



STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 304260
MONTGOMERY, ALABAMA 36130-4260

VACANT, PRESIDENT
JEREMY H. ODEN, COMMISSIONER, PLACE 1
CHRIS V. BEEKER, III, COMMISSIONER, PLACE 2

JOHN A. GARNER, EXECUTIVE DIRECTOR

SERVED: June 11, 2025
Walter L Thomas

Exceptions, if any, must be filed with the Secretary, Alabama Public Service Commission, P. O. Box 304260, Montgomery, Alabama 36130, and served on all other parties of interest within 20 days from the date of service shown above, or within such further period as may be authorized for the filing of Exceptions. Replies to Exceptions may be filed within 20 days from the date of service of the Exceptions. At the expiration of the period for filing of Exceptions, the within Report and Recommended Order will become the Report and Order of the Commission unless Exceptions are filed seasonably or the time for filing Exceptions is extended by the Commission, or the Commission, within such period stays or postpones the Order. An **original and four copies** of any Exceptions and Replies should be filed.

MAJOR H. SERVICES, LLC

DOCKET 33543

Applicant

REPORT AND RECOMMENDED ORDER

I. INTRODUCTION AND BACKGROUND

By application filed on or about February 24, 2025, Major H. Services, LLC ("Major H. Services" or "Applicant"), 3139 Pelham Parkway, Pelham, Alabama 35124 (501 Gibson Drive, #1821, Roseville, CA 95678), sought to institute a new operation as a contract carrier by motor vehicle in intrastate commerce over irregular routes in the transportation of passengers and their baggage between all points in the State of Alabama. The application of Major H. Services was set for hearing on March 25, 2025 pursuant to notice issued on March 10, 2025. The Commission received timely notice of protest to the application of Major H. Services from DTB of Alabama, LLC ("DTB"). DTB appeared at the hearing on March 25, 2025 to further its protest.

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II. SUMMARY OF THE RECORD

Hatem Abdine, the representative for Major H. Services, proceeding pro se, offered a presentation in support of this application. He stated that Major H. Services is registered and certified as a "service-connected disabled veteran." According to Mr. Abdine, the Department of Veterans Affairs ("the VA") sets aside a percentage of its contracts to companies owned by "service-connected disabled veterans." Mr. Abdine discusses two contracts at the hearing. Major H. Services has an agreement with Excelsior Ambulance ("Excelsior"), where Excelsior has a direct contract with the Birmingham VA. Mr. Abdine testified that Excelsior is also owned by a disabled veteran, and Excelsior can only contract out to other companies owned by a disabled veteran. The second contract is with University of Alabama at Birmingham ("UAB"). Mr. Abdine testified that the UAB contract was bidded out, and that Major H. Services won the bid.

Mr. Abdine then testified that he had 16 employees in the state of Alabama. Mr. Abdine testified that he follows best hiring practices and training – i.e. defensive training, drug testing, background checks, CPR training, care for the elderly and disabled, and periodic safety training throughout the year. Major H. Services currently has 16 vehicles, that Mr. Abdine stated he changes out every 3 to 5 years. Major H. Services' vehicles have GPS and cameras, as well as the ability to alert Major H. Services if a driver is distracted, does harsh breaking/harsh accelerating, etc. Mr. Abdine has experience in the industry doing this type of work in California since 2019. Major H. Services uses human resources in a centralized location out of state. Major H. Services does carry insurance. Mr. Abdine testified that Major H. Services hours of operation are 24/7. Mr. Abdine testified that Major H. Services has been in operation in the state of Alabama without the proper authority since June of 2022. Major H. Services has been providing wheelchair transportation for the VA since June of 2022. Major H. Services' application included the VA contract, but the UAB contract was not provided before or during the hearing. Both contracts were the subject of Mr. Abdine's testimony, as well as cross examination. As directed by the court, Major H. Services provided the UAB contract post hearing.

Mr. Richard Peterson, on behalf of DTB, cross-examined Mr. Abdine. Mr. Peterson focused on the need for Major H. Services in the state of Alabama. Mr. Abdine focused on the nature of his contracts.

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Mr. Abdine again stated that the need was based on the status of his company – “service-connected disabled veteran.”

Mr. Peterson testified that his company, DTB does work for both UAB and the VA. Mr. Peterson testified he did not believe Major H. Services is needed to provide the additional work due to his company, and others, already providing rides. Mr. Peterson had concerns with Major H. Services operating in Alabama without the proper authority. Mr. Peterson testified that he was unable to get a hold of Major H. Services due to the fact Major H. Services does not have its phone number on the side of its vehicles.

III. DISCUSSION AND CONCLUSIONS

An applicant seeking a certificate to operate as a contract carrier must establish through evidence presented at the hearing that it is fit, willing, and able to properly perform the service proposed, how its proposed operation is specialized or different from a common carrier (the applicant must show how its operation cannot be done by a common carrier), and lastly, have a signed contract with the application.

In accordance with the foregoing, the first issue to be addressed is whether the Applicant is fit, willing, and able to provide the common carrier service proposed. The evidence shows that Major H. Services has the ability to provide the type of service proposed in the application. Mr. Abdine has a sufficient experience in the transportation industry, sufficient insurance, adequate financial resources, and has made arrangements to operate vehicles that are in excellent condition. Mr. Abdine has 16 drivers and has shown to have sufficient hiring practices. Although Mr. Abdine has been in operation in the state of Alabama without authority, once Mr. Abdine was made aware of the proper authority needed to operate, he immediately took the necessary steps to obtain such authority.

Next, Mr. Abdine needed to show that his contract authority could not be addressed by common carrier. Mr. Abdine showed that for both the VA contract and the UAB contract. First, Mr. Abdine showed that the VA contract is only awarded to “service-connected disabled veteran.” Mr. Abdine testified extensively to the VA’s want to issue contracts to those disabled veterans, which Mr. Abdine testified he is one. And second, the UAB contract was bidded out. Mr. Peterson testified that DTB does work for UAB as a common carrier. Mr. Abdine showed that the bidding process, and the fact Mr. Abdine won the bid, shows that UAB did not have all its needs being met by common carriers.

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And lastly, Mr. Abdine needed to show Major H. Services has executed contracts with both the VA and UAB. As part of its application, Major H. Services submitted its contract with Excelsior that services the Birmingham VA. Additionally, Mr. Abdine submitted its UAB contract post hearing.

IV. RECOMMENDATION

Based on the foregoing, it is therefore respectfully recommended that the application of Major H. Services, LLC be granted.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'V. Chad Mason, Jr.', written over a horizontal line.

V. Chad Mason, Jr.
Administrative Law Judge