

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

DOCKET NO. 1307-AV-289-T

RE: APPLICATION OF EXECUTIVE 2000 TRANSPORTATION, LLC D.B.A. EXECUTIVE 2000 TAXI TO OPERATE SIX (6) ADDITIONAL MOTOR VEHICLES IN TAXICAB SERVICE WITHIN AND TO AND FROM CROMWELL, DURHAM, HADDAM, MIDDLEFIELD AND PORTLAND.

FINAL DECISION

January 15, 2014

I. INTRODUCTION

A. Applicant's Proposal

By application filed on July 17, 2013, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, Executive 2000 Transportation, LLC d.b.a. Executive 2000 Taxi (hereinafter "applicant") with a mailing address of 11 Alcap Ridge, Suite D, Cromwell, Connecticut 06416 seeks authorization to operate six (6) motor vehicles in taxicab service within and to and from the towns of Cromwell, Durham, Haddam, Middlefield and Portland.

B. Hearing Held

Pursuant to Section 13b-97(a) of the Connecticut General Statutes, as amended, a public hearing on this application was held at the Department of Transportation in Newington, Connecticut on December 19, 2013.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required by Section 13b-97(a) of the Connecticut General Statutes, as amended. Legal notice to the public was given by publication on the department's website.

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

C. Appearances

Nasar and Sairah Sandhu appeared pro se on behalf of the applicant. The applicant's mailing address is 11 Alcap Ridge, Suite D, Cromwell, Connecticut 06416.

II. FINDINGS OF FACT

1. The applicant seeks to operate six (6) taxicabs in the towns of Cromwell, Durham, Haddam, Middlefield and Portland.
2. The applicant is in the taxicab business in the Middletown area.
3. The applicant currently operates two (2) wheelchair vans in taxicab service.
4. The applicant plans to utilize four (4) wheelchair accessible vans along with two (2) sedans for a total of six (6) vehicles under this authority.
5. The applicant has a cash balance of \$291,484 with total assets amounting to \$596,458. The applicant's liabilities are \$69,031.
6. The applicant's annual costs include: insurance for the six vehicles of \$48,660 and vehicle payments of \$29,196

7. The applicant submitted a record of trips taken by its two (2) current wheelchair accessible vans from October 1, 2013 to December 18, 2013. An analysis of these records shows an average of 4.86 trips per day being performed by the two vehicles. While there were two days that the applicant did the highest amount of trips per day, fourteen (14), with the two vehicles, there were also seventy-eight (78) days when the applicant performed five (5) trips or less with the two (2) vehicles.

8. The applicant received a grant under the New Freedom Program to operate two (2) handicapped accessible vehicles for the Greater Hartford Transit District.

9. The applicant can utilize its existing taxicab authority to operate the two (2) handicapped vehicles it received under the grant.

10. There was no opposition to this application.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over common carriers, which include each person, association, limited liability company or corporation owning or operating a taxicab in the State of Connecticut in accordance with Connecticut General Statutes Section 13b-96, as amended. The Department is authorized to prescribe regulations with respect to fares, service, operation and equipment, as it deems necessary for the convenience, protection and safety of the passengers and the public.

Pursuant to Section 13b-97(a), as amended, any person who applies for authority to operate a taxicab shall obtain from the Department a certificate of public convenience and necessity certifying that the public's convenience and necessity requires the operation of a taxicab or taxicabs for the transportation of passengers. No certificate shall be issued unless the department finds that the person is suitable to operate a taxicab service. In so doing, the department must take into consideration any convictions of the applicant under federal, state or local laws relative to safety, motor vehicle or criminal violations, the number of taxicabs to be operated under the certificate, the adequacy of the applicant's financial resources to operate the service, the adequacy of insurance coverage and safety equipment and the availability of qualified operators.

With regard to suitability, the applicant submitted a State Police Bureau of Identification Criminal History Form for Nasar and Sairah Sandhu showing no criminal record for either person. The applicant has been in the taxicab business for many years and has a lot experience in this area. The applicant has sufficient insurance coverage and safety equipment to operate the proposed service. Based on the evidence presented, the applicant has proven its suitability to operate the proposed service.

As far as the applicant's financial suitability is concerned, the applicant has a cash balance of \$291,484 in the bank with total assets amounting to \$596,458. The applicant's liabilities are \$69,031. The applicant's annual costs include: insurance for the six (6) vehicles of \$48,660 and vehicle payments of \$29,196. The applicant has proven its financial suitability to operate the proposed service.

With regard to proving public convenience and necessity, the applicant submitted the testimony of two witnesses who both work for the applicant company. While both of the witnesses, a driver and

dispatcher, testified that additional wheelchair vans are needed however, neither witness is truly impartial. The applicant also submitted a letter of support from a client which unfortunately is of little weight due to the fact that the signatory was not present. The applicant did not provide any independent witness testimony to bolster its position.

The applicant supplied a list of taxicab trips it performed from 8/1/13 to 12/18/13 with its two (2) handicapped accessible vehicles which shows an average of 4.68 trips per day being performed by these vehicles. This total amounts to only about 2 trips, per day, per vehicle. This is not convincing evidence that six (6) additional wheelchair accessible vans are needed.

There were only two (2) days, over a two and a half month period, that the highest number of trips a day, fourteen (14), were done with the two handicapped vans. The vast majority of the days recorded five (5) or less trips a day with some days having no trips. The applicant can easily replace any of its existing taxicabs with wheelchair accessible vehicles so additional authority is not needed to perform this work.

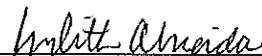
Based on the evidence presented, the applicant has not shown the need for an additional taxicab service.

IV. CONCLUSION

Therefore, based upon the above and pursuant to Connecticut General Statutes Section 13b-97, as amended, the application of Executive 2000 Transportation d.b.a. Executive 2000 Taxi is hereby denied.

Dated at Newington, Connecticut on this 15th day of January 2014.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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Bureau of Finance and Administration