



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone:

DOCKET NO. 1509-N-78-T

RE: APPLICATION OF HEAVENLY RIDE, LLC DBA MERIDEN TAXI TO OPERATE
THREE (3) MOTOR VEHICLES IN TAXICAB SERVICE WITHIN AND TO AND
FROM THE TOWNS OF CHESHIRE, MERIDEN, NORTH HAVEN AND
WALLINGFORD.

FINAL DECISION

APRIL 18, 2016

I. INTRODUCTION

A. Applicant's Proposal

By application filed on July 15, 2016, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, Heavenly Ride, LLC dba Meriden Taxi (hereinafter "applicant") with a mailing address of 125 Oregon Road, Meriden, Connecticut 06451 seeks authorization to operate three (3) motor vehicles in taxicab service within and to and from the towns of Cheshire, Meriden, North Haven and Wallingford.

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 March 15, 2016 and April 7, 2016.

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

Haydee Santiago appeared pro se on behalf of the applicant. The applicant's mailing address is 125 Oregon Road, Meriden, Connecticut 06451.

William Scalzi appeared on behalf of Transportation General, Inc. dba Metro Taxi (hereinafter "Metro Taxi") and was granted intervenor status in opposition to the application. Metro Taxi's mailing address is PO Box 26094, West Haven, CT 06516.

Mubarik Mir appeared on behalf of My Taxi, LLC (hereinafter "My Taxi") and was granted intervenor status in opposition to the application. My Taxi, LLC has a mailing address of 428 Broad Street, Meriden, CT 06450.

II. FINDINGS OF FACT

1. The applicant seeks to operate three (3) taxicabs within and to and from Cheshire, Meriden, North Haven and Wallingford.

2. The applicant, Haydee Santiago, has been working in a community health care clinic and as a realtor. She has found taxicab service issues with her patients which are, for the most part, being serviced by Logisticare.

3. Mrs. Santiago has a public service license but has never driven a taxicab or worked for a taxicab company. Her public transportation experience is driving a van with several passengers to community service sites as part of her job with Catholic Charities.

4. The applicant intends to operate the business from her home address. Her husband will do some of the driving and another woman, whom she presented at the hearing, will also act as a driver. She may also drive, if necessary. The applicant plans to operate the required 24 hours a day with three drivers, some of whom will also be doing other jobs at the company including dispatching and managing the business.

5. The applicant's first six months of expenses include an insurance premium of \$8,100 for three cars, communication expenses of \$720, repairs of \$1,500, taxes of \$400, taxicab conversion costs of \$1,350 and the cost to buy at least two of the vehicles that she needs in order to operate the proposed service which will cost around \$4,289 for a total of \$16,359.

6. The applicant's assets include a cash balance of \$18,735 as of January 2016 which is down from a high of \$36,235 in June 2015.

7. Metro Taxi operates seventeen (17) taxicabs in Meriden, two (2) in North Haven and four (4) in Wallingford.

8. My Taxi operates three (3) taxicabs in Wallingford and Meriden.

9. John Peter Nicoletti complained about having difficulty getting taxicab service in Meriden for short trips. He did not know that My Taxi could service his trips. His private pay taxicab needs are approximately two to three times per month.

10. Gwen Eddy Samuel supports the application although she rarely utilizes taxicab service and has her own vehicle. On one recent occasion, she called Metro Taxi for transportation and she experienced a long wait time and an unpleasant interaction with the driver who wanted to be paid up front before providing her with service.

11. Elynn Artkop lives in Wallingford but has little need for a private pay taxicab service since most of her taxicab trips are with a medical cab. She has, on occasion, waited for taxis that were private pay. She has no experience with My Taxi.

13. Yesentia Roman recounted a bad experience with Metro Taxi. Her trips are primarily within Meriden. She did not call My Taxi for service.

14. William Valdes had a bad experience with Metro Taxi in a snow storm and on Valentine's Day when he didn't get picked up. The applicant's husband, a driver from Executive 2000, has transported Mr. Valdes in his personal vehicle when he needed a ride. It is unclear whether there was a fee charged for these rides. Executive 2000 does not have Meriden as part of its service area.

15. Nasir Sandhu is an owner of Executive 2000 and was to be part of this application. Due to family issues Mr. Sandhu backed out of the application leaving only Mrs. Santiago. At this point, she claims he is only a mentor to her and not active in the business.

16. Mrs. Santiago is relying too heavily on Mr. Sandhu to handle her taxicab business and thus was unable to answer questions about the business such what dispatching system she was going to use and the local tariff rate.

17. Mrs. Santiago was uncertain as to whether she will quit her current job or continue to work part-time while trying to operate the taxicab business.

18. Mrs Santiago was not able to quantify the number of taxicab trips she expects to receive in her chosen service area.

19. Metro Taxi's statistics for January 2016 reflect a total of 1096 trips in the Meriden area with an average wait of 14 minutes. In February, the company performed 1906 trips with a waiting time of seventeen minutes and in March it performed 1625 trips with a wait time of sixteen minutes. Dividing the number of trips among the seventeen vehicles authorized in Meriden reflects two trips or less per car per day.

20. Metro Taxi supplements its private pay trips in Meriden with contract work.

21. For certain shifts, Metro Taxi must reduce the cost of the lease to attract drivers to stay within Wallingford.

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 State Police Bureau of Identification Criminal History Form for Haydee Santiago which showed no convictions. However, several issues arose in the hearing which would affect the applicant's ability to operate the service. Mrs. Santiago has no experience working as a taxicab driver or for a taxicab company. When asked questions on how things will be handled in the business, she was often uncertain and wanted to rely totally on the advice of Mr. Sandu, the owner of Executive 2000 who is no longer a party to this application.

The applicant is also uncertain as what the tariff rate is in the service area she selected, what dispatching system she will use and whether she will devote her full attention to the business or continue in her current position part-time. From all appearances, Mrs. Santiago is acting as a figurehead in the business and will not be an active owner. Mrs. Santiago's inability to articulate how things will operate in the business puts her suitability into question under Regulation of Connecticut State Agency Section 13b-96-10(1).

As far as the applicant's financial suitability is concerned, the applicant presented evidence that the applicant's first six months of expenses include an insurance premium of \$8,100 for three cars, communication expenses of \$720, repairs of \$1,500, taxes of \$400 and taxicab conversion costs of \$1,350 along with the cost of the two additional vehicles at \$4,289 for a total of \$16,359. The applicant's assets include a cash balance of \$18,735 in January 2016 which is down from of high of \$36,235 in June 2015. Although the applicant has enough capital to cover the first six months of operation, it is troubling that the applicant has already depleted half of her cash from the original amount and the business has yet to begin operation.

The applicant testified that her husband will act as a driver along with a woman she presented at the hearing. Mrs. Santiago also has a public service license and will drive as needed. Given the fact that the applicant is seeking to operate three vehicles, twenty-four hours a day, it's not possible for the applicant to do that with only three people. Even if the applicant has two shifts per day you would still need at least six drivers for the three vehicles. Mrs. Santiago testified that she will be dispatching calls so it is questionable how she will also be driving at the same time. As such there appears to be a driver shortage.

As far as public convenience and necessity is concerned, the applicant presented two letters of support on behalf of the Mayor of Meriden and the local Chamber of Commerce. Letters of support without the testimony of the authors are of limited weight because the

signatories cannot be cross examined.

The applicant also presented several witnesses from the town of Meriden and one from Wallingford. At no time in the hearing was there any significant evidence presented on the state of taxicab service in either the towns of Cheshire or North Haven. As a result, these towns will not be considered in the final analysis.

Mrs. Santiago stated that she became aware of the taxicab problems from working in a clinic and seeing the extensive wait times of her patients. Upon further examination, it was revealed that the majority of these trips were medical trips under contract and thus excluded from this analysis pursuant to Regulation of Connecticut State Agencies Section 13b-96-36(b).

Likewise, several of the witnesses who testified referred to issues with medical taxicab transportation and had complaints about that service. While these complaints may certainly be valid, they are best addressed with the broker that provides the taxicab operator for the trip.

For the trips that could be determined were not under contract, there were some service issues with Metro Taxi however, most of the witnesses had not used or called My Taxi. Problems getting transportation during snowstorms and on popular holidays are not uncommon for any taxi company. The service issues mentioned don't appear to amount to enough of a need to add three additional vehicles in Meriden given that the city has twenty (20) vehicles now.

Mr. Scalzi testified that there isn't much taxicab work in Meriden so he supplements the private pay service by taking medical contract work for Logisticare. The exhibit he provided shows that the waiting time is around 15 minutes and the number of trips per car to be two trips per car, per day. It is likely that if the applicant adds three (3) additional vehicles to an area which can't support it, that her business will ultimately fail.

The applicant's main complaint against Metro Taxi is the candor of the dispatchers in assessing arrival times to the customers. While every taxi company should strive to tell their patrons an accurate waiting time, that seems to be the only difference in the service that the applicant is proposing to offer with her service.

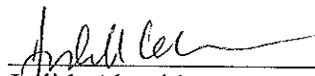
Based on the evidence presented, the applicant has not proven that public convenience and necessity requires a grant of this application or that she is suitable to be granted the authority.

IV. CONCLUSION

Therefore, based upon the above and pursuant to Connecticut General Statutes Section 13b-97, as amended, the application of Heavenly Ride, LLC dba Meriden Taxi is hereby denied.

Dated at Newington, Connecticut on this 18th day of April 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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