unit of the department, received a telephone call from an unidentified company that wanted to get rid of one of the respondent's abandoned trucks that was on its property.

5. Lubin made several attempts to locate the company by telephone but could not locate the respondent company.

6. The Secretary of the State's office business filing for the respondent company shows that the last filing made by the company was in 1998.

7. The Notice of Hearing sent to the respondent was returned to the department with a notation on it by the United States Postal Service that the letter could not be forwarded as the forwarding address had expired.

8. The respondent failed to appear at the hearing.

III. DISCUSSION

The Department of Transportation has the jurisdiction to determine matters dealing with the operation of any motor vehicle in the transportation of household goods for hire as a household goods carrier in the State of Connecticut. Section 13b-407 of the Connecticut General Statutes provides that the Commissioner of Transportation may revoke or suspend any certificate or permit for willful and repeated violations of any of the provisions of the Statutes or regulations governing the industry of transportation of household goods within the State of Connecticut.

The respondent is authorized under Certificate Number 1744 to transport household goods within the State of Connecticut. The respondent failed to file its annual certificate of proof of insurance and the intention to continue business, as required by Connecticut General Statutes Section 13b-410c(b). Moreover, the evidence of record shows that the respondent is no longer in business because the staff of the Regulatory and Compliance Unit could not find the company, its telephone is out of service and the company abandoned one of its trucks.

IV. CONCLUSIONS OF LAW

Based on the above, the respondent is in violation of its certificate of public convenience and necessity for failing to follow the order of the department and for failing to file its annual permit application, in violation of Connecticut General Statutes Section 13b-407 and 13b-410c(b).

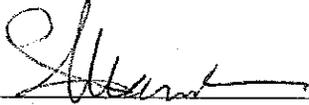
V. ORDER

Certificate Number 1744, standing in the name of J.D.J.B., Inc. dba New Canaan Moving and Storage, is hereby revoked.

Said revocation is to become effective 15 days from the date of the final decision.

Dated at Newington, Connecticut on this the 3rd day of December 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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