STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone:
(860) 594-2875

DOCKET NO. 1106-N-55-HG

RE: APPLICATION OF SHINC BROKERS, LLC. D.B.A. THE MONSTER MOVERS TO OPERATE MOTOR VEHICLES IN THE TRANSPORTATION OF HOUSEHOLD GOODS FOR HIRE, AS A HOUSEHOLD GOODS CARRIER, OVER IRREGULAR ROUTES BETWEEN ALL POINTS IN CONNECTICUT UPON CALLS RECEIVED FROM A HEADQUARTERS IN WESTPORT.

FINAL DECISION

August 17, 2011

An Equal Opportunity Employer
Printed on Recycled or Recovered Paper

I. INTRODUCTION

A. Applicant's Proposal

By application filed on June 2, 2011, pursuant to Section 13b-389 of the Connecticut General Statutes, and assigned Docket No. 1106-N-55-HG, Shinc Brokers, LLC. d.b.a. The Monster Movers (hereinafter "applicant"), with a mailing address of 10 Sylvan Lane, Westport, Connecticut seeks authorization from the Connecticut Department of Transportation (hereinafter "department") to operate motor vehicles in the transportation of household goods for hire, as a household goods carrier, over irregular routes between all points in Connecticut from a headquarters in Westport.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-390, a hearing on this application was held at the administrative office of the Department, in Newington, Connecticut, on August 4, 2011.

Notice of the application and of the hearing to be held thereon was given to the applicant and to other parties as required by Connecticut General Statutes Section 13b-390. Notice to the public was given by publication on the department's website.

The matter was heard by a hearing officer designated by the Commissioner of Transportation pursuant to Connecticut General Statutes Section 13b-17.

C. Appearances

Mr. Naill O'Conner, appeared pro se on behalf of the applicant. The applicant was represented by Attorney Richard Bortolot, Jr. who has a mailing address of 3005 Main Street, Stratford, CT 06614.

Sheldon Lubin, Public Utilities Examiner for the Department, was present at the hearing.

II. FINDINGS OF FACT

1. The applicant seeks authorization to transport household goods from a headquarters in Westport.

2. The applicant has extensive business experience including working briefly for a moving company and operating a shipping company.

3. The applicant hopes to provide moving services to the senior population.

4. The applicant will start with one truck and a crew of three people.

5. The applicant will operate out of his residence in Westport in the beginning. The business hours will be 8 a.m.-6 p.m. Monday through Saturday.

6. The applicant presented the testimony of two witnesses who spoke about the difficulty getting quality moving services.

7. As of August 12, 2011, the applicant had $45,365 in cash on hand to fund the business.

8. The fuel estimate is $8,300 annually, property tax is less than $800, annual repairs and maintenance are about $1,800 for each vehicle operated and the insurance is about $11,000.

9. The expected revenue is about $395,800 for the first year. The expected start up cost is about $16,000.

10. There was no opposition to this application.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over any person operating any motor vehicle in the transportation of household goods for hire as a household goods carrier pursuant to Section 13b-389 of the Connecticut General Statutes. Further, no person shall operate as a household goods carrier, within Connecticut, without first obtaining a certificate of public convenience and necessity to so operate.

In determining whether such a certificate shall be granted, the Commissioner of Transportation shall take into consideration the existing motor transportation facilities and the effect upon them of granting such a certificate, the public need for the proposed service, the suitability of the applicant, the financial responsibility of the applicant, the ability of the applicant efficiently to perform the service for which the authority is requested, the condition of and effect upon the highways involved and the safety of the public using such highways, pursuant to Section 13b-392 of the Connecticut General Statutes.

The first criterion to be taken into account is the effect on the existing motor carrier facilities by granting the certificate. This application was not opposed by any existing motor carrier. Since the application was not opposed at the hearing, it appears that there would not be any effect on the existing motor carrier facilities if this application were granted.

The next criterion the applicant must prove is the public convenience and necessity for the proposed service. The applicant presented the testimony of two witnesses who testified that the applicant has integrity and that they would use the applicant moving services in the future. One witness, Ms. Arascunaga, testified that she moves frequently, even yearly. She expressed

difficulty getting a service when she needs one and in the high cost of moving services. Based on the evidence presented, the applicant has proven public convenience and necessity.

As far as the applicant's financial suitability is concerned the applicant presented evidence that as of August 12, 2011, the applicant had $45,365 in cash on hand to fund the business. The applicant's annual expenses are: fuel estimate of $8,300, property tax of less than $800, repairs and maintenance of $1,800 for each vehicle operated and the insurance costs of $11,000. The applicant's expected revenue is about $395,800 for the first year. The expected start up cost for the first six months is about $16,000.

The applicant is adding one truck to the highways of Connecticut which will not have that much effect. The business appears to be well researched and will be able to operate in an efficient manner.

The applicant has proven sufficient suitability to operate the proposed service. The applicant submitted a criminal record check which shows no criminal convictions. The applicant has extensive experience operating several different businesses and working in a moving company for a brief time. The applicant appears to have thought out the operation of the business and will be able to handle the day to day operation.

Based upon the evidence presented, the applicant has proven the necessary elements to be granted a certificate.

IV. ORDER

Based upon the above and pursuant to Section 13b-391 of the Connecticut General Statutes, the application of Shinc Brokers, LLC. is hereby granted and Certificate Number 1765 is issued as follows:

CERTIFICATE NUMBER 1765
TO OPERATE MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY FOR HIRE AS A MOTOR COMMON CARRIER

Shinc Brokers, LLC. is hereby permitted and authorized, subject to such regulations and conditions as the department may from time to time prescribe, to transport property for hire as a motor common carrier over irregular routes as follows:

Household goods, within the State of Connecticut, between all points upon calls received at its headquarters in Westport.

The certificate holder must accept and transport property, as herein authorized in accordance with its tariff on file, for all persons who desire the service to the extent of the certificate holder's facilities at uniform rate for all similar service.

CONDITIONS:

A motor vehicle must be registered under this certificate within thirty (30) days from the date of this decision.

There shall be carried in each vehicle operated under this authority a copy of the certificate registration receipt by the department.

This certificate shall remain in effect until suspended, amended or revoked by the department. Failure of the certificate holder to maintain proper insurance or to comply with all motor vehicle laws and other pertinent State statutes and/or the rules, regulations and orders of the department shall be considered sufficient cause to revoke said certificate.

This certificate may not be sold or transferred until it has been operational for more than twenty-four (24) months.

This certificate is transferable only with the approval of the department and is issued subject to compliance by the holder thereof with all motor vehicle laws of the State of Connecticut, and with such rules regulations and orders as this department may from time to time prescribe.

Dated at Newington, Connecticut, on this 17th day of August 2011.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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