



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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ERRATUM AS TO DOCKET NUMBER ON PERMIT

DOCKET NO. 1502-NGOV-13-L

RE: APPLICATION OF WRIGHT TRANSPORTATION, INC. TO OPERATE FIFTEEN (15) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) ADULTS, IN THE TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A CONTRACT WITH, OR A LOWER TIER CONTRACT FOR, ANY FEDERAL, STATE OR MUNICIPAL AGENCY BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN UNCASVILLE, CONNECTICUT.

FINAL DECISION

October 27, 2015

I. INTRODUCTION

A. Application

By application filed on February 3, 2015 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103(a)(3) of the Connecticut General Statutes, as amended, Wright Transportation, Inc., (hereinafter "applicant") located at 152 Route 163, Uncasville, Connecticut seeks authorization to operate fifteen (15) motor vehicles, having a seating capacity of less than eleven (11) adults, in the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, any federal, state or municipal agency between all points in Connecticut from a headquarters in the town of Uncasville, Connecticut.

B. Hearing

Pursuant to Connecticut General Statutes, Section 13b-103(a)(3), as amended, a public hearing on this application was held on July 21, 2015.

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 General Statutes Section 13b-103(a)(1). Legal notice to the public was given by publication on the department's website at www.ct.gov/dot.

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

C. Appearances

Gary Wright and Jason Kenney appeared on behalf of Wright Transportation, Inc. Wright Transportation, Inc. was represented by Richard J. Pascal, Esq. of Block, Janney & Pascal, LLC, whose mailing address is 138 Main Street, Norwich, Connecticut 06360. The applicant's mailing address is 277 Salem Tpke., Norwich, Connecticut 06360.

Samuel Hall and Mathew McKeever appeared on behalf of Norwich Transportation, LLC and Norwich Taxi, LLC filed petitions in opposition to the application. After hearing the intent of the applicant to provide service under contract, Norwich Transportation, LLC and Norwich Taxi, LLC withdrew their opposition and appearances based on the fact that the petitioners do not provide wheelchair transportation.

No other opposition was presented to this application.

D. Application Amendment

The applicant amended its application from a request for fifteen (15) vehicles to a request for five (5) vehicles.

II. FINDINGS OF FACT

1. The applicant seeks to begin a livery service for handicapped persons who have difficulty in securing transportation to medical appointments because of the lack of wheelchair transportation.

2. Claude Bisson is the Transportation Manager for Logisticare, a transportation broker to provide non-emergency medical transportation for the Department of Social Services for the State of Connecticut. Logisticare contracts with transportation providers to provide that service. Logisticare began its business in 1998 and assumed a contract for the entire state in 2013.

3. Gary Wright, owner of the applicant company, has experience with livery service through working in operations and dispatching for a company called Med X Trans, Inc. This company was having operational difficulties and Wright was hired to reorganize the company. The company eventually went into bankruptcy.

4. Bisson is familiar with Wright from through Wright's work with Med X Trans, Inc., Wright worked with Logisticare in dispatching and providing rides for Logisticare for non-emergency medical transportation. Bisson saw the work the Wright provided; with Wright's involvement, the company turned its business around and improved its injury incidences dramatically.

5. There is a growing need for wheelchair transportation the Eastern Region of Connecticut, beginning in Washington, Connecticut in the north east corner of the state to New London County.

6. Since the loss of Med X Transportation in the eastern area of the state a year ago, the volume of wheelchair transportation has increased approximately 5% within in the last six months.

7. Since January of 2015 there have been approximately 610 clients that have not been able to get wheelchair transportation, which equates 100 persons a month, who cannot get medical care to which they are entitled because they have no transportation to such services.

8. Logisticare supports the applicant in getting the authority requested because there are not enough available transportation providers for the region of concern. Over the last year, there has been a 25% increase in wheelchair transportation, because the population is becoming more senior, the increase in the need for wheelchair transportation has increased exponentially. The five vehicles requested will be used to and will meet the need.

9. The applicant's management's criminal conviction history forms show no criminal record.

10. The applicant intends to lease vehicles, MV1 type vehicles, from a company called The Rideshare Company that leases vehicles to companies to enable them to provide transportation to the public.

11. The MV1 vehicle is not approved for operation in the State of Connecticut as a vehicle for the transportation of elderly and handicapped persons. The applicant researched and found that the MetroLite vehicle is approved for operation in livery service. These vehicles will be leased from The Rideshare Company at the same cost as the MV1 leases.

12. The Rideshare Company provides fleet services to clients. Rideshare is leasing vehicles to the applicant in furtherance of its mission to provide transportation services to underserved areas of the general populations, specifically the elderly for non-emergency transportation. The vehicles will be provided at a cost of approximately \$1,695 per vehicle, which includes insurance coverage, fleet repairs and maintenance, and GPS.

13. Logisticare has solicited other taxicab providers to help support wheelchair transportation, but the companies are too far away.

14. As of June 2015, the applicant had \$73,690. For a six-month period, the applicant projects the following costs: rent at \$8,800, electricity at \$1,800, internet access at \$1,200, Office supplies at \$300, property and general insurance at \$1,375, workers compensation at \$6,250 and vehicle leases at \$50,850, leaving a surplus of \$3,115.

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 General Statutes §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 General Statutes §13b-103.

In support of suitability, the applicant provided the criminal conviction history forms for the two owners of the company, which show no record for either partner. No negative information was presented on the record so as to negatively impact the applicant's management. There was a witness who appeared to testify against the applicant's suitability. The witness testified that he was an employee of Med X Transportation when Gary Wright was hired to work with the company and that Wright did not pay the witness for his work.

While the witness may not have been paid by Med X Transportation, it was evident from the testimony of the parties that Med X Transportation was experiencing financial difficulty, unrelated to Gary Wright. Wright was hired after Med X Transportation was already experiencing difficulty in its operations. Wright was hired to make the company viable. Claude Bisson's testimony corroborated Wright's testimony that Med X Transportation was experiencing difficulty in sustaining itself and its work. Wright cannot be held liable for the downturn of a company; in fact, Wright, also, went unpaid for his services to the company. The evidence does not support the witness's allegation that it was Wright's fault that the witness did not get paid for the work he did for Med X Transportation. Therefore, this witness's testimony will not be held against Wright's suitability.

The applicant has financial resources to sustain itself and have a surplus of funds after its initial output of funds for the first six months of operation. The applicant therefore has the financial wherewithal to operate the proposed service.

Lastly, Claude Bisson, Transportation Manager for Logisticare, Inc., the transportation broker that schedules providers for non-emergency medical transportation, has a sufficient number of Department of Social Service clients who require such transportation. Bisson testified that there are approximately 100 trips turned down, a day, so that he supports five vehicles to meet the need that Logisticare currently faces.

IV. CONCLUSIONS OF LAW

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, the applicant possesses the suitability to operate the proposed service; the applicant possesses the financial wherewithal to operate the proposed service; and the public convenience and necessity will be improved by a grant of authority.

V. ORDER

The application of Wright Transportation, Inc. is hereby granted and Permit Number 3505 is hereby issued in the name of Wright Transportation, Inc. as follows:

LIVERY PERMIT NO. 3505

FOR THE PROVISION OF DURATIONAL TRANSPORTATION OF PASSENGERS
FOR HIRE BY VIRTUE OF A CONTRACT WITH, OR A LOWER TIER
CONTRACT FOR, ANY FEDERAL, STATE OR MUNICIPAL AGENCY

**DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH LOGISTICARE, INC.
October 21, 2015 – Docket No. 1502-NGOV-13-L**

Conditions:

1. Wright Transportation must provide to the Department, an executed contract with Logisticare, Inc. no later than 30 days from the date of this Final Decision and prior to registering any vehicles.
2. Wright Transportation, Inc. must register all of the vehicles authorized herein no later than 45 days from the date of this Final Decision.

Wright Transportation, Inc. is hereby permitted and authorized to operate FIVE (5) WHEELCHAIR ACCESSIBLE motor vehicles, having a seating capacity of eleven (11) adults or less, for the provision of livery service under contract with Logisticare, Inc. from a headquarters in Uncasville, Connecticut.

The authority granted in this Docket No. 1502-N-13-L shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with Logisticare, Inc.

The permit holder shall notify the Department of any termination of its contract with Logisticare, Inc. or the cessation of the active provision of service thereunder. The permit holder shall file with the Department on an annual basis, upon registration or re-registration of the motor vehicle authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract or a new executed contract with Logisticare, Inc. shall void the authority for the vehicle authorized pursuant to this contract.

This permit is not transferable and shall remain in effect until revoked by the Department or until the contract under which this authority is granted has expired. 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.

This Final Decision constitutes notice in accordance with Connecticut General Statutes Section 4-182.

Dated at Newington, Connecticut, this 27th day of October 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Laila A. Mandour
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration