

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
D. R. & E. A. & G. M. LYNCH,)
DBA LYNCH TRANSFER & STORAGE)
CO., 419 SECOND ST., S. E.,) P. U. C. NO. 1750-I.
CEDAR RAPIDS, IOWA.)
-----)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
D. R. & E. A. & G. M. Lynch, doing business as "Lynch Transfer &
Storage Company," requesting that certificate of public convenience
and necessity PUC No. 1750-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That certificate No. PUC-1750-I, heretofore issued to D. R. &
E. A. & G. M. Lynch, doing business as "Lynch Transfer & Storage Company,"
be, and the same is hereby, declared cancelled effective December 10, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

William C. Erickson

Ralph C. Norton

John R. Barry

Commissioners.

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
E. L. SEAY, OF BRANSON, COLO-) APPLICATION NO. 6845-PP.
RADO.)
-----)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. L. Seay, requesting that his Class "B" permit, granted in Application No. 6845-PP, Decision No. 24198, under date of February 16, 1945, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "BW" permit, granted E. L. Seay, in the above-numbered application, Decision No. 24198, under date of February 16, 1945, be, and the same hereby is, declared cancelled, effective December 15, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
E. L. SEAY, BRANSON, COLORADO.)
)
) PERMIT NO. C-6204.
)
)
)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
E. L. Seay,.....
requesting that Permit No. C-6204.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-6204....., heretofore issued to.....
E. L. Seay,.....be,
and the same is hereby, declared cancelled effective December 15, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

William C. Horton
Ralph C. Norton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HIRAM J. WOLVERTON & WM. L.)
CLARK DBA WOLVERTON COAL CO.,)
10020 N. FEDERAL BLVD.,) PERMIT NO. B-3528.
DENVER 11, COLORADO.)
)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
..Hiram J. Wolverson & Wm. L. Clark, d/b/a Wolverson Coal Co.,.....
requesting that Permit No. B-3528.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3528....., heretofore issued to.....
Hiram J. Wolverson & Wm. L. Clark, d/b/a Wolverson Coal Co.,.....be,
and the same is hereby, declared cancelled effective December 26, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EMMA E. HENRIKSON, ADMINISTRATRIX)
OF THE ESTATE OF ARVEL A. HENRIK-) PUC NO. 205.
SON, DECEASED, FOR EXTENSION OF)
OPERATING RIGHTS TO FLOYD A. HENRIK-)
SON.)
-----)

December 31, 1947

Appearances: Sylvester C. Horn, Esq.,
Denver, Colorado, for
applicants.

S T A T E M E N T

By the Commission:

Heretofore, the Commission has approved the leasing by
Emma E. Henrikson, Administratrix de bonis non of the Estate of
Arvel A. Henrikson, Deceased, of PUC No. 205, to Floyd A. Henrikson.

Said Administratrix now asks that she be authorized to extend
the term of said lease for a period of five years from January 1, 1948,
to December 31, 1952, at a monthly rental of One Hundred Fifty Dollars
(\$150.00) per month.

In support thereof, it is represented that final settlement
of the Estate of Arvel A. Henrikson, Deceased, must be postponed until
a minor heir reaches his majority, which will be in the Year 1952, and
that an order authorizing extension of lease has been procured by
Emma A. Henrikson from the County Court of Larimer County, in Docket
No. 4631, copy of said Order being submitted with the request.

F I N D I N G S

THE COMMISSION FINDS:

Being now sufficiently informed in the premises, that the
extension of lease should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Emma E. Henrikson, Administratrix de bonis non of the Estate of Arvel A. Henrikson, Deceased, be, and she hereby is, authorized to lease PUC No. 205 to Floyd Henrikson, for a period of five years from January 1, 1948, or until December 31, 1952, at a monthly rental of One Hundred Fifty Dollars (\$150.00) per month.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. E. Quinn

Joseph C. Horton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of December, 1947.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

At a General Session of The
Public Utilities Commission
of the State of Colorado,
held at its office in Denver,
Colorado, this 31st day of
December, 1947.

INVESTIGATION AND SUSPENSION DOCKET NO. 279

By the Commission:

IT APPEARING, That on September 18, 1947, the Leadville Water Company, by Wilbur H. Dewey, Agent, filed with The Public Utilities Commission of the State of Colorado, its schedule, designated "PUC No. 3," containing new rates, charges, rules and regulations, for water service, in all territory served by it, said schedule to become effective on and after November 1, 1947; and

IT FURTHER APPEARING, That on October 8, 1947, there was filed with the Commission, by E. G. Knowles, Esq., proof of publication in the Herald Democrat, a daily newspaper, published at Leadville, of a notice to the public of the filing of the schedule with the Commission, and reciting that a copy of the rates, rules, and regulations were available for public inspection in the office of the Leadville Water Company, in Leadville, Colorado;

IT FURTHER APPEARING, That on October 4, 1947, there was filed with the Commission, by E. G. Knowles, Esq., a copy of a notice, which had been given to each and all the patrons of the Company, in compliance with the Commission's General Order No. 33, requesting that the effective date of said schedule be suspended until January 1, 1948, whereupon, by Decision No. 29215, the Commission suspended the effective date for said proposed schedules for a period of sixty-one (61) days from November 1, 1947, and until January 1, 1948, unless otherwise ordered.

IT FURTHER APPEARING, That numerous individuals, civic organizations, etc., have requested that effective date of said proposed schedule

and rates be further suspended, and that during said suspension period the proposed rates, rules, and regulations, financial status, and physical condition of property of Leadville Water Company be investigated by the Commission, a telegram, in words and figures as follows, having been received by the Commission:

"WE, AS INDIVIDUAL WATER-USERS HEREBY PROTEST THE PROPOSED INCREASED WATER RATES BY LEADVILLE WATER COMPANY ON GROUNDS THAT SCHEDULE WAS NOT AVAILABLE TO ALL CITIZENS AS PROVIDED IN YOUR DECISION NUMBER 29215 QUOTE AND RECITING THAT A COPY OF THE RATES, RULES, AND REGULATIONS WERE AVAILABLE FOR PUBLIC INSPECTION IN THE OFFICE OF THE LEADVILLE WATER COMPANY UNQUOTE. WE ALSO PROTEST ON GROUNDS OF INEFFICIENT SERVICE BEING RENDERED OVER PERIOD OF YEARS INCLUDING MAINTENANCE WORK WITH ONLY ONE LINE BEING REPLACED IN A PERIOD OF TWENTY YEARS. WE FURTHER PROTEST ON GROUNDS THAT WE ARE PAYING AMONG HIGHEST RATES IN STATE AND INCREASE IS EXHORBITANT AND PROHIBITIVE. SIGNED PETITIONS WILL FOLLOW BY MAIL. WE, THE COMMITTEE REPRESENTING THE WATER-USERS OF THIS COMMUNITY, SIGN THIS PROTEST. DON ROLL, PRESIDENT LOCAL 801, WILLIAM SLAVIN, MECHANIC, LLOYD MORRIS, MILL MECHANIC (CITY COUNCILMAN ELECT), H. R. METCALF, CARPENTER, C. V. WILLIAMS, BARBER, LOUIS N. SPRINGHETTI, BUSINESS, WM. O'LEARY, COUNTY COMMISSIONER, WILLIAM MURRAY, ROAD SUPERVISOR, ADOLPH KUSS, SR., FLOTATION OPERATOR, JIM RILEY, RUDOLPH PESCHIEL, MINER, LEO L. PETERSON, LABOR, E. P. LARSH, PRINTER, H. H. COLLINS, APARTMENT HOUSE, J. A. DUNCAN, M. R. CONNELL, APARTMENT HOUSE, NELLI L. COLLINS, APARTMENT HOUSE, STEVE MALIN, FIREMAN, A. A. JOHNSON, OFFICE CLERK, GLEN S. ULRICH, TRUCK DRIVER, J. C. WEBER, SUPT. OF SCHOOLS, HARRY E. SMITH, MECHANIC, MILFORD E. KENNEDY, MILL OPERATOR, JAMES H. LARSH, MASTER PLUMBER, H. JALMAR B. ANDERSON, CARPENTER, GLYNN R. KEATING, BOTTLER, JOSEPH L. KEATING, BOTTLER, MILDRED D. KENNEDY, HOUSEWIFE, CLEO F. MATLOCK, REPRESENTATIVE, RWDSU-CIO ANDREW SUNDQUIST, CARPENTER, GEORGE I. BURKE, R. R. SWITCHMAN, HUGH C. MATLOCK, MINER."

FINDINGS

THE COMMISSION FINDS:

That the effective date of said schedule should be suspended for an additional period of one hundred twenty (120) days from December 31, 1947, and that said matter should be set for hearing.


ORDER

THE COMMISSION ORDERS:

That the effective date of said schedule of rates, rules, and regulations should be, and hereby is, suspended for a period of one hundred twenty (120) days from and after December 31, 1947, and until April 30, 1948, unless otherwise ordered, and that during said period of suspension, proposed rates, rules and regulations, financial status, and physical condition of the property of Leadville Water Company be made a subject of investigation by the Commission; and that said matter should be, and hereby is, set for hearing, at the District Court Room in the Lake County Court, at Leadville, Colorado, on Monday, March 15, 1948, at 9:30 o'clock A. M.

That copy of this Order be filed with the aforesaid rate schedule and rules and regulations, and copy hereof be forthwith served on the Leadville Water Company, City of Leadville, Leadville Chamber of Commerce, and other persons complaining recited in the Statement preceding.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Wm. E. Ennis
Ralph C. Hutton
John B. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of December, 1947.

original

APPLICATION NO. 8867

December 31, 1947

S T A T E M E N T

On November 3, 1947, Chicago, Burlington, and Quincy Railroad Company, an Illinois Corporation, authorized to do, and doing, business in the State of Colorado, filed its petition with the Commission for authorization to construct, maintain, and operate a line of standard gauge railroad across Colorado Boulevard at grade, at a point approximately 1,010 feet north of the southeast corner of Section 13, Township 3-South of Range 68 West of the Sixth Principal Meridian, in Adams County, Colorado, said location being more particularly shown and delineated on a plat attached to the application, marked "Exhibit A," which by reference is made a part hereof.

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City and County of Denver, in writing, confirmed all allegations contained in said application relative to the City and County of Denver, and joined in the petition of said railroad company, and asked that the Commission grant the application.

The matter, pursuant to prior notice to all parties in interest, was heard in Denver, Colorado, on December 1, 1947, and taken under advisement.

At the hearing, it appeared that the United States, the State of Colorado, and the City and County of Denver are engaged in the project of locating, establishing, constructing and placing in public use, a major public highway in said City and County of Denver and elsewhere, commonly known and described as "Valley Highway," which within said City and County will contain a number of overhead crossings and underpasses, with extensive so-called "Clover-Leaf Approaches" thereto. For the location and establishment of such new highway, and more particularly the construction of cloverleaf and other approaches, large amounts of land are needed, and are about to be, and will be, taken for said purpose, which said lands are conveniently and appropriately located for use, and are used as industrial, business and warehouse sites, and have, or can have, appropriate railroad trackage leading thereto; that a large portion of said lands, as shown and indicated in yellow on Exhibit No. 2, introduced at the hearing, which by reference is made a part hereof, is now being devoted to that use by applicant railway. By the establishment of said Valley Highway, said railroad company and the business and industrial public in the City and County of Denver and Adams County will be deprived of said lands now used and needed for and devoted to industrial, business and warehouse purposes; that there are no other lands in the same vicinity, or other locations, which are accessible by railroad trackage and can reasonably or conveniently be used for the same purpose by applicant railway other than the lands or area shown in pink in Sections 18 and 19 on said map marked "Exhibit 2," heretofore made a part hereof.

That because of said facts, and to take the place of the lands so to be used for said new highway, the railroad desires to establish and, conditioned upon favorable action on this application, is about to establish an industrial district, with railroad trackage, easterly of said Colorado Boulevard and on and in the vicinity of said tract indicated on said Exhibit 2, and to serve such new district with needed railroad trackage it becomes necessary for said railroad company to extend industrial railroad spur across said boulevard at the place aforesaid, as indicated by the red lines on Exhibit A aforementioned from its so-called "Market Street Track," shown by green lines on Exhibit A.

It further appeared that the industrial trackage which applicant proposes to replace at the new location has been extensively used; that industrial and business activity in and about the City and County of Denver is presently undergoing an extensive development, and the population thereof is rapidly increasing; that said area lying easterly of Colorado Boulevard in Adams County is in need of railroad trackage to meet and serve such development and increased population; that said purpose of obtaining substitute facilities for its present industrial trackage and building of said Valley Highway and the serving of said area lying easterly of Colorado Boulevard can be accomplished by the acquisition of the tract of land east of Colorado Boulevard, the construction of said industrial trackage thereon and adjacent thereto, and the building of a railroad crossing over said Colorado Boulevard, as requested. Said proposed crossing is, and will be, necessary, and will be used only for the purpose of taking loaded and empty railroad cars to and from industrial and business sites and warehouses to be located in said area east of Colorado Boulevard, it being contemplated that two movements of engine and cars daily over said crossing will be required.

The railway proposes to maintain and operate its trains over said highway crossing, so as to safeguard the safety of travelers on said

highway, as well as the safety of employees of said railroad company and the public, generally. Crossing will be constructed of rail armoring with asphalt filler. The top of the rail will meet the grade of the existing pavement at both edges, and the crown will be flattened both ways from the rails for a distance of eight feet. All train movements across said Colorado Boulevard will be flagged. Automatic flasher signals will be installed on said Boulevard on each side of said crossing.

It is contemplated by the State Highway Department that if this application is granted, when traffic along said Colorado Boulevard and train movements over said crossing so requires, separation of railroad crossing and highway will be made at the point where crossing is to be installed.

Some additional testimony relative to the importance of Valley Highway in the development and operation of the State Highway System -- especially as to the convenient and expedited passage of motor vehicles through Denver -- was given by a witness representing the City and County of Denver. He emphasized the fact that notwithstanding an extensive survey and search by interested parties, no suitable location for said industrial trackage of C. B. and Q. Railroad Company was found, other than the tract of land heretofore mentioned; that in the opinion of the City Authorities, construction of said crossing is necessary, and that in view of the benefits in the way of increased safety, speedy movement of, and decrease in congestion of, traffic, and other benefits to be accomplished by construction of Valley Highway, the building of said railway-highway crossing is in the public interest.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the construction, establishment, maintenance and operation of a standard gauge railroad crossing at grade on and across Colorado Boulevard, at the location described in the Statement preceding, and shown upon Exhibit A, subject to compliance with the requirements as to construction, safety measures, operation, and maintenance, set forth in the Order following, which said conditions the Commission finds are required in the public interest.

ORDER

THE COMMISSION ORDERS:

That the Chicago, Burlington and Quincy Railroad Company, a corporation, be, and it hereby is, authorized to construct, establish, maintain, and operate a standard gauge railroad crossing at grade on and across Colorado Boulevard (a public highway and street extending along the range line between Ranges 67-West and 68-West, in Township 3-South, the easterly half of said highway being in Adams County, and the westerly half thereof being in the City and County of Denver, Colorado), in accordance with its application herein, the center of said railway track intersecting the center line of said Colorado Boulevard at a point which is distant 1009.4 feet north from the section corner common to Sections 13, 18, 19, and 24, Township 3-South, Range 68-West, 6 P. M.

Said crossing shall be constructed of rail armoring and asphalt filler. The top of the rails shall meet the grade of the existing pavement at both edges, and the crown shall be flattened both ways from the rails for a distance of eight feet, and generally shall conform to the plan submitted by the Railway to, and approved by, the Colorado State Highway Department, and the Commission's plans and specifications relating to grade crossings, and in order to insure minimum accident hazards for the public, the Railway and its employees, said Railway shall install warning signals of type ordinarily known as "Automatic Flasher Warning Signals, equipped with short gate arms," on said Boulevard, on each side of said crossing, and shall install flood lights, so placed as to suitably and adequately light both sides of said rail crossing, and all train movements across said Colorado Boulevard shall be flagged.

That all expenses incident to the installation, maintenance and operation of said crossing, automatic warning signals, crossing signs, etc., shall be borne by applicant, without expense to the State of Colorado or County of Adams.

Jurisdiction is hereby retained in the premises to the end that the Commission may make such further orders as may be required in

the premises in the future.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter E. Guinn

Ralph C. Horton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of December, 1947.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRED BACA, BOX 463, TRINIDAD, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-) APPLICATION NO. 8947-PP.
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

January 5, 1948

Appearances: Fred Baca, Trinidad,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at Trinidad, Colorado, December 26, 1947, and taken under advisement.

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from Baldy Mine to Trinidad and to points within a radius of ten miles of Trinidad, Colorado.

No one appeared in opposition to the granting of the authority sought.

The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission.

It did not appear that the proposed operation will impair the efficiency of any common carrier service operating in said territory.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Fred Baca, Trinidad, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from Baldy Mine to Trinidad and to points within a radius of ten miles of Trinidad, Colorado.

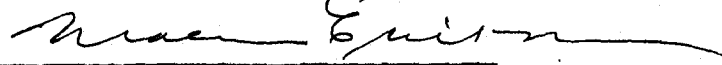
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to ~~make~~ such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

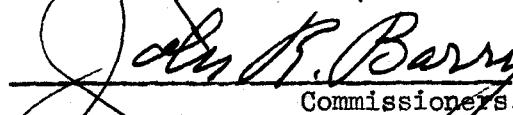
That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 5th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAKE GONZALES AND HENRY GONZALES,)
CO-PARTNERS, STARKVILLE, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 8948-PP.
AS PRIVATE CARRIERS BY MOTOR VE-)
HICLES FOR HIRE.)
-----)

January 5, 1948

Appearances: Jake Gonzales, Starkville,
Colorado, pro se;
Henry Gonzales, Starkville,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at Trinidad, Colorado, December 26, 1947, and taken under advisement.

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, cinders, dirt, and other road surfacing materials, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

No one appeared in opposition to the granting of the authority sought.

It did not appear that the proposed operation will tend to impair the efficiency of any common carrier service in the territory proposed to be served by applicant.

The operating experience and pecuniary responsibility of applicants were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jake Gonzales and Henry Gonzales, co-partners, Starkville, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, cinders, dirt, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, said permit to be numbered B-3513.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maureen Switzer

Ralph C. Horton
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ED RUTT, 119 SOUTH ELEVENTH)
STREET, BRIGHTON, COLORADO.)
-----)

CASE NO. 39344-Ins.
Permit No. A-539

January 5, 1948

S T A T E M E N T

By the Commission:

On October 6, 1947, in Case No. 39344-Ins., the Commission entered an order revoking Permit No. A-539, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the permit. Proper filing has now been made and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 39344-Ins., should be cancelled and set aside and said Permit No. A-539 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 39344-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. A-539 restored to its former status as of October 6, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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Joseph C. Johnston
John B. Barry
Commissioners.

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLARD E. PATTERSON, EADS,)
COLORADO.)
)
)
)
)

PERMIT NO. C-20396

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Willard E. Patterson,.....
requesting that Permit No.C-20396.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-20396....., heretofore issued to.....
Willard E. Patterson,.....be,
and the same is hereby, declared cancelled effective December 17, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GORDON R. & MARION L. PACKARD)
1407 GRAND, CANON CITY, COLO.) PERMIT NO. C-20261.
)
)
-----)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Gordon R. & Marion L. Packard,.....
requesting that Permit No. C-20261.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20261....., heretofore issued to.....
Gordon R. & Marion L. Packard,.....be,
and the same is hereby, declared cancelled effective December 26, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....5th.....day of.....January....., 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL GRAFF, 2881 KRAMERIA,)
DENVER 7, COLORADO.)
)
)
)

PERMIT NO. C-19770.

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Carl Graff,.....
requesting that Permit No.....C-19770.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.....C-19770....., heretofore issued to.....
Carl Graff,.....be,
and the same is hereby, declared cancelled effective November 25, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

William C. Norton

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this.....5th day of.....January....., 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HARRY E. SHERMAN, GENERAL)
DELIVERY, HANNA, WYOMING)
)
)
)
)
)

PERMIT NO. C-19682.

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Harry E. Sherman,.....
requesting that Permit No.C-19682.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-19682....., heretofore issued to.....
Harry E. Sherman,.....be,
and the same is hereby, declared cancelled effective December 27, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Berry

Commissioners

Dated at Denver, Colorado,

this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES MERLYN ELLIOTT, 904 AKIN)
AVE., FT. COLLINS, COLO.) PERMIT NO. C-19549.
-----)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
James Merlyn Elliott,
requesting that Permit No. C-19549 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19549, heretofore issued to-----
James Merlyn Elliott,-----be,
and the same is hereby, declared cancelled effective December 17, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Rae C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ATLAS OSBORN, R. R. 1,)
)
DELTA, COLO.)
)
)
)

PERMIT NO. C-19220

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Atlas Osborn,
requesting that Permit No. C-19220.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19220....., heretofore issued to.....
Atlas Osborn,.....be,
and the same is hereby, declared cancelled effective December 16, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Gordon

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD O. MUNSON, NUCLA, COLO.)
)
) PERMIT NO. C-19219.
)
)
)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Richard O. Munson,.....
requesting that Permit No. C-19219.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19219....., heretofore issued to.....
Richard O. Munson,.....be,
and the same is hereby, declared cancelled effective December 20, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
A. W. SMITH, 1006 VANCE)
JACKSON ROAD, SAN ANTONIO 1,)
TEXAS.)
)
)
)

PERMIT NO. C-18988

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

A. W. Smith,.....

requesting that Permit No. C-18988 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18988, heretofore issued to.....

A. W. Smith,.....be,

and the same is hereby, declared cancelled effective December 18, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

William C. Harrison

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 5th day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN DI SANTI, RT 1, BOX 379,)
PUEBLO, COLORADO) PERMIT NO. C-18470.
)
)
)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
John Di Santi,
requesting that Permit No. C-18470.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18470....., heretofore issued to.....
John Di Santi,.....be,
and the same is hereby, declared cancelled effective October 12, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CLETUS T. ROGERS, 316½ ALA-)
MOSA, ALAMOSA, COLORADO.) PERMIT NO. C-18239.
)
)
)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Cletus T. Rogers,.....
requesting that Permit No.....C-18239.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.....C-18239....., heretofore issued to.....
Cletus T. Rogers,..... be,
and the same is hereby, declared cancelled effective December 29, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....5th.....day of.....January....., 194 8.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
MOUNTAIN INNS CO., 1404 NO.)
NEVADA AVE., COLORADO SPRINGS,)
COLORADO.) PERMIT NO. C-17606
)
)
)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Mountain Inns Co.,-----
requesting that Permit No. C-17606 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17606, heretofore issued to-----
Mountain Inns Co.,----- be,
and the same is hereby, declared cancelled effective December 17, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Berry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ALLEN A. & GLENN H. WISE,)
105 SIXTH ST., FOWLER, COLO.) PERMIT NO. C-17181.
)
)
)

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Allen A. & Glenn H. Wise,-----
requesting that Permit No. C-17181-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17181-----, heretofore issued to-----
Allen A. & Glenn H. Wise,-----be,
and the same is hereby, declared cancelled effective December 16, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WILFORD (M) RICHARDS, 1379)
WEST CEDAR, DENVER, COLORADO.)
)
)
)
)

PERMIT NO. C-15863.

January 5, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Wilford (M) Richards,-----
requesting that Permit No. C-15863 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15863, heretofore issued to-----
Wilford (M) Richards,----- be,
and the same is hereby, declared cancelled effective December 23, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
T. W. & HOWARD W. CROWTHER, DBA)
T. W. CROWTHER & SON, SANFORD,)
COLORADO.) PERMIT NO. C-15653.
)
)
)

January 8, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
T. W. & Howard W. Crowther, d/b/a T. W. Crowther & Son,
requesting that Permit No. C-15653.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15653....., heretofore issued to.....
T. W. & Howard W. Crowther, d/b/a T. W. Crowther & Son,.....be,
and the same is hereby, declared cancelled effective November 13, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Norton
John R. Berry

Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH B. BARNES, 2388 E. BOULDER)
COLORADO SPRINGS, COLORADO.)
)
)
)

PERMIT NO. C-14737

January 8, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Joseph B. Barnes,-----
requesting that Permit No. C-14737 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14737, heretofore issued to-----
Joseph B. Barnes,-----be,
and the same is hereby, declared cancelled effective December 22, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hooten

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1948
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
W. L. SMITH, 400 W. 6th ST.,)
JULESBURG, COLORADO) PERMIT NO. C-13871
)
)
)

January 8, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
W. L. Smith,.....
requesting that Permit No.C-13871.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-13871....., heretofore issued to.....
W. L. Smith,.....be,
and the same is hereby, declared cancelled effective October 30, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Erickson
Ralph C. Horton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHAS. C. ANDERSON, 621 SECOND)
ST., ALAMOSA, COLORADO.) PERMIT NO. C-10984.
)
)
)

January 8, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Chas. C. Anderson,.....
requesting that Permit No. C-10984 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-10984, heretofore issued to.....
Chas. C. Anderson,..... be,
and the same is hereby, declared cancelled effective December 15, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Berry

Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN L. LALLY, 214 MACON,)
CANON CITY, COLORADO.)
)
)
)
)
)

PERMIT NO. C-2997

January 8, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Edwin L. Lally,
.....
requesting that Permit No. C-2997.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-2997....., heretofore issued to.....
Edwin L. Lally,.....be,
and the same is hereby, declared cancelled effective December 1, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Cherry

Commissioners

Dated at Denver, Colorado,
this.....8th day of January,....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
PERRY PETROLEUM CO., 316 U. S.)
NATIONAL BANK BLDG., DENVER 2,)
COLORADO.)
)
)
)

PERMIT NO. C-3875.

January 8, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Perry Petroleum Co.,.....
requesting that Permit No. C-3875.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3875....., heretofore issued to.....
Perry Petroleum Co.,.....be,
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Wentworth

John H. Barry

Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
D. H. KRAMER, HYGIENE, COLO.)
)
) PERMIT NO. C-5496.
)
)

January 8, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
D. H. Kramer,.....
requesting that Permit No.....C-5496.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.....C-5496....., heretofore issued to.....
D. H. Kramer,.....be,
and the same is hereby, declared cancelled effective November 24, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Berry

Commissioners

Dated at Denver, Colorado,
this.....8th.....day of.....January,....., 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN RE RATES, PRACTICES, RULES, AND)
REGULATIONS OF THE CITIZENS UTIL-)
ITIES COMPANY.)

CASE NO. 4932
SUPPLEMENTAL ORDER

January 3, 1948

Appearances: E. B. Evans, Esq., Denver,
Colorado, for The Public
Utilities Commission of
the State of Colorado;
Harold Mudge, Esq., Denver,
Colorado, for the Veterans
Bureau;
Lawrence Thulemeyer, Esq.,
La Junta, Colorado, and
J. L. Rice, Esq., Denver,
Colorado, for Respondent,
The Citizens Utilities
Company.

S T A T E M E N T

By the Commission:

The matter hereafter to be considered has been fully discussed in the Statement preliminary to our Order entered in Decision No. 27319, and will not herein be covered in detail.

By our Decision No. 27319, the Commission, in substance, directed the Respondent, The Citizens Utilities Company, a corporation, to distribute, pro rata, to its customers any amounts received by Respondent out of the fund impounded by the Circuit Court of Appeals for the Tenth Circuit in the proceeding entitled "Colorado Interstate Gas Company vs. Federal Power Commission, etc. (142 F. (2d) 943; 324 U. S. 581; 65 S. Ct. 829; 89 L. Ed. 1206), pending in the said Court, No. 2550, said "Impoundment Fund," which accrued during the period from May 20, 1942 to September 25, 1945, amounting to \$176,278.82, from deposits made by Respondent's wholesale gas supplier, on account of excessive rates charged by it for gas purchased by Respondent during said "Impoundment Period."

When said fund became available, Respondent informed the Commission that notwithstanding under decisions of United States Supreme Court in Central State Company vs. City of Muscantine, (325 U. S. 138, 65 Supreme Court 565, 89 L. Ed. 801), and other cases, it believed said fund was its property, subject only to proper orders of this Commission relative to disposition thereof, it was willing (after deduction of fees of the Clerk of the Court and the Depository) to distribute one-half of the net amount among those of its customers who purchased gas during "Impoundment Period," and to apply the remaining one-half (less additional income tax allocable to the portion so retained by it) to the replacement of gas mains and service connections in the communities it serves in Colorado, said mains and connections having suffered accelerated depreciation, said moneys so expended, in effect, to be treated as contribution by customers in aid of construction, and not to be capitalized.

It presented to the Commission numerous petitions signed by users of gas from its lines, and letters from the Mayors of the respective towns in the communities served by it, requesting that an order for distribution of the fund be made by the Commission, in conformity with the position of Respondent.

The Commission's staff being desirous, if possible and proper, that the entire fund be distributed among customers of Respondent, the Commission upon its own motion, instituted this case, No. 4932, against Respondent, to determine what disposition should be made of said fund, and to make reductions in Respondent's retail gas rates retroactive to the date utility received reduced wholesale rates which resulted in the "Impoundment Fund" aforesaid. Our Decision No. 27319 followed.

The Commission, relying upon the reparation statutes -- especially Sections 24 and 56 of the Public Utilities Act, being Chapter 137 of Colorado Statutes Annotated -- found that the entire fund should be pro rated among Company's consumers, and so ordered.

Application for Rehearing was filed by Company, based upon thirty-three grounds. Rehearing was had on April 14, 1947. Decision has been long delayed, due to the fact that the questions raised upon

rehearing by Respondent required a re-examination of Company's books which, due to press of business, was not concluded by our Accountant until the Month of October, 1947. Briefs were submitted.

In its Answer herein, and now, Respondent contends that this Commission, under Section 56 aforesaid, does not have jurisdiction or authority to order reparation, except upon complaint made by consumers of the public utility involved, and points out that this proceeding was commenced by the Commission, on its own motion, by the filing of complaint herein, and that prior to that time, no consumer, or consumers, of Respondent had filed any complaint with the Commission, but on the contrary, numerous Mayors, service clubs, civic organizations, and individual customers had requested the Commission to approve the division of the "Impoundment Fund" in accordance with Respondent's proposal.

The Commission has carefully reviewed and considered the matter, and it would seem that unless the law is clear, the Commission should not jeopardize the opportunity which the customers have of getting one-half the fund with the consent of Respondent, the other one-half, less certain amounts as aforesaid, to go to rehabilitation of that portion of its property which has been subjected to accelerated depreciation, by refusing to modify its order heretofore entered herein, with the result, if said Order should be set aside by the Courts on review, that the entire fund would go to the Company, subject to such disposition thereof as it desires.

If not doubtful, it at least is not clear that the Commission has jurisdiction to award reparation, except in a proceeding commenced upon complaint of a consumer. Also, Commission's jurisdiction to award reparation is limited to the two-year period prior to November 5, 1945, the date on which this proceeding was commenced, and the refund now in the Depository of the Circuit Court of Appeals was accumulated from May 20, 1942 to September 25, 1945, a period of three years and four months. A considerable portion of the fund accrued during the period between May 20, 1942, and time when Respondent voluntarily reduced its

rates to such an extent that a saving of some \$81,000.00, according to Respondent, subsequently accrued to its customers. Therefore, if we have authority to so do, it is probable that the amount over which this Commission would have jurisdiction to award reparation could not amount to more than one-half of said fund, which the Respondent offers to be allowed to be paid to its customers. Although, as heretofore indicated, there is merit in Respondent's contention that we do not have authority to award reparation except in a proceedings commenced upon consumer complaint, we believe that Respondent, in its pleadings and memorandum herein, has consented to this Commission assuming jurisdiction to order that not to exceed one-half of the "Impoundment Fund" be paid by the proper officers of the Tenth Circuit Court of Appeals to consumers of Respondent who purchased gas from Respondent during the "Impoundment Period" in lieu of awarding reparation herein for that amount.

While the Commission still believes that it would be better to distribute the entire amount pro rata among the ultimate consumers of Respondent who purchased gas from Respondent during the "Impoundment Period," and that they are actively entitled thereto, nevertheless, in view of the unsettled state of the law and our authority and jurisdiction in the premises as aforestated, we believe our Findings and Order contained in Decision No. 27319 should be modified and amended, so that said customers will receive one-half of the "Impoundment Fund" now in the hands of the Depository designated by the Circuit Court of Appeals in the proceedings mentioned in the original decision herein, less any charges or expenses allowed by said Circuit Court of Appeals, and indirectly get the benefit of the remaining one-half (less income tax, etc.) in the manner proposed by Respondent, by finding and ordering that Respondent is entitled to the remainder of said "Impoundment Fund," after distribution of one-half thereof to customers, less charges or expenses allowed by the Circuit Court of Appeals, and that the net amount thereof, after deducting additional income taxes which may be assessed against Respondent, shall be treated in effect as though it were a contribution from consumers and used solely for the purpose of replacing gas mains and

service connections in the Colorado communities served by Respondent. Thereby, customers will not receive all the refund now in the hands of the Circuit Court of Appeals in cash, but they will receive a part thereof in cash, and the benefit of the major portion of the other one-half which will be paid to the Respondent in the form of an improved distribution system, without being reflected in the rate base.

The net amount when received by Respondent should be credited to Account No. 265, in accordance with System of Accounts of Gas Utilities promulgated by this Commission, and Respondent should file reports with this Commission as to disbursement thereof, showing the location of gas mains and connections replaced, date of replacement, the cost of new pipe installed, and expenses incurred in such replacement.

FINDINGS AND ORDER

From the record and evidence taken and received herein at the original hearings and rehearing hereof, the Commission finds and orders that the Findings and Order contained in our Decision No. 27319 herein, should be, and the same hereby are, modified, amended, and set aside, by inserting in lieu thereof, the Findings and Order following, to-wit:

"FINDINGS

"From the record and evidence herein, the Commission finds:

- "(a) That it has jurisdiction of this proceeding and has jurisdiction to enter the orders hereinafter set forth.
- "(b) That the Respondent, during the period involved herein, charged its customers in the Colorado District excessive amounts for natural gas sold to them, and on account of such excessive charges, its customers are entitled to reparation to the extent of one-half of the amount of the fund now impounded by the Circuit Court of Appeals for the Tenth Circuit in the Case of Colorado Interstate Gas Company v. Federal Power Commission, et al, No. 2550, pending in said Court, which was collected by its Gas Wholesaler from Respondent during the impoundment period (May 20, 1942 to September 25, 1945); that in accordance with the offer of Respondent, which offer is hereby approved, said customers are the owners of and entitled to one-half of said fund, less any charges or expenses allowed by said Circuit Court of Appeals; that Respondent should consent to the distribution of one-half of said sum, less said

charges or expenses, to Respondent's customers in accordance with appropriate order to be made by the said Circuit Court of Appeals.

"(c) That, in accordance with the offer of the Respondent, which offer is hereby approved, the Respondent is the owner of and entitled to the other one-half of said sum so impounded by the Circuit Court of Appeals for the Tenth Circuit as aforesaid, less any charges or expenses allowed by said Court, and that Respondent, upon receipt thereof, should credit the net amount thereof, after deducting additional income taxes which may be assessed against Respondent, to Account No. 265, in accordance with the System of Accounts for Gas Utilities, and should use the same only for the purpose of replacing gas mains and service connections in the communities served by Respondent and should report all expenditures therefrom to this Commission.

"(d) That the Respondent, after conferences with the Utility Engineer, Auditor and Statistician, or such other employees of the Commission as may be designated by the Commission, should, within sixty days from the date hereof, set up and keep such records and accounts with respect to the installation, life and replacements of its Colorado District property, and the component parts thereof, and containing such other information and matters relating thereto, as may be necessary to the ultimate establishment of proper rates of depreciation therefor.

"(e) That subsequent to the date of Decision No. 27319, the Commission has taken further proceedings in Case No. 4693, relating to original costs of electric utilities, and hence no further order is necessary herein.

"(f) That jurisdiction of this proceeding should be retained in order that such further proceedings and orders as may be deemed necessary by the Commission may be taken or entered herein.

"IT IS THEREFORE ORDERED:

"1. That the offer of the Respondent to consent that one-half of the fund now impounded by the Circuit Court of Appeals for the Tenth Circuit in the case of Colorado Interstate Gas Company v. Federal Power Commission, et al, No. 2550, pending in said Court, less charges and expenses allowed by said Court, shall be refunded and distributed to Respondent's customers pro rata in accordance with orders to be entered by said Court and to treat the net amount of other one-half of said fund, after deducting said charges and expenses and any additional income taxes which may be assessed against Respondent, as in the nature of contributions from customers and to use the same for the purpose of replacing gas mains and service connections in the communities served by Respondent, as more fully set forth in Statement preceding, is hereby approved.

"2. The Respondent, upon receipt of said net amount of its one-half of said fund, mentioned in Paragraph 1 of this Order, shall credit the same to Account No. 265, in accordance with the System of Accounts for Gas Utilities promulgated by this Commission, and shall use the same only for the purposes mentioned in said Paragraph 1. The Respondent shall keep accurate account of expenditures therefrom, and shall file reports with this Commission as to disbursement thereof, showing the location of gas mains and connections replaced, date of replacement, and expenses incurred in such replacement. The Respondent shall not make any charge to operating expenses on account of depreciation on the value of any pipe installed in accordance with the provisions hereof.

"3. The Respondent shall, within ninety days from the date hereof, set up and keep such records and accounts with respect to the installation, life, and replacements of all of its Colorado District Property, and the component parts thereof, and containing such other information and matters relating thereto, as may be agreed upon by the Respondent and the Utility Engineer, Auditor, and Statistician, or other employees of the Commission.

"4. That jurisdiction of this proceeding is hereby retained, to the end that should Respondent fail to comply with the provisions of its offer, approved in Paragraph 1 of this order, or otherwise fail to comply with this order, such further proceedings may be had herein as shall be in harmony with the Findings hereof."

That, except as herein amended, said Decision No. 27319 shall remain in full force and effect.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maureen E. Quinn

Ralph C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 3rd day of January, 1948.

HW

(SEAL)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEO E. ECKLEY, OF ROUTE 1, BOX 68,)
EATON, COLORADO, FOR A CLASS "B") APPLICATION NO. 8902-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

January 8, 1948

Appearances: Leo E. Eckley, Eaton,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On August 11, 1947, the applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of farm produce, excluding livestock, from farms within a radius of 25 miles of Eaton, Colorado, to packing sheds and rail shipping points at Eaton, Greeley, Fort Collins, Loveland, Gilcrest, and Denver, Colorado; small grain between farms within a 25 mile radius of Eaton to elevators and elevator towns, including Denver; coal from coal mines in the northern Colorado coal fields to farms and coal dealers within a 25 mile radius of Eaton; small grain between all points in Colorado and state boundary lines where all highways cross the same in interstate commerce, only, subject to the provision of the Federal Motor Carrier Act of 1935.

The above matter was set for hearing, and heard, at the Court House in Greeley, Colorado, on December 11, 1947, and there taken under advisement.

At the hearing, the evidence disclosed applicant is acquiring one two-ton truck, and has had considerable experience as a driver for truckers in northern Colorado.

It appears he desires to haul farm produce in the Eaton area and coal from mines in northern Colorado coal fields to farmers in the above area. He also would like a state-wide permit to haul small grain, especially during the harvest season.

No one appeared protesting the granting of the proposed application, so it would not appear that the granting of this application would impair the efficiency of common carriers now authorized to serve the area.

After careful consideration of the record the Commission is of the opinion, and finds, that the application, as hereinafter limited, should be granted.

O R D E R

THE COMMISSION ORDERS:

That Leo E. Eckley, of Route 1, Box 68, Eaton, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, excluding livestock, from farms within a radius of 25 miles of Eaton, Colorado, to packing sheds and rail shipping points at Eaton, Greeley, Fort Collins, Loveland, and Gilcrest; coal from coal mines in the northern Colorado coal fields to farms and coal dealers within a 25 mile radius of Eaton; small grain between all points in the State of Colorado during the harvest season, only; said harvest season, as it applies to this order, shall be from July 15th to November 1st of each year.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter E. Smith

Joseph C. Hahn

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THURMAN A. PACKARD, 4861 OSCEOLA ST.,)
DENVER, COLORADO, FOR A CLASS "A")
PERMIT TO OPERATE AS A PRIVATE CAR-) APPLICATION NO. 8937-PP.
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

January 8, 1948

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at 330 State Office Building, Denver, Colorado, on Tuesday, December 23, 1947, at 10:00 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. E. Emerson
Frank C. Hutton
John P. Barry
Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. F. HERSH, OF MASONVILLE, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS) APPLICATION NO. 8901-PP.
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

January 8, 1948

Appearances: E. F. Hersh, Masonville,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On July 16, 1947, the applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of fresh cherries and cherry harvest supplies from orchards within a radius of 20 miles of Masonville to processing plant in Fort Collins, and from said plant, after processing, (sugar added but not sealed) to Denver; forest products from forests within a radius of 20 miles of Masonville to points within a radius of 50 miles of Masonville; used furniture and household goods and used farm equipment between points within a radius of 20 miles of Masonville, and from and to points in said area to and from points within a radius of 50 miles of Masonville.

The matter was set for hearing, and heard, on December 11, 1947, at the Court House in Greeley, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant has a net worth of approximately \$6,000.00, and presently owns a 1946 Chevrolet 2-ton truck; also, a 1936 Dodge 1½-ton truck, and has customers in the Masonville area who desire his services.

It also appears that applicant is well qualified by experience to carry on his proposed operation.

No one appeared protesting the granting of the authority sought, while on the other hand, common carriers authorized to serve the area were notified of the hearing, and that applicant desired a permit; and, that said hearing was to be held at Greeley, Colorado, on December 11, 1947.

After examining the record and hearing the evidence given at the hearing, the Commission cannot say that the granting of the application will impair the services of common carriers authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That E. F. Hersh of Masonville, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of fresh cherries and cherry harvest supplies from orchards within a radius of twenty miles of Masonville to processing plant in Fort Collins and from said plant after processing (sugar added but not sealed) to Denver; forest products from forests within a radius of twenty miles of Masonville to points within a radius of 50 miles of Masonville; used furniture and household goods and used farm equipment between points within a radius of 20 miles of Masonville, and from and to points in said area to and from points within a radius of 50 miles of Masonville.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maclaren E. Eason

Ralph C. Hutton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GLENN HICKS, DOING BUSINESS AS)
"HICKS EXCAVATING COMPANY,")
79 KALAMATH STREET, DENVER, COLO-) APPLICATION NO. 8787
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)
-----)

January 8, 1948

Appearances: Glenn Hicks, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On September 29, 1947, the applicant herein filed his application for a certificate of public convenience and necessity, authorizing the transportation of dirt within a radius of 35 miles of Denver, Colorado; coal from mines in the northern Colorado coal fields to Denver; clay from clay pits within a 50-mile radius of Denver, to Denver, Colorado.

The above application was set for hearing, and heard, at the Hearing Room of the Commission, at 330 State Office Building, Denver, Colorado, on December 23, 1947, and there taken under advisement.

At the hearing the evidence disclosed that applicant is the owner of two 1½-ton trucks, and has a net worth of approximately \$20,000.00.

Applicant states he desires to render the service, and in his opinion, the service is needed by the public, as no presently authorized common carriers are catering to this limited type of business.

After careful consideration of the record, the Commission is of the opinion, and finds, that a certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier service of Glenn Hicks, doing business as "Hicks Excavating Company," 79 Kalamath Street, Denver, Colorado, for the transportation of dirt between points within a radius of 35 miles of Denver, Colorado; coal from mines in the northern Colorado coal fields to Denver, Colorado; and clay from clay pits within a 50-mile radius of Denver, Colorado, to Denver, Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

That this order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maec Erickson

Ralph C. Nolan

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED GARCIA, OF BOX 36, GILCREST,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 8905-PP.
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

January 8, 1948

Appearances: Alfred Garcia, Gilcrest,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On November 1, 1947, the applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of manure, feed, farm produce, and coal between points within a radius of 25 miles of Gilcrest, Colorado.

The matter was set for hearing, and heard, at the Court House, at Greeley, Colorado, on December 11, 1947, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is a resident of Gilcrest, Colorado, and owns two trucks, viz: 1 - 1937, 1½-ton Ford, and 1 - 1938, 1½-ton International, and has a net worth of approximately \$2,000.00.

The evidence discloses that applicant desires to render a farm service for his customers adjacent to the town of Gilcrest.

No one appeared protesting the granting of the proposed application, and from the type of service asked for, coupled with the fact that no protestants were registered, the Commission can see no good reason why said permit should not be granted.

After careful consideration of the record, the Commission is of the opinion, and finds, that the instant application should be granted for the reasons heretofore set forth.

O R D E R

THE COMMISSION ORDERS:

That Alfred Garcia, of Box 36, Gilcrest, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of manure, feed, farm produce, (excluding livestock) and coal, between points within a radius of 25 miles of Gilcrest, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

William E. Gibson

Joseph C. Horton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EARL D. LARSEN, DOING BUSINESS AS)	
"LARSEN TRANSFER AND STOREAGE COMPANY,")	
2855 WALNUT STREET, DENVER 5, COLO-)	APPLICATION NO. 8844-PP
RADO, FOR AN EXTENSION OF CLASS "B")	<u>EXTENSION</u>
PERMIT NO. 3360.)	
-----)	

January 8, 1948

Appearances: Henry S. Sherman, Esq.,
Denver, Colorado, for
applicant;
A. J. Fregeau, Denver,
Colorado, for Weicker
Transfer and Storage
Company.

S T A T E M E N T

By the Commission:

On September 25, 1945, by Decision No. 24978, the applicant herein was granted private carrier Permit No. B-3360, wherein he was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the pick-up and delivery of freight for over-the-road carriers of freight between applicant's dock in Denver, and points within a radius of 5 miles of the City Limits thereof, customers to be limited to over-the-road carriers who are customers or tenants of his dock.

On October 31, 1947, the applicant herein filed his application for extended authority under the private carrier authority, to include the transportation of all products produced or sold by the Linde Air Products Company, an Ohio corporation, only, to and from all points within a five mile airline distance from the boundary lines of the City of Denver, Colorado.

The above application for an extension of Class "B" permit No. 3360, was set for hearing, and heard, Tuesday, December 23, 1947, at 330 State Office Building, Denver, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant company is presently making deliveries for the Linde Air Products Company within the city of Denver, and is presently furnishing two trucks that are permanently assigned to the above-named company; that applicant also, on occasions, furnishes additional trucks to handle the business. These trucks are used exclusively for delivery of products sold by the Linde Air Products Company, which comprises oxygen, acetylene and carbide gases. The oxygen is used largely in hospitals, convalescent homes, and occasionally is delivered to private homes. The acetylene and carbide gases are delivered to industrial users within the city of Denver.

Applicant states he is presently taking care of the business of the Linde Air Products Company within the city of Denver, and the company now wants him to deliver their products into the Metropolitan Denver area; that is, the area within the five-mile airline distance from the boundary lines of the city of Denver.

Applicant states he is amply equipped to take care of said deliveries, in fact, he would use the same equipment that he is now using for his Denver deliveries; that his drivers are specially qualified for this type of business, and that he desires to give this service to his customer.

Mr. Archibald Taggart, Superintendent of the Oxygen Plant, and Mr. H. E. LeGuire, Superintendent of the Acetylene and Carbide Plant of the Linde Air Products Company, both, testified as to the need of applicant's service.

It appears that oxygen is furnished to hospitals, convalescent homes, and occasionally to private homes; they state they need carriers who know how to handle oxygen tanks; that it is important that these tanks be kept clean and not hauled in any truck hauling oils or greasy substances, and that many of their orders are to be delivered immediately, that is, upon a few minutes' notice; that their company needs a carrier

who is available and subject to call on short notice for 24 hours a day; that applicant is furnishing this type of service within the city of Denver; that they have had, on occasions, calls for this type of service in the fringe area, and have found it difficult to make deliveries, and what they need is a carrier who has authority and who is available to make delivery of oxygen and their other products into the territory immediately surrounding the city of Denver; that oftentimes, the delivery of oxygen is to sick beds, which requires immediate delivery. They state that common carrier service, by its very nature, is not adequate, and in the instant application the small amount of business to be handled to the outside area, that is the fringe area surrounding Denver, would not, in their judgment, be large enough to impair the service of any common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that common carrier service is not adequate for the needs of Linde Air Products Company, a corporation, and the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Earl D. Larsen, doing business as "Larsen Transfer and Storage Company," 2855 Walnut Street, Denver 5, Colorado, be, and he hereby is, authorized to extend the authority under Private Carrier Permit No. 3360 to include the transportation of all products produced and sold by the Linde Air Products Company, an Ohio corporation, between their plants and warehouses in Denver, Colorado, to points and places within a radius of five miles airline distance from the boundary lines of the city of Denver.

That this order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. E. Quinn
Ralph C. Horton
John B. Bunge
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND R. HAMILTON AND EDWARD L.)
HAMILTON, CO-PARTNERS, DOING BUSI-)
NESS AS "HAMILTON BROS. HAULING SER-) APPLICATION NO. 8962-PP.
VICE," 440 LIPAN STREET, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS PRIVATE CARRIERS BY)
MOTOR VEHICLE FOR HIRE.)
-----)

January 8, 1948

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from yard at North Graves and Moffat Railroad, in Arvada, to Golden and points within a radius of five miles of Golden, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Raymond R. Hamilton and Edward L. Hamilton, co-partners, doing business as "Hamilton Bros. Hauling Service," Denver, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from yard at North Graves and Moffat Railroad, in Arvada, to Golden and points within a radius of five miles of Golden, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter E. Quinn

Ralph C. Hooten

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM STAHLECKER AND DARRELL)
PRANGLEY, WATKINS, COLORADO, FOR A) APPLICATION NO. 8961-PP.
CLASS "B" PERMIT TO OPERATE AS)
PRIVATE CARRIERS BY MOTOR VEHICLE)
FOR HIRE.)
-----)

January 8, 1948

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That William Stahlecker and Darrell Prangley, Watkins, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. E. Egan

Harold C. Nelson

John R. Berry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LESTER A. WRIGHT, 207 WEST SECOND)
STREET, FLORENCE, COLORADO, FOR A) APPLICATION NO. 8960-PP.
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

January 8, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal, wood, and gravel, from point to point within a radius of one hundred fifty miles of Florence, Colorado, excluding service to or from Victor and Cripple Creek, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Lester A. Wright, Florence, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal, wood, and gravel, from point to point within a radius of one hundred fifty miles of Florence, Colorado, excluding service to or from Victor and Cripple Creek, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this ~~order~~ shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter E. Smith

James C. Watson

John R. Bang

Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOUIS G. SCHAAF AND FRANK TILLER,)
DOING BUSINESS AS "ARVADA FLOUR)
MILLS," WADSWORTH AVENUE, ARVADA,) APPLICATION NO. 8938-PP.
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS PRIVATE CARRIERS BY MOTOR)
VEHICLE FOR HIRE.)
-----)

January 8, 1948

Appearances: Frank Tiller, Arvada,
Colorado, pro se;
A. J. Fregeau, Denver,
Colorado, for Weicker
Transfer and Storage
Company.

S T A T E M E N T

By the Commission:

As limited by the evidence at the hearing, the applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of feed grains and mineral mixed feeds from warehouses in Arvada and Littleton to farms and feed lots in the State of Colorado, with no service to retailers or dealers.

The above matter was set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on December 23, 1947, and there taken under advisement.

At the hearing, the evidence disclosed that applicants desire to give a delivery service from their warehouses at Arvada and Littleton to farm and feed lots in Colorado. They state the service will not include dealers, wholesalers or retailers, and that they do not wish to give a town-to-town service.

Protestant Weicker withdrew all objections to service as presently limited. No other protestant appeared protesting the granting of the application, and there is nothing before the Commission that would indicate that the granting of the permit would impair the service of any common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application, as hereinafter limited, should be granted.

O R D E R

THE COMMISSION ORDERS:

That Louis G. Schaaf and Frank Tiller, a co-partnership, doing business as "Arvada Flour Mills," Wadsworth Avenue, Arvada, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of feed grains and mineral mixed feeds from the warehouses of the Arvada Flour Mills in Arvada and Littleton, Colorado, to farms and feed lots within the State of Colorado, without the right to engage in town-to-town service in competition with authorized line-haul motor vehicle common carriers, between points served by them.

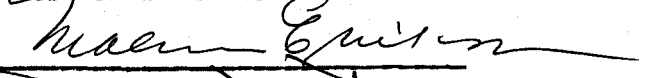
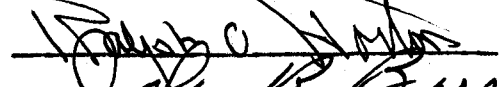
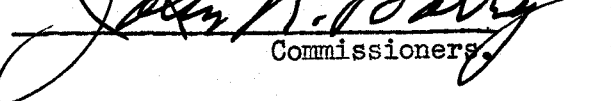
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEAMON RESLER, DENVER, COLORADO, TO)
TRANSFER A PORTION OF CERTIFICATE)
NO. 1089 TO WAYNE S. REES, DOING)
BUSINESS AS "ASPEN TRUCK LINE,")
ASPEN, COLORADO.)
-----)

APPLICATION NO. 8690

TRANSFER

January 8, 1948

Appearances: Truman A. Stockton, Jr., Esq., and
Marion F. Jones, Esq., Denver,
Colorado, for Transferor and Transferee;
T. A. White, Esq., and
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way.

S T A T E M E N T

By the Commission:

On April 2, 1940, Leamon Resler, doing business as "Resler Truck Line," pursuant to authority contained in Decision No. 15173, acquired PUC Certificate No. 1089, authorizing the transportation by motor vehicle on schedule of freight from and to Glenwood Springs to and from Aspen, Colorado, and intermediate points, including the off-route point of Carbondale.

On September 15, 1947, Certificate No. 1089 was extended by Decision No. 29002, to include:

"(a) Transportation of passengers and property, including baggage, mail, express and freight, in the same vehicle as the passengers, from the junction of Colorado Highway 82 and Colorado Highway 133 to Marble, via Colorado Highways 133 and 327, serving all intermediate points; subject, however, to the following restrictions: That service between the point on Highway No. 82, where it is intersected by State Highway No. 133, and Marble, is to be operated on schedule from June first of each year until October first of each year hereafter, except by leave of the Commission first had and obtained. Operation over said route the balance of the year, for transportation of

passengers, baggage, mail, express, freight, etc., to be on call and demand; said operations to be an extension of and to be operated in connection with his presently authorized service between Glenwood Springs, Colorado, and Aspen, and intermediate points, including points intermediate within a mile of said route."

"That public convenience and necessity require the proposed common carrier call and demand motor vehicle operations of applicant for:

"(b) Occasional motor coach service by special charter for transportation of passengers and their baggage, in the same vehicle with the passengers, between all points on his presently authorized passenger route, including the extensions thereof, granted by sub-paragraph (a) hereof, on the one hand, and, on the other, points in the State of Colorado; without the right to serve between any two points served by common carrier bus lines operating on schedule, in competition therewith."

Petitioners now request that that portion of Certificate No. 1089, authorizing the transportation of freight between Glenwood Springs and Aspen, and intermediate points, and the off-route points thereto within one mile of Colorado Highway No. 82, be transferred to Wayne S. Rees, being the authority acquired from Lule Ammerman, pursuant to Decision No. 15173.

The matter was set for hearing, and heard, on September 24, 1947, at 330 State Office Building, Denver, Colorado, and there taken under advisement.

It was disclosed at the hearing that the consideration for the transfer of that portion of said Certificate No. 1089, as above set forth, is the sum of \$2,000.00, which includes one truck.

It also appeared that there are no outstanding unpaid obligations against said operation, except ton-mile tax in the amount of \$25.13, which transferor and transferee state will be paid.

The evidence further disclosed that ton-mile tax deposit of transferor is to be retained by Resler.

The operating experience of transferee discloses that he has operated the above freight operation by lease under this certificate since January, 1941, and is well qualified by experience to carry on the proposed operation.

It also appears that applicant's financial status is satisfactory.

Considerable testimony was given as to the rights retained by transferor, Resler, and the rights to be transferred to transferee, Wayne S. Rees.

FINDINGS

THE COMMISSION FINDS:

That the public interest would be served by allowing the assignment of said operating rights acquired by Resler from Luie Ammerman, who was granted same by Decision No. 9618, being PUC No. 1089; so the Commission is of the opinion, and finds, that said transfer should be authorized, as more particularly set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That Leamon Resler, doing business as "Resler Truck Line," be, and he hereby is, authorized to transfer to Wayne S. Rees, doing business as "Aspen Truck Line," Aspen, Colorado, all his right, title and interest in and to that portion of PUC No. 1089 acquired by him pursuant to Decision No. 15173, which authorizes the following:

Transportation by motor vehicle on schedule of freight from and to Glenwood Springs, to and from Aspen, Colorado, and intermediate points, as granted to Luie Ammerman by Decision No. 9618.

That under the operating rights retained by said Resler, he shall have the right to operate as a common carrier by motor vehicle for hire for the transportation of:

(1) Passengers between Glenwood Springs and Aspen and intermediate points, serving Carbon-dale as an off-route point, (his express service, however, to be restricted to packages not in excess of one hundred pounds each, and rate to be charged for transportation thereof to be not less than one hundred twenty percent of the line-haul rate prescribed by the Commission for movement of freight between the points authorized to be served under Decision No. 26292), and,

(2) the transportation of passengers and property, including baggage, mail, express, and freight, in the same vehicle as passengers between Glenwood Springs, Colorado, on the one hand, and on the other, points and places on Highways Nos. 133 and 327 west of, (but not including), Carbondale, Colorado, and (including) Marble, Colorado, subject, however, to the following restrictions: That service between the point on Highway No. 82 where it is intersected by State Highway No. 133, and Marble, is to be operated on schedule from June first of each year until October first of each year hereafter, except by leave of the Commission first had and obtained, operation over said route the balance of the year, for transportation of passengers, baggage, mail, express, freight, etc., to be on call and demand; said operations to be an extension of and to be operated in connection with his presently authorized service between Glenwood Springs, Colorado, and Aspen, Colorado; and provided further, that applicant shall not pick up or deliver passengers or property upon or along Colorado Highway No. 82, and Colorado Highway No. 133 between Glenwood Springs and Carbondale; and

(3) occasional motor coach service by special charter for transportation of passengers and their baggage, in the same vehicle with the passengers, between all points on his authorized passenger routes on the one hand, and, on the other, points in the State of Colorado;

service under sub-heads (2) and (3) to be subject to the conditions and restrictions set forth in Decision No. 29002.

The foregoing restriction as to weight of express shipments shall not apply to interlined express shipments received from other carriers.

That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Antin

John P. Barry
Commissioner

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLAUDE GORE, 350 VIGIL AVENUE, LAS)
ANIMAS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE) APPLICATION NO. 8871-PP.
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

January 8, 1948

Appearances: Claude Gore, Las Animas,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of grain, hay -- loose, baled, or ground -- to mills, elevators, and railroad loading points, and to feeders from points within a radius of thirty miles of his home, located five miles east of Las Animas, to points in said area.

Said application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, December 8, 1947, and taken under advisement.

At the hearing, it appeared that applicant has two Chevrolet trucks equipped with grain beds and hay racks; that the farmers residing in the vicinity of his ranch have been without truck service, and are willing to contract with him for service if he gets the authority sought.

The pecuniary responsibility and fitness of applicant to conduct the proposed operation were established to the satisfaction of the Commission.

It appeared that the common carrier service in the area is inadequate, and it did not appear that the proposed service will tend to impair the efficiency of any common carrier service -- adequate or otherwise.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Claude Gore, Las Animas, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of grain, hay -- loose, baled, or ground -- to mills, elevators, and railroad loading points, and to feeders from points within a radius of thirty miles of his home, located five miles east of Las Animas, to points in said area.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maureen E. Quinn

Ralph C. Hahn

John B. Barry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOWARD FOSTER, RFD 1, LA JUNTA,)
COLORADO, FOR A CLASS "B" PERMIT) APPLICATION NO. 8872-PP.
TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-----)

January 8, 1948

Appearances: Robert R. Sabin, Esq.,
La Junta, Colorado,
for applicant.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Robert R. Sabin, attorney for applicant, stating that applicant desires
to withdraw his application for a Class "B" private carrier permit.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed, upon
request of applicant.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is,
dismissed, upon request of applicant.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maen E. Eason

Joseph C. Watson
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1948.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EARL R. HUBBARD, 917 "B" AVENUE,)
LA JUNTA, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 8610.
OF PUBLIC CONVENIENCE AND NECESSITY.)
-----)

January 8, 1948

Appearances: G. S. Cosand, Esq., La Junta,
Colorado, for applicant;
Myron H. Burnett, Esq., Denver,
Colorado, for the Common
Carrier Division of The
Colorado Motor Carriers'
Association;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
C. H. Cornelius, La Junta,
Colorado, for Cornelius
Transfer.

S T A T E M E N T

By the Commission:

As limited by the testimony offered at the hearing, in
La Junta, Colorado, December 8, 1947, applicant herein seeks a cer-
tificate of public convenience and necessity to operate as a common
carrier by motor vehicle for hire for the transportation of dirt, trash,
ashes, coal, and new and used building materials (new building materials
to be limited to forms and similar material used by contractors), be-
tween points within a radius of ten miles of La Junta, Colorado.

The matter was taken under advisement.

It appeared that applicant has six trucks, consisting of four
dump trucks and a low-bed and a pole trailer; that chiefly, service will
be limited to building contractors', and will involve movement of dirt
from basements or lots or excavated lands by drag-lines, sand and gravel,
used building material, trash and ashes from lots where building has been
razed, or a new building is about to be constructed; that he, presently,
has private carrier authority, under which he can perform the service for
which he seeks common carrier authority; that, as a private carrier, he

cannot advertise, and must enter into a contract and get the approval of the Commission before performing the service; that frequently he, as heretofore indicated, is asked to clear lots, or to assist in grading a lot, or excavating a basement, or to haul dirt for fills, or furnish sand and gravel for concrete work, and sometimes such service must be furnished on short notice; that presently most of the service is being performed by some twelve licensed haulers in La Junta, who operate under a City License, but do not have Commission authority; that he does not contemplate hauling new material from or to lumber yards, and most of his building material service will be transportation of forms, lumber, and second-hand building materials for building contractors, from, to, or between jobs. He will not engage in a general transfer and cartage business, and will not furnish a service for distribution of pool cars. He has a coal conveyor, and sometimes removes coal from a basement and hauls it to a new location.

There was no objection to the issuance of authority, as limited.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the proposed motor vehicle common carrier service of applicant, with authority as set forth in the Order following, and that certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle common carrier service of applicant, on call and demand, for the transportation of dirt, trash, ashes, coal, and new and used building materials, movement of new building materials, (except material from job to job, and job to storage or yard), to be limited to forms and similar material used by contractors, between points within a radius of ten miles of La Junta, Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, applicant not to operate as a common carrier and as a private carrier at the same time over the same route.

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

That this order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter E. Smith

Ralph C. Nelson

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 8th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION OF THE MOTOR TRUCK)
COMMON CARRIERS' ASSOCIATION, AS)
AGENT, FOR VARIOUS CHANGES IN RATES) CASE NO. 1585
ON LIVESTOCK AND MILK AND CREAM.)

January 7, 1948

Appearances: W. C. Moore, Denver Milk Producers, Inc.,
945 11th St., Denver, Colorado;
V. G. Garnett, Colorado Rapid Transit Co.,
Denver, Colorado;
Fred Rein, Jr., Rein Transport Co.,
Denver, Colorado;
Ray Smith, Esq., Colorado Motor Carriers Assn.,
Denver, Colorado;
Truman A. Stockton, Jr., 1650 Grant St.,
Denver, Colorado;
Jones and Stauffer, Esqs., Denham Bldg.,
Denver, Colorado;
L. C. Austin, 955 12th Street, Boulder,
Colorado;
Wm. Bullard, Pioneer Truck Line, Boulder,
Colorado;
Carl Borgmann, 1000 Lincoln St., Denver,
Colorado;
Edward Martin, Martin Truck Line, La Salle,
Colorado.

S T A T E M E N T

By the Commission:

The following matters are before the Commission in this proceeding,
which was heard on July 28, 1947, viz.:

To increase the rate on cattle from 23 to 26 cents per 100 pounds,
minimum weight 20,000 pounds, from The Denver Union Stockyards, Denver, Colo-
rado, to packing houses in Pueblo, Colorado.

For Account of V. G. Garnett and E. V. Garnett, d/b/a Colorado
Rapid Transit, Fred Rein, Jr., d/b/a Rein Milk Transport, Edward C. Martin
and Maxine V. Martin, d/b/a Martin Truck Lines, Tisone Bros. and Bullard,
d/b/a Pioneer Trucking Company, Austin Bros., Alex Laubhan, Wm. Lang,
Borgmann Brothers and Fred Rein, Sr.:

To increase all rates for the transportation of milk and cream by
adding 20 per cent to the presently effective rates and to make such rates
subject to a minimum charge of 50 cents per shipment; also a minimum charge
of \$4.00 per truck per day to any one dairy destination in Denver, Colorado.
In the event the freight charges on shipments from two or more shippers of
milk to any one dairy in Denver (on one truck) total less than \$4.00, the
minimum charge of \$4.00 shall be divided pro rata among the shippers.

In regard to the increase in the rate on cattle from Denver to Pueblo, witness Ralph Yockey testified that he operates 16 units, 12 tractor-trailers and 4 straight jobs; that the cost of transporting cattle from Denver to Pueblo has increased 3 cents per 100 pounds in the last 18 months; that the movement from Denver to Pueblo constitutes approximately 10 per cent of his total movements; that his labor costs have increased approximately 10 per cent since the 23-cent rate was established. No one appeared in opposition to the proposed increase.

In regard to the proposals in the milk and cream rates, witness V. G. Garnett testified that he is operating 4 trucks; that the price of gas is now 22 cents per gallon which is approximately 6 cents per gallon more than it was a year ago; that the condition of the highways is worse than 15 years ago; that a new Chevrolet truck now costs around \$2,400.00, if you can get one. During the war, the cost was around \$1,200.00 and that there were some available; that labor costs have increased 10 per cent; Witness Wm. T. Bullard, a partner in the Pioneer Trucking Co., testified that his company operates 8 milk routes and operates 8 trucks, viz.: 1 - 1947 Ford, 1 - 1947 International, 1 - 1946 G.M.C. 2-ton, 1 - 1946 303 G.M.C., and the balance 1944 Chevrolets; that the road conditions are now worse than they were 6 years ago; that congestion around the dairies in Denver causes undue delays which means additional expenses for his drivers; that his price of gasoline has increased from 15.5 cents per gallon to 20.4 cents per gallon since the last rate increase, in July, 1946; that 5 years ago he was paying drivers \$100.00 per month, now he is paying \$150.00 per month to 7 drivers and \$140.00 per month to 1 driver; that he has no deliveries at this time where the proposed minimum charge would apply.

Witness L. C. Austin testified that his cost per truck-mile was about 12.5 cents which did not include much of the maintenance of equipment as the work was performed in their own garage and no charge was entered for the work he and his brother performed in making repairs; that approximately 9 per cent of his time was devoted to the milk business; that for the first six months of 1947 his net gain was \$193.96; income being \$10272.39 and expenses \$10,178.43. The breakdown of the expenses of this witness totals \$9367.29, instead of \$10,178.43, and said expenses are as follows: Labor (Wages), \$3112.41; Gas and Oil, \$1585.95; Tires and Repairs, \$922.58; Parts and Supplies, \$1780.16; Insurance, \$445.30; Taxes, \$290.69; Licenses, \$88.72; Miscellaneous, \$972.57 and Outside Labor (repairs to equipment on the road), \$64.22; that the country roads and lanes are now in worse condition than they have been in 15 years; that in 1939 he was paying his drivers \$100.00 per month, now he is paying \$42.50 per week on a 50-can load; \$47.00 per week on a 60-can load, \$49.00 per week on a 100-can load.

Witness Carl Borgmann testified that he operates two trucks, an International K-5 regularly and an International C-30 for standby service; that in 1946 his profit was about \$2230.00; that his operating expenses had increased 8 per cent over 1946; that the price on gas and oil had increased approximately 31 per cent since 1946.

Witness Fred Rein, Jr., submitted without objection after the close of the hearing a statement of income and expenses for milk drayage for six months ending June 30, 1947, showing the income as \$14,344.73 and the expenses as \$13,436.93 with a net profit of \$907.80. The items of insurance, licenses and taxes and depreciation which represent approximately 16 per cent of the total expense, no doubt cover the full year and would not be changed for the last six months of the year. In other words, the

amounts shown on these items would be the same for a full year as for the first six months.

Witness W. C. Moore, Manager of the Denver Milk Producers, Inc., Denver, Colorado, testified that the last poll taken showed there were 1755 shippers sending milk into Denver; that Grade "A" milk is bringing 85 cents per pound butter fat; that he favors a \$3.00 minimum charge instead of the proposed \$4.00. A letter filed after the close of the hearing, without objection, states: that his records show there are no shippers consistently sending in 10 and 15 pound shipments of milk daily. Out of 1755 shippers, there were 71 that shipped less than a can of milk a day all during the past year. These shippers run 50 to 60 pounds of milk per day. There were 806 shippers who got down below a can of milk in some period during the year. Normal fluctuation of production runs approximately 35% lower in September than May and these 877 shippers are the ones who would be affected by the proposed minimum charge. The letter further states:

"Denver has had to rely on a milk supply coming from farms that are operated on a dual purpose basis. That is, they have other operations besides dairying but all of these shippers have spent several hundred dollars to meet the Denver Grade "A" requirements. To put them out of business would not only be a serious blow to the individual but it would decrease the supply of milk for the City of Denver materially. Every year we have to go outside of our regular shippers to get milk to take care of the City needs, and this would aggravate the situation to such an extent that we could not secure enough milk for the City requirements. We have bought milk from the Colorado Condensed Milk Company at Johnstown, Frink Creamery Company at Fort Collins and Larkspur, and Northern Colorado Dairy at Ft. Morgan, all of which are outside of the regular shipments from the qualified producers."

The following producers appeared in opposition to the proposals, viz.:

E. W. Johnson, located 3 1/2 miles southwest of Longmont, ships 3 1/2 to 4 cans per day as a maximum, drops potentially to 100 pounds per day in the fall.

James Abbott, located at Platteville, Colorado, now shipping 3 cans per day; there are two truck lines operating past his farm daily. Borgmann is now hauling his milk.

Jake Ulrick, located at La Salle, Colorado, now shipping 4 cans into Denver, his profit on his milk for the period July, 1946 to July, 1947, was \$42.80, has 16 cows and 6 heifers, is depreciating his milking machine \$40.00 per ~~month~~ YEAR on a 10-year plan, served by Martin Truck Line.

Robert Moore located 25 miles north of Denver, now shipping 4 cans per day.

O. C. Holland, located 4 miles south and 1 mile west of Longmont, now shipping 2 cans per day with a potential maximum of 3 cans, now paying 40 cents per 100 pounds of milk.

A. F. Hoyt, located at Kersey, Colorado, now shipping milk into La Salle for precooling, picked up by Walt Short and moved into La Salle.

Mr. Hartman, now shipping 5 cans of milk.

J. L. Carpenter, located at La Salle, now shipping 6 1/2 cans per day, into Denver, never ships less than 5 cans, has been shipping to Greeley, started shipping to Denver in July, milk prices at Greeley dropped from \$1.25 to \$1.16 per pound of butter fat, now shipping via Martin Truck Line, since January 1, 1947, feed costs have continued to advance while butterfat prices have declined. Most all costs of production have advanced except power. Health laws have brought added costs. If freight costs continue to rise without an increase in the price of butterfat there no doubt will be a milk shortage in the immediate future.

Mr. Buster located west of Hygiene, Colorado, is opposed particularly to the 50-cent minimum charge.

Clare Sipes, located at Longmont, Colorado, now shipping 2 cans per day with a potential maximum of 5 cans, now paying \$3.00 per 100 pounds for barley and \$25.00 per ton for hay; both Lang and Austin pass his farm.

The rates of the Colorado Transit Company, on November 9, 1941, were as follows, viz.:

25 miles or less from Denver to Denver,		
In lots of less than 510 pounds per day	20¢ cwt.	
510 to 850 pounds per day	20¢ cwt. or 5¢ lb. fat	
850 pounds or more per day	15¢ cwt. or 5¢ lb. fat.	
Over 25 miles from Denver to Denver,		
In lots of less than 510 pounds per day	25¢ cwt.	
510 to 850 pounds per day	25¢ cwt. or 5¢ lb. fat.	
850 pounds or more per day	25¢ cwt. or 5¢ lb. fat.	

The rates today are as follows, viz.:

25 miles or less from Denver to Denver,		<u>% Increase</u>
In lots of less than 510 lbs. per day	29¢ cwt.	45
510 to 850 pounds per day	27¢ cwt.	35
850 pounds or more per day	21¢ cwt.	40.
Over 25 miles from Denver to Denver,		
In lots of less than 510 lbs. per day	34¢ cwt.	36
510 to 850 pounds per day	30¢ cwt.	20
850 pounds or more per day	27¢ cwt.	8.
An overall picture shows the following, viz.:		
Less than 25 miles	40% increase	
25 miles or over	21 1/3% "	
The two combined	29 1/4% "	

Most of the carriers involved herein operate in part in competitive territory with the Colorado Rapid Transit Company, and their rates in competitive territory would be the same as those of the Colorado Rapid Transit Company.

The record does not disclose what percentage of the total shipments moved under the different rates, nor what percentage moved under 25 miles and what percentage moved 25 miles or more.

The proposed minimum charge of \$4.00 per truck per day to any one dairy destination in Denver was not urged at the hearing. The carriers were willing to forgo the proposed charge in the hope that the shippers would cooperate in holding such movements to a minimum or eliminate them entirely. Furnishing transportation of small shipments to isolated destinations in Denver naturally increases the costs to the carriers.

If the proposed 50 cent minimum charge per shipment were to be put into force and effect, it no doubt would retard the movement of milk into Denver—a situation which should not knowingly be created. No substantiating testimony was introduced by any of the applicants in support of the proposed minimum charge. Possibly they are entitled to some compensation to cover the expense of the pickup on small shipments. However, they should be prepared to furnish the Commission with definite figures and studies to justify their request, which they have failed to do.

No doubt these carriers are in need of additional revenues based on the general rising costs. This is also true with the producer. There is a limit as to how far he can go and still continue to market his product. If he is compelled to discontinue his milk operations, it will reflect itself on the carrier, and where rates reach the point they retard the flow of traffic they cease to be of any benefit to anyone.

F I N D I N G S

THE COMMISSION FINDS:

That a rate of 26 cents per 100 pounds on cattle, minimum weight 20,000 pounds, from The Denver Union Stockyards, Denver, Colorado, to packing houses in Pueblo, Colorado, will, for the future, be a just, fair, reasonable and sufficient maximum and minimum rate for motor vehicle common carriers and a just, fair and reasonable minimum rate for private carriers by motor vehicle; that an increase of ten (10) per cent in the rates for the transportation of milk and cream on the lines of V. G. Garnett and E. V. Garnett, d/b/a Colorado Rapid Transit, Fred Rein, Jr., d/b/a Rein Milk Transport, Edward C. Martin and Maxine V. Martin, d/b/a Martin Truck Lines, Tisone Bros. and Bullara, d/b/a Pioneer Trucking Company, Austin Bros., Alex Laubhan, Jr., Wm. Leng, Borgmann Brothers and Fred Rein, Sr., now Alexander Naeb, and other motor vehicle common carriers in competition, in whole or in part, with any of the above named carriers, will, for the future, result in just, fair, reasonable and sufficient maximum and minimum rates for such carriers, and just, fair and reasonable minimum rates for private carriers by motor vehicle when competing with duly authorized motor vehicle common carriers for substantially the same or similar service; that the record does not substantiate the request for the minimum charge of 50 cents per shipment, nor the minimum charge of \$4.00 per truck per day to any one dairy destination in Denver, therefore, said requests should be denied; that, in publishing the ten (10) per cent increase, fractions of a cent should be disposed of by dropping one-half (5) or less and adding to the next full cent for over one-half (5).

O R D E R

IT IS ORDERED:

That the above statement and findings are made a part hereof, that this order shall become effective forthwith; that all motor vehicle common carriers and all private carriers by motor vehicle operating in intrastate commerce in the State of Colorado, to the extent they are affected, be, and they hereby are, notified and required to cancel all schedules in conflict with the rates, rules and provisions referred to in the above findings, on January 16, 1948, upon notice to this Commission and to the general

public by not less than five (5) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931, as amended; that the rates, rules and provisions referred to in the above findings shall be published by all motor vehicle common carriers, and private carriers by motor vehicle, operating in intrastate commerce in the State of Colorado, to the extent they are affected, to become effective January 16, 1948, on notice to this Commission and the general public by not less than five (5) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931, as amended; that on and after January 16, 1948, all motor vehicle common carriers to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be greater or less than the rates and charges herein prescribed; that on and after January 16, 1948, all private carriers by motor vehicle to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed; that this order shall not be construed so as to compel a private carrier by motor vehicle to be, or become, a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that, except as otherwise provided for herein, the petition is denied; that the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. E. Eason
Ralph C. Hohn
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 7th day of January, 1948
JH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM E. LEE, OF 4121 ADAMS) PERMIT NO. B-3537.
STREET, DENVER, COLORADO.)
-----)

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3537, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That William E. Lee, be, and he is hereby, authorized to suspend his operations under Permit No. B-3537, until July 1, 1948.

That unless said William E. Lee shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate..

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED MELONEY, BOX 1046,)
STERLING, COLORADO.)
)
)
)

PERMIT NO. C-2011.

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Fred Meloney.....
requesting that Permit No. C-2011.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-2011....., heretofore issued to.....
Fred Meloney.....be,
and the same is hereby, declared cancelled effective December 22, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
BEN GROV, 1048 F. ST., SALIDA,)
COLORADO.)
)
)
)

PERMIT NO. C-9301

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Ben Grov,.....
requesting that Permit No.C-9301.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-9301....., heretofore issued to.....
Ben Grov,.....be,
and the same is hereby, declared cancelled effective December 23, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Roberts

John B. Berry
Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
DALE QUIGGLE, WRAY, COLORADO.)
)
)
)
)

PERMIT NO. C-18048

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Dale Quiggle,-----

requesting that Permit No. C-18048 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18048, heretofore issued to-----

Dale Quiggle,-----be,

and the same is hereby, declared cancelled effective December 26, 1947

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
BURL CARDWELL, JOHNSON, ARKANSAS)
)
)
)

PERMIT NO. C-18814

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Burl Cardwell,.....
requesting that Permit No. C-18814.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No., heretofore issued to.....
Burl Cardwell,.....be,
and the same is hereby, declared cancelled effective December 27, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT TRIBLEHORN & RAY BISSELL)
4350 UTICA ST., DENVER, COLO.)
)
)
)

PERMIT NO. C-20093

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Albert Tribblehorn & Ray Bissell.....
requesting that Permit No. C-20093.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20093....., heretofore issued to.....
Albert Tribblehorn & Ray Bissell.....be,
and the same is hereby, declared cancelled effective November 30, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Berry
Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES A. LINDSEY, 1345 GARFIELD)
DENVER, COLO.)
)
)
)

PERMIT NO. C-20353

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
James A. Lindsey,.....
requesting that Permit No. C-20353 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20353, heretofore issued to.....
James A. Lindsey,.....be,
and the same is hereby, declared cancelled effective November 28, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
RALPH H. ELLIS, COTTAGE BAKERY,)
LA JARA, COLORADO)
)
)
)

PERMIT NO. C-20517.

January 10, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Ralph H. Ellis,.....
requesting that Permit No.C-20517.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-20517....., heretofore issued to.....
Ralph H. Ellis,.....be,
and the same is hereby, declared cancelled effective December 16, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
K. TAGUCHI, 801 WALNUT STREET,)
ROCKY FORD, COLORADO.)
-----)

CASE NO. 40439-INS.

(Permit No. C-8081)

January 10, 1948

S T A T E M E N T

By the Commission:

On December 10, 1947, in Case No. 40439-Ins., the Commission entered an order revoking Permit No. C-8081, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the permit. Proper filing has now been made and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40439-Ins., should be cancelled and set aside and said Permit No. C-8081 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. ~~40439~~-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-8081 restored to its former status as of December 10, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maer E. Erickson
Raymond C. Nelson
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 10th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HARRY W. HOLMES, 2809 RALEIGH,)
DENVER, COLORADO)
)
)
)
)

PERMIT NO. C-14842.

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Harry W. Holmes,.....
requesting that Permit No. C-14842.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14842....., heretofore issued to.....
Harry W. Holmes,.....be,
and the same is hereby, declared cancelled effective November 26, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....12th.....day of.....January....., 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. B. HERSCH, DBA HERSCH)
INVESTMENT CO., PAGOSA SPRINGS,)
COLORADO.)
)
)
)

PERMIT NO. C-16696.

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
J. B. Hersch, d/b/a Hersch Investment Co.,
requesting that Permit No. C-16696.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16696....., heretofore issued to.....
J. B. Hersch, d/b/a Hersch Investment Co.,.....be,
and the same is hereby, declared cancelled effective January 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 12th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
E. L. KINNISON, 4535 ST. PAUL)
ST., DENVER, COLORADO.)
)
)
)

PERMIT NO. C-16750

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
E. L. Kinnison,.....
requesting that Permit No. C-16750.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16750....., heretofore issued to.....
E. L. Kinnison,.....be,
and the same is hereby, declared cancelled effective December 9, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 12th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND E. CISELL, 6101 SO.)
GRANT, LITTLETON, COLORADO.)
)
)
)
)

PERMIT NO. C-18226.

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Raymond E. Cissell,.....
requesting that Permit No.C-18226.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-18226....., heretofore issued to.....
Raymond E. Cissell,.....be,
and the same is hereby, declared cancelled effective January 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....12th.....day of.....January,....., 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE E. GRINSTEAD, WINDSOR,)
COLORADO.)
)
)
)

PERMIT NO. C-18848.

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Lawrence E. Grinstead,.....
requesting that Permit No. C-18848.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18848, heretofore issued to.....
Lawrence E. Grinstead,.....be,
and the same is hereby, declared cancelled effective December 6, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Hartman
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 12th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
RALPH E. BOND, 835 EMERSON,)
DENVER, COLORADO.)
)
)
)

PERMIT NO. C-19789.

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Ralph E. Bond,
.....
requesting that Permit No. C-19789.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19789....., heretofore issued to.....
Ralph E. Bond,
.....be,
and the same is hereby, declared cancelled effective December 21, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....12th day of.....January,....., 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM & EDGAR FABRIZIUS,)
708 MCKINLEY, LOVELAND, COLO.)
)
)
)

PERMIT NO. C-19894.

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
William & Edgar Fabrizius,.....
requesting that Permit No. C-19894.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19894....., heretofore issued to.....
William & Edgar Fabrizius,.....be,
and the same is hereby, declared cancelled effective December 30, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....12th.....day of.....January,....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN J. CURTIS, c/o POSTOFFICE,)
IDLEDALE, COLORADO.)
)
)
)

PERMIT NO. C-20296.

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
John J. Curtis,.....
requesting that Permit No. C-20296.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20296....., heretofore issued to.....
John J. Curtis,.....be,
and the same is hereby, declared cancelled effective January 5, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

William Erickson
Ralph C. Norton
John Berry
Commissioners

Dated at Denver, Colorado,
this 12th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHRIS WALTERS, 1400 W. 32nd) PERMIT NO. B-2749.
AVENUE, DENVER, COLORADO.)
-----)

January 12, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2749, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Chris Walters, be, and he is hereby, authorized to suspend his operations under Permit No. B-2749, until July 1, 1948.

That unless said Chris Walters shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 12th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ABRAHAM HOFFMAN, DBA HOFFMAN) CASE NO. 39901-INS.
TRUCK LINE, MC COOK, NEBRASKA.) (PUC No. 1786-I)
-----)

January 12, 1948

S T A T E M E N T _

By the Commission:

On November 3, 1947, in Case No. 39901-Ins., the Commission entered an order revoking PUC No. 1786-I, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the certificate. Proper filing has now been made and the insurance is in order without lapse.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 39901-Ins., should be, and it hereby is, cancelled and set aside, and said certificate No. PUC-1786-I restored to its former status as of November 3, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maen Emission

John B. Barry
Commissioners.

Dated at Denver, Colorado,
this 12th day of January, 1948.

original

(Decision No. 29720)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COLORADO AND SOUTHERN RAILWAY)
COMPANY AND RAILWAY EXPRESS AGENCY,)
INC., TO DISCONTINUE AGENCY SERVICE)
AT LYNN, COLORADO, IN LAS ANIMAS)
COUNTY, AND TO CLOSE THE SAME AS AN)
AGENCY STATION.)
-----)

APPLICATION NO. 8921

January 12, 1948

Appearances: J. L. Rice, Esq., Denver,
Colorado, for The Colorado
and Southern Railway
Company;
A. R. Ferris, P. O. Box 2755,
Lakewood, Colorado, for The
Order of Railroad Telegraphers;
J. C. Hadley, Union Station,
Express Annex, Denver, Colorado,
for Railway Express Agency, Inc.;
F. H. Hall, Esq., Trinidad, Colo-
rado, for Board of County Com-
missioners of Las Animas County,
Colorado;
N. C. Dazzo, Esq., Trinidad, Colo-
rado, for Town of Aguilar,
Colorado.

S T A T E M E N T

By the Commission:

On October 28, 1947, The Colorado and Southern Railway Company and Railway Express Agency, Inc., filed petition with the Commission, for an order authorizing each of them to discontinue agency service at Lynn, Colorado, a station upon the line of The Colorado and Southern Railway Company in Las Animas County, Colorado, and to close Lynn as an agency station.

Following service of notice of the proposed closing upon parties in interest known to the Commission, protests were filed with the Commission, signed by practically all residents, businesses, and civic organizations of Aguilar, and the Town of Aguilar, objecting to the discontinuance of said agency service, upon the ground that:

"said service is necessary for the residents and citizens of Aguilar and Lynn."

The matter was heard in Aguilar, Colorado, pursuant to prior setting, after notice to all parties in interest, on December 18, 1947, and taken under advisement.

It appeared that prior to decision of the Commission in Application No. 2096, of The Colorado and Southern Railway Company to consolidate its agencies at Aguilar and Lynn, being Decision No. 4989, said railway maintained station agencies at Lynn, located on the main line of The Colorado and Southern Railway Company, about two miles east of Aguilar, Colorado, and an agency at Aguilar, which is on a branch line of The Colorado and Southern Railway Company, then extending as far as Broadhead, Colorado. Pursuant to authority contained in said decision, Railway Company was authorized to consolidate its station agencies at Lynn and Aguilar:

"by the employment of one agent to attend to the business of both stations, effective May 1, 1933."

The consolidation was effected and agency service was discontinued at Lynn, but has been maintained on an eight-hour-a-day, six-days-a-week basis, at Aguilar, since said time. The Aguilar agent has made trips once daily, or oftener, as the business of the railroad required, to Lynn, to meet a passenger train, superintend the loading, unloading, or moving of stock cars, and occasionally to deliver an order to a train crew. At about the time this arrangement was placed in effect, the railroad employee organization involved, The Order of Railroad Telegraphers, protested, and claimed that the consolidation, without abolishment:

"in fact, of the agent-telegrapher position at Aguilar, Colorado, and transfer of the duties and responsibilities of that position to the agent-telegrapher at Aguilar, Colorado, for actual performance of same by him at Lynn on each day at Lynn, except on Sundays, in addition to the performance of his work as agent-telegrapher at Aguilar,"

was a violation of employee-railway contract.

From time to time, the matter was discussed between representatives of O. R. T. and the Railway, and the Railway seems to have been under the impression that O. R. T. finally had acquiesced in the arrangement.

On May 7, 1946, the issue was re-opened, and formal claim was filed with the National Railroad Adjustment Board.

National Railroad Adjustment Board entered an Order in the matter, on September 23, 1947, sustaining the O. R. T. claim. In part, it was recited:

"The basis for the dispute was the Carrier's order of March 10, 1933, cancelling the assignment of the agent-telegrapher at Lynn, Colo., and assigning his work to the agent-telegrapher at Aguilar. The Aguilar agent was subsequently instructed regularly to make two trips a day to Lynn, to handle business there, and to go to Lynn at any other time the dispatcher instructed him to do so. Lynn, on the main line, is 2.3 miles from Aguilar, on a branch. Aguilar is a town; Lynn is just a station. The Carrier furnished a track car for the agent's use in going between the two points. The Aguilar agents, however, have preferred to use their automobiles, for which the Carrier has made no allowance.* * * *

"We believe it unnecessary to recite in this opinion all the facts in the case as regards the duties of the Aguilar agent at Lynn. It suffices to reject the Carrier's conclusion that 'the agency at Lynn was discontinued' and 'all of the work was moved to Aguilar and is now being performed at Aguilar by the Agent at that point.'

"What exists, in fact, is a joint agency, substituted ex parte by the Carrier for the two agencies called for in the agreement. Many times we have held that ex parte action in such cases constituted violation. Awards 388, 434, 496, 556, 1302, 3364. We so hold in the matter before us.

"We are unable to agree, however, that the claim in behalf of the Aguilar agent is a proper one. It appears to us to call for the levy of a penalty, i. e., a fine on the Carrier, rather than for making whole an individual or group for losses suffered because of a violation. Award 3651. The Aguilar agent has suffered no money loss by the Carrier's violation. He may have had to work harder than he would have, had there been a separate agency at Lynn. But we have no measure for compensating him for harder work."

The Board found:

"That the Carrier and the Employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

"That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

"That the Carrier violated the Agreement as indicated in the Opinion,"

and suggested:

"That the necessity for re-opening of the Lynn Agency be discussed by the parties before it is effectuated."

Apparently some contacts thereafter were had between O. R. T. General Chairman and Railway representatives, but did not result in an agreement to continue the arrangement in effect for seventeen years, with or without additional pay for handling Aguilar and Lynn by one agent, or an agreement to re-open agency station at Lynn.

On the contrary, the railroad filed the application now under consideration, upon the ground that re-opening of the station at Lynn, in accordance with demands of O. R. T. representative, would impose an unreasonable, unnecessary, and unjust burden on the railway and on the interstate and intrastate commerce in which they are engaged, and on the public without any commensurate benefit to the traveling and shipping public; that public convenience and necessity does not now, and will not, require services of an agent at Lynn, or for railroad or express traffic, and as to railroad's service, all members of the public in said Aguilar-Lynn Territory can, and will, be adequately and conveniently served by a single station agent performing all his duties at Aguilar; that neither a station agent nor a telegraphic operator is needed at Lynn for the operating purposes of either Railway or the Express Company.

At the hearing, it appeared that revenue arising from passenger, milk, cream, and baggage operations originating at Lynn Station in the Years 1946 and eleven months of 1947, totaled, respectively, \$36.29 and

\$114.57, being an average per month of \$3.02 for 1946, and \$10.41 for eleven months of 1947; that forwarded freight traffic from Lynn for the Years 1946 and eleven months of 1947 amounted to \$1267.82 and \$880.58, respectively, or a monthly average of \$105.65 for 1946, and \$80.05 for eleven months of 1947; that the freight traffic received at Lynn during the same periods amounted to \$564.25 for the Year 1946, and \$612.11 for eleven months of the Year 1947, or a monthly average of \$47.02 and \$55.64 for the considered periods in 1946 and 1947, respectively. The average monthly revenue from all sources or business handled at or destined to Lynn for the period 1942 to December 1, 1947, was \$112.64 for 1942, \$81.54 for 1943, \$112.76 for 1944, \$232.38 for 1945, \$115.70 for 1946, and \$146.11 for eleven months of 1947.

The railroad's estimate of annual cost for agency at Lynn, Colorado, is \$3,909.25.

All revenue received on business originating at or destined to Lynn Station was credited to the station. The ordinary practice of allowing only one-half was not followed. Also, allocation of a portion of revenue to over-the-line service was not made.

It also appeared that the population of Aguilar and the fringe area is about fifteen hundred; that it is the trade center for a substantial area, including few people -- possibly ten or twelve -- who reside in the vicinity of Lynn; that for many years, a large volume of coal was produced in the immediate vicinity of Aguilar, but all mines have discontinued operations, excepting a few "wagon mines;" that Lynn, as heretofore stated, is located on the main line of the Railway, 2.3 miles from the Aguilar Station; that, Lynn, except for a small store recently established, is without business houses. The station building was removed, and a small shelter place constructed, which has served purposes to date. When occasion requires, mail and express are placed in the shelter under lock and key. A small volume of express is handled through Lynn, where it is unloaded from the railroad and handled by the agent at Aguilar. Mail is also delivered to and received from trains at Aguilar by a mail carrier.

Very little of the freight traffic is l.c.l. Practically all shipments consist of water, stock feed, or livestock, in carload lots. Total l.c.l. traffic forwarded and received in 1946 amounted to \$11.96. In eleven months in 1947, no l.c.l. freight originated at Lynn, and revenue received for l.c.l. freight destined to Lynn amounted to \$47.57. One shipment of 15 cars of cattle -- only carload traffic -- was received at Lynn the first eleven months of 1947, and 1 car of wool, 3 cars of cattle, 6 cars of hay and 15 cars of water were forwarded from Lynn in same period. All carload traffic is now handled through Aguilar. A rancher testified that he would not need an agent at Lynn to handle shipments of livestock, and would prefer to go to Aguilar to order cars. There was no indication that business will increase at Lynn.

For protestants, it appeared that some inconvenience will result to the businessmen of the community in handling and receiving express packages, which business, however, is in small volume. If the present service is discontinued, and an agency is not instituted at Lynn, all express shipments to Lynn for Aguilar must be pre-paid, and customers must go to Lynn, 2.3 miles distant, to meet the train. Such arrangement would not be very satisfactory, because ordinarily they would not know when shipments would arrive. Ludlow, about seven miles from Aguilar, is the nearest express station open on The Colorado and Southern Railway Company, so it probably would be necessary to go to Ludlow to get express shipment, or arrange for shipment by parcel post, when commodities shipped permit such handling.

Some fear was expressed by a witness that mail would not be satisfactorily handled; that pouches would be thrown from the train, while the train was moving, and perhaps the pouch and contents would be damaged or destroyed. That, of course, would be a matter for Post Office Department to handle. It is possible that mail would be handled by Star Route Carrier, or bus.

Mr. Ferris, General Chairman, O. R. T., in effect, reiterated the position heretofore taken by said organization, and expressed the opinion that the people in the vicinity of Lynn are entitled to, and should have, the service of a station agent, delegated to that station.

The Commission regrets that the railroad representatives and Mr. Ferris have been unable to consummate some agreement, whereby the arrangement now in effect will be continued. The volume of traffic at Aguilar is very small. The volume at Lynn is practically negligible. Service of a railroad agent at Lynn is not required, on account of businesses, people, or industries in Lynn. The service, if maintained at all, would be solely for the convenience of residents at Aguilar -- and only a few residents avail themselves of, or need, that service. Comparatively few express shipments are received or forwarded. Even though The Colorado and Southern Railway Company's earnings, in the aggregate, would justify maintenance of some non-paying stations, we could not say that the situation here indicated would require the maintenance of such service at Lynn. Definitely, if one of the services must be discontinued in the interest of the public as a whole, Aguilar residents would prefer to keep the agency station at Aguilar. Unquestionably, it is the service that best suits their convenience, and the one most needed by them. To require the continuance of the Lynn station, in view of the small volume of traffic, would seem to be an unreasonable and unjust burden on the applicants, and on the interstate and intrastate commerce in which they are engaged, and considering the fact that net income of The Colorado and Southern Railway Company, as shown by its reports for the first eleven months of 1947, amounted to only \$195,604.00, we believe it would be an unreasonable burden. For the corresponding period of 1946, Railway showed a net deficit of \$194,346.00. The railroads are now seeking from the Interstate Commerce Commission and this Public Utilities Commission, rate increases aggregating twenty-five percent. In the interest of the public, railroads must effect every possible economy in operation. The public, in the end, pays the freight bills. We believe that the question clearly is one of managerial discretion, and that the expense involved in maintaining the Lynn Station as a separate agency, as required by its contract with O. R. T., will be unreasonably out of proportion to the convenience that would be afforded to the public through said agency, and would impose an unlawful burden upon the railroad.

Upon the record made, we are compelled to grant the request of railroad, but inasmuch as Lynn, insofar as it is a community, is a part of Aguilar, we suggest, that it would be very much in the public interest if the railroad and Mr. Ferris could make an arrangement whereby the station agent at Aguilar would continue to serve both stations.

FINDINGS

THE COMMISSION FINDS:

That petition of applicants should be granted.

ORDER

THE COMMISSION ORDERS:

That The Colorado and Southern Railway Company and Railway Express Agency, Incorporated, applicants herein, be, and they hereby are, authorized to discontinue agency service, and to close said station, at Lynn, Colorado.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maureen E. Quinn

Joseph C. Watson

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 12th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LESTER GLENN, 1½ MILES SOUTH OF)
HARTMAN, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 8873-PP

January 13, 1948

Appearances: Harley Johnson and
Carl Shinn, for applicant;
Raleigh D. Shipman and
John E. Marchbanks,
Holly, Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at Lamar, Colorado, December 9, 1947, and taken under advisement.

By this application, applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm products (except livestock) between points in that portion of Prowers County which lies east of Range 45.

It appeared at the hearing that applicant has been operating a corn sheller, with headquarters at Hartley, Colorado; that he contemplates buying a pick-up baler; that he desires to haul corn from the farms where his sheller is operating to elevators and storage points in the area in question; that, when he acquires the pick-up baler, he wants to be in a position to haul hay from the field to railroad loading cars, storage and market points in the area. He also desires to extend his shelling and baling operations by hauling grain other than corn from fields in the area to storage and market points, and

from storage to markets -- that is, the grain-hauling service will extend throughout the year, and will not be limited to harvest season. He offered to restrict the operation to eliminate town-to-town service in competition with line-haul carriers by motor vehicle, and to make the permit non-transferable.

Raleigh D. Shipment and John E. Marchbanks, owners of PUC No. 1037, with headquarters at Holly, Colorado, objected to the issuance of authority to haul grain at any time except during harvest season. They stated that they have made a speciality of grain-hauling, have invested money in grain loaders, grain trucks, and bob tails; that their service is adequate, and that the granting of the authority sought will impair the efficiency of their operation.

Applicant did not offer any testimony to show that present common carrier service is inadequate.

It did not appear that the proposed operation will not impair the efficiency of now-adequate common carrier service furnished by Raleigh D. Shipman and John E. Marchbanks, under PUC No. 1037.

It would seem that applicant would be in a position to adequately handle his corn-shelling and hay-baling operations if he were authorized to haul corn and hay, and also serve the public to its benefit without impairment of service of common carriers, if he were allowed to haul grain during harvest season, only.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue, restricted to the transportation of corn, hay, and small grain, during harvest season, only, from farms located in that portion of Prowers County which lies east of Range 45 to elevators and storage points in said area; that the granting of the authority sought to haul grain, except during harvest season, would tend to impair the efficiency of now-adequate common carrier service, and should be denied.

O R D E R

THE COMMISSION ORDERS:

That Lester Glenn, Hartman, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of small grain, during harvest season, only, corn and hay from farms located in that portion of Prowers County which lies east of Range 45, to elevators and storage points in said area.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

That permit herein granted shall be non-transferable.

That said application, in all other respects, should be, and hereby is, denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

DATED at Denver, Colorado,
this 13th day of January, 1948.

Ralph C. Tabor
John R. Barry
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER A. PADGETT, KIT CARSON, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 8877-PP

January 13, 1948

Appearances: Ray A. Gunning, Esq., Lamar,
Colorado, for applicant;
Edward C. Hastings, Esq.,
Eads, Colorado, for
Harold Guffy, Joe Leferink;
C. E. Hart, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at Lamar, Colorado, December 9, 1947, and taken under advisement.

As limited by the testimony offered at the hearing, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Kit Carson, Colorado, to road and building construction jobs in said area; farm products (except livestock), and used farm machinery and equipment, and used building materials and farm supplies, between points within a radius of thirty miles of Kit Carson, Colorado, his equipment to be limited to the use of one dump truck, only, and said permit, if issued, to be non-transferable.

It appeared that applicant has a Commercial Carrier Permit; that he now seeks authority to haul sand, gravel, and dirt for customers to whom he has sold said commodities in the past, he having purchased or acquired the same free of charge; that, occasionally, he has been asked to haul bedding material for the railroad, and to haul feed in his trailer to some farmer or individual requiring a small amount thereof; that his transportation of used farm machinery and equipment and building materials has been very limited.

There was no opposition to the granting of the authority sought.

The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission.

It did not appear that the proposed operation will tend to impair the service of any common carrier operation in the territory sought to be served.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Walter A. Padgett, Kit Carson, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Kit Carson, Colorado, to road and building construction jobs in said area; farm products (except livestock), and used farm machinery and equipment, and used building materials and farm supplies, between points within a radius of thirty miles of Kit Carson, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amend-

ments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

That applicant, in performing the service herein authorized, is limited to the use of one dump truck, only.

That permit herein granted shall be non-transferable.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry
Commissioners

DATED at Denver, Colorado,
this 13th day of January, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK TRUAX, SPRINGFIELD, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
304 TO WARREN W. ROBINSON, DOING)
BUSINESS AS "SPRINGFIELD-LAMAR)
MOTOR FREIGHT," SPRINGFIELD, COLO-)
RADO.)

APPLICATION NO. 8876
TRANSFER

January 13, 1948

Appearances: Ray A. Gunning, Esq., Lamar,
Colorado, for applicant;
C. E. Hart, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

On November 5, 1928, in Application No. 1001, Decision No.
1987, Ralph T. Preston was granted a certificate of public convenience
and necessity, authorizing the transportation of:

freight, on schedule, between Springfield and
Lamar, and intermediate points, and the trans-
portation of agricultural products, including
livestock, and household furniture, from Spring-
field and the territory within a radius of 50
miles thereof to Lamar and other points within
ten miles of Lamar, excluding service in terri-
tory then being served by other authorized
certificate holders, if any.

On January 20, 1937, Decision No. 9323, said certificate
was extended to include the right to:

transport commodities generally between Spring-
field, Colorado, and Vilas, Walsh, Stonington,
Midway, Richards and Rodley, and intermediate
points, and between Springfield and Campo and
intermediate points on schedule, and between
Springfield and Two Buttes on call and demand.

Thereafter, by Decision No. 16063, said authority, which had
been designated "PUC No. 304," was transferred to H. B. Reynolds, doing

business as "North Plains Motor Freight Lines," and later, by Decision No. 18560, said authority was transferred to Lee H. Fauret, of Springfield, Colorado, who, pursuant to Decision No. 20995, transferred said certificate to L. C. Hunter.

Applicant herein, who seeks authority to transfer said operating rights to Warren W. Robinson, acquired the same from Camet Porter, pursuant to authority contained in Decision No. 28064, who acquired said certificate from L. C. Hunter, pursuant to consent of the Commission, as indicated in Decision No. 24902.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at Lamar, Colorado, on December 9, 1947, and taken under advisement.

At the hearing, it appeared that there are no outstanding unpaid operating obligations against said operation.

The consideration for the transfer of applicant's intrastate and interstate operating rights, a one and one-half-ton Chevrolet truck, and a twenty-two-foot Kentucky Trailer, is the sum of Sixty-five Hundred Dollars (\$6500.00) in cash.

Road tax, except current tax, has been paid.

Ton-mile tax deposit is to be transferred to the account of transferee, who has net assets over and above the purchase price of the certificate and equipment of \$3700.00.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is in the public interest, and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Jack Truax, Springfield, Colorado, be, and he hereby

is, authorized to transfer all his right, title, and interest in and to PUC No. 304 to Warren W. Robinson, doing business as "Springfield-Lamar Motor Freight," Springfield, Colorado.

That the tariff of rates, rules, and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

That transfer of interstate operating rights is subject to the provisions of the Federal Motor Carrier Act of 1935.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Watson

John R. Barry
Commissioners

DATED at Denver, Colorado,
this 13th day of January, 1948.

EHC

(Decision No. 29724)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED RAILWAY
FREIGHT RATES AND CHARGES WITHIN
COLORADO, 1947

APPLICATION NO. 8746
(Ex Parte 166)

January 10, 1948

S T A T E M E N T

By the Commission:

On November 18, 1947, by Decision No. 29398, this Commission authorized the steam railroads (including the Denver and Intermountain Railroad) to make an interim increase in rates as authorized by the Interstate Commerce Commission in its report dated October 6, 1947, in Ex Parte No. 166, Increased Freight Rates, 1947.

In its further report, decided December 29, 1947 (mimeographed), the Interstate Commerce Commission has authorized, in part, the following, viz.:

- (1) An increase of 20 per cent in all basic freight rates and charges, including rates and charges for the transportation of milk and cream in passenger service, but not including demurrage charges for the detention of freight cars.
- (2) No increase in charges for protective service at this time.
- (3) The basic line-haul rates on iron ore, aluminum ore and concentrates, copper ore and concentrates, lead ore and concentrates, zinc ore and concentrates (classes 309, 311, 313, 315 and 317, of the Freight Commodity Classification) may be increased 20 cents per ton, net or gross as rated.
- (4) The basic line-haul rates on coal and coke, including lignite, may be increased 20 cents per net ton or 22 cents per gross ton.
- (5) The increases herein authorized may be applied to joint rates with water carriers or motor carriers to the same extent and in the same manner as is provided for all-rail rates.

(6) Where carriers earn specific stated amounts as their compensation or division out of joint through rates, such amounts should be increased in the same percentages as the joint through rates.

(7) When the charges of carriers for switching or other services are paid (absorbed), in whole or in part, by other carriers and such charges are increased under the authority of this report, the amount as paid or absorbed should be increased by the same percentages.

(8) Rates and charges increased as herein authorized are not considered as prescribed rates, within the meaning of Arizona Grocery Co. v. A. T. & S. F. Ry. Co., 264 U. S. 370.

(9) The increases here authorized are intended only as an interim adjustment, and the authority to maintain them will expire June 30, 1948, unless sooner terminated or modified or superseded by our report and order upon further consideration herein.

In Decision No. 29393, the Commission retained jurisdiction to make such further orders as may be necessary and proper.

The original petition as amended asked for a general increase (with certain modifications on specified commodities) of 31 per cent.

The carriers now seek the same adjustment on Colorado intrastate traffic as authorized by the Interstate Commerce Commission in its report and order dated December 29, 1947.

FINDINGS

THE COMMISSION FINDS:

That a further hearing should be had, in order that all concerned may have the opportunity of presenting their views in the matter.

ORDER

IT IS ORDERED:

That Application No. 8746 be, and the same is hereby, reopened for further hearing; that the same is hereby assigned for public hearing on the 26th day of January, 1948, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maureen E. Quinn

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 10th day of January, 1948

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
ALFONSO L. AND MANUEL L.)	CASE NO. 39461-INS.
MARINTEZ, BOX 275, CENTER,)	(Permit No. B-3591)
COLORADO.)	
-----)	

January 12, 1948

S T A T E M E N T

By the Commission:

On October 6, 1947, in Case No. 29461-Ins., the Commission entered an order revoking Permit No. B-3591, for failure to keep on file effective insurance.

It appears, however, that the assured paid for insurance, but the insurance company refused to make the filing with the Commission. Insurance is now on file, effective from November 15, 1947, reflecting a lapse of one hundred twenty-two (122) days.

It was agreed with attorney for permit-holder that the Commission would set aside the revocation, provided insurance was filed, and a sworn affidavit filed to the effect that no accidents occurred during the long lapsed period.

The insurance is now on file, and the affidavit attached, but it makes no reference as to accidents occurring during the lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 39461-Ins., should be cancelled and set aside and said Permit No. B-3591 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 39461-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. B-3591 restored to its

former status as of October 6, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hahn

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 12th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DEAN RESLER, DOING BUSINESS AS)	
"PLATTE VALLEY TRUCK COMPANY,")	<u>APPLICATION NO. 8531-Extension.</u>
STERLING, COLORADO, FOR AN EX-)	
TENSION OF CERTIFICATE NO. 407.)	
-----)	

January 12, 1948

Appearances: Jones and Stauffer, Esqs.,
Denver, Colorado, for
applicant;
A. J. Fregeau, Denver,
Colorado, for Weicker
Transfer and Storage
Company.

S T A T E M E N T

By the Commission:

On May 1, 1947, Dean Resler, doing business as "Platte Valley Truck Company," of Sterling, Colorado, filed his application for an extension of certificate of public convenience and necessity No. 407.

The matter was set for hearing, and heard, July 2, 1947, at 330 State Office Building, Denver, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that in Decision No. 14784, Henry B. Miner was issued Certificate No. 407, authorizing the transportation of freight over U. S. Highway 138 and Colorado Highway 113, between Sterling and a point where said State Highway 113 intersects the Colorado-Nebraska state line, using as an alternate route the county highway between Sterling and Padroni, thence east to Highway No. 113, serving all intermediate points.

The evidence further disclosed that in Decision No. 21425 said certificate was transferred to this applicant.

The evidence further disclosed that in Decisions Nos. 3600 and 5823, Certificate No. 588 was issued to L. J. Wernz, authorizing the transportation of freight between Denver and certain points in northern Colorado and Keota and Greeley; that in Decision No. 16254, said certificate was transferred to Pat Benson and extended to authorize the transportation of freight between Sterling and the Wyoming state line via State Highways Nos. 14 and 155, serving all intermediate points, and also between Denver and the Wyoming state line, via U. S. Highway 85 to Greeley, State Highway 37 to Briggsdale, State Highway 14 from Briggsdale to intersection of State Highway 155, thence via Highway 155 to Wyoming line, serving all intermediate points beyond Greeley, but authorizing no service to Greeley; that said certificate, as extended, was transferred to this applicant in Decision No. 19494, and that both certificates have been consolidated under Certificate No. 407.

The applicant now requests authority to extend service to Denver on the authority originally issued to Henry B. Miner on Certificate No. 407, and also requests service between Greeley and the points on State Highways Nos. 37, 14 and 155, authorized under Certificate No. 588, so that such authority will permit service between Denver and Greeley and the Wyoming state line where intersected by State Highway 155, via Colorado Highway 37 to Briggsdale, Colorado, 14 to Sterling, Colorado 155 from junction of Colorado 14 to Wyoming state line, serving all intermediate points on said highway but with no service between Denver and Greeley and intermediate points.

It further appears that applicant is now serving on these highways, and will maintain schedules presently observed, and will file a tariff of rates and charges as prescribed by the Commission.

It does not appear to the Commission that applicant's proposed extension will involve any new points of destination and involves only additional origin points; that the operation will not require any additional truck-miles, as applicant's trucks travel the same highway daily in interstate and partially intrastate commerce.

It does not appear that the granting of the extension will involve competition with other carriers, and will serve an area that is entitled to said service.

F I N D I N G S

After careful consideration of the record and the evidence submitted at the hearing, the Commission is of the opinion, and finds, that the public convenience and necessity require the proposed extension of Certificate No. 407, and that certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That the public convenience and necessity require the proposed extension of Certificate No. 407, so that in lieu of presently authorized service, his said authority will read, and be, as follows:

Freight between Denver, on the one hand, and on the other, the point where State Highway No. 113 intersects Colorado-Nebraska State Line, and between Sterling, on the one hand, and, on the other, said point where State Highway No. 113 intersects Colorado-Nebraska State Line, via U. S. 6 from Denver to Sterling, thence via U. S. Highway No. 138 and State Highway No. 113 to said state line, with privilege of using alternate route of county road from Sterling to Padroni and point of intersection of State Highway No. 113 with Nebraska-Colorado State Line; with right to serve all points intermediate between Sterling and point of intersection of State Highway No. 113 with Colorado-Nebraska State Line, with no service between Denver and Sterling or points intermediate, Denver to Sterling, and

freight between Denver and Greeley, on the one hand, and on the other, points north of Greeley as far as Colorado-Wyoming State Line, where said Wyoming State Line is intersected by State Highway No. 155, via

Colorado Highway No. 37 to Briggsdale, Colorado Highway No. 14 to Junction U. S. 14 and Highway 155, Colorado Highway No. 155 from junction of Colorado Highway No. 14 to Wyoming State Line, serving all intermediate points on said highway, except between Denver and Greeley and intermediate points; and the transportation of freight between Sterling and the Wyoming State Line via State Highway Nos. 14 and 155, serving all intermediate points,

and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate his carrier system according to the schedule filed except when prevented by Act of God, the public enemy or extreme conditions.

That this order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Raymond C. Harkin

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 12th day of January, 1948.

ea

Original.

(Decision No. 29727)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEAMON RESLER, DOING BUSINESS AS)
"GLENWOOD-ASPEN STAGES," DENVER,)
COLORADO, TO LEASE AND SELL CERTI-)
FICATE NO. 1089 TO HAROLD LESH,)
GLENWOOD SPRINGS, COLORADO.)

APPLICATION NO. 8930
LEASE AND TRANSFER

January 15, 1948

Appearances: Jones and Stauffer, Esqs., Denver,
Colorado, for applicant;
R. E. Turano, Denver, Colorado,
for Rio Grande Motor Way;
Gary A. Stern, Denver, Colorado,
for Larson Transportation Company.

S T A T E M E N T

By the Commission:

Leamon Resler, the transferor herein, is the owner of Certificate No. 1089, which authorizes the transportation of passengers, express, mail, and baggage, between Glenwood Springs and Aspen, and intermediate points; and also the same articles, together with freight, between Glenwood Springs and Marble, and intermediate points south of, but not including, Carbondale, Colorado; and certain charter party rights granted by Decision numbered 29002.

Resler now seeks authority to sell and lease said Certificate No. 1089 to Harold Lesh, Glenwood Springs, Colorado.

At the hearing in Denver, Colorado, on Friday, December 19, 1947, it appeared that Resler also is the owner of a 1942 Yellow Coach 29-passenger bus, and has contracted to sell said certificate and equipment, together with certain Interstate Commerce Commission authority, to transferee herein, for a consideration of \$9,200.00; that said contract of sale and lease, a copy of which is

attached to the application herein, provides that said certificate and the equipment are to be retained by Leamon Resler until payment of the purchase price is completed. It further appears that Lesh agrees to execute his promissory note in favor of Resler in the sum of \$9,200.00, bearing interest at four per cent per annum, and that, pending payment of said note in full, said above-described certificate and bus are leased to Lesh upon the following conditions: Lesh to pay monthly to Resler ten per cent of the gross revenue accruing from the operations conducted under said certificate, and said payments to be credited against the amount due on said above-mentioned note, to be applied, first to the interest, and the balance on the principal, Lesh to have the privilege of paying monthly any such additional amounts as he may desire, which will be credited as aforesaid.

It also appeared that there are no outstanding unpaid obligations against said operation, except a claim filed by the Pascoe Electric Company of Idaho Springs, Colorado, in the amount of \$353.81, which Resler agrees to take care of immediately.

That the ton-mile tax deposit is to be transferred to the account of the transferee. The operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission, he having engaged in operating trucks as an employee for several years.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application to lease and sell Certificate No. 1089 should be authorized.

ORDER

THE COMMISSION ORDERS:

That Leamon Resler, doing business as "Glenwood Springs-Aspen Stages," Denver, Colorado, be, and he hereby is, authorized to

lease, as per lease and sale agreement described in Statement preceding, all his right, title, and interest in and to Certificate No. 1089 to Harold Lesh, Glenwood Springs, Colorado, and, subject to prior performance by Lesh of the terms and conditions of said contract of sale and lease entered into between Resler and Lesh under date of October 1, 1947, to transfer said certificate and equipment to said Lesh, said transfer to become effective and to be noted on our records when parties to said agreement, in writing, notify the Commission that said contract has been performed and sale consummated, and otherwise comply with our rules and regulations.

That the ton-mile tax deposit of transferor shall be transferred and credited to the account of the transferee herein.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maec E. E. E.

Raymond C. Watson

John R. Barry
Commissioners

DATED at Denver, Colorado,
this 15th day of January, 1948.

EHC

original

(Decision No. 29728)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RATES, CHARGES, REGULATIONS,)	
AND PRACTICES OF THE MOUNTAIN)	INVESTIGATION AND SUSPENSION
STATES TELEPHONE AND TELEGRAPH)	DOCKETS NOS. 268, 277.
COMPANY.)	
-----)	

January 15, 1948

S T A T E M E N T

By the Commission:

On July 5, 1947, The Mountain States Telephone and Telegraph Company, by W. K. Koch, its General Commercial Manager, filed with The Public Utilities Commission of the State of Colorado, an amended tariff, containing schedules stating new rates, charges, and regulations, for application in the several exchange areas therein named, to become effective on and after August 4, 1947, designated and described as follows:

"The Mountain States Telephone and Telegraph Company, Local Exchange Tariff, Colo. PUC No. 3," certain rates and charges described in its General Exchange Tariff Colo. PUC No. 3 concurrently filed to become effective on and after said August 4, 1947, being incorporated therein, by reference;

That, in and by said tariff, new local rates, charges, and regulations are set forth, together with intrastate toll tariffs, to become effective on and after August 4, in all of the numerous exchange areas in the State of Colorado, including, among others, exchange areas in Colorado, defined and designated as:

Boulder
Canon City
Colorado Springs-Manitou Springs
Delta
Denver
Durango
Fort Collins
Fort Morgan
Grand Junction
Monte Vista
Montrose
Pueblo,

said tariff provisions for the Exchange Areas of Delta, Grand Junction, Monte Vista, and Montrose, being set forth as:

4. Local Exchange Tariff, Colo. PUC No. 3, Delta, Colo., Fifth Revised Sheet D-3 Cancels Fourth Revised Sheet D-3.
9. Local Exchange Tariff, Colo. PUC No. 3, Grand Junction, Colo., Fifth Revised Sheet G-5 and Fifth Revised Sheet G-5-a Cancels Fourth Revised Sheet G-5 and Fourth Revised Sheet G-5-a.
10. Local Exchange Tariff, Colo. PUC No. 3, Monte Vista, Colo., Sixth Revised Sheet M-10 Cancels Fifth Revised Sheet M-10.
11. Local Exchange Tariff, Colo. PUC No. 3, Montrose, Colo., Fifth Revised Sheet M-11 Cancels Fourth Revised Sheet M-11,

it being contemplated that said tariff, insofar as the same is applicable to the Delta, Grand Junction, Monte Vista, and Montrose Exchange Areas, was in substitution for and amendatory of a tariff filed by said company on February 15, 1947, to become effective on and after March 17, 1947, the provisions of which tariff, insofar as they covered local exchange rates, charges, and regulations in said exchange areas of Delta, Grand Junction, Monte Vista and Montrose then being under suspension.

On July 31, 1947, by Decision No. 28777, the Commission suspended the effective dates of all schedules contained in said tariff applicable to all exchange areas in the State of Colorado, including long-distance rates, for a period of one hundred twenty (120) days from August 4, 1947 -- that is, until December 2, 1947, unless otherwise ordered by the Commission.

On October 9, 1947, by Decision No. 29166, the City and County of Denver, by resolution having permitted new rates and schedules for said City and County filed on July 5, 1947 to become effective in Denver, the Commission lifted the suspension ordered by our Decision No. 28777, of date July 31, 1947, insofar only as said order suspended the effective day of the schedules contained in said tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947, to become effective on

August 4, 1947, fixing new rates, charges, and regulations for application in "Denver Metropolitan Exchange Area" (being Arvada, Aurora, Denver, Englewood, Golden, Hazeltine, Lakewood, Littleton, Sullivan, and Westwood Zones aforesaid), and the schedules providing for new rates, charges, and regulations for intrastate long-distance telephone service, as designated in Section 1, Second Revised Sheet No. 6, which cancelled First Revised Sheet No. 6 of currently effective schedules, it being provided that said tariff and schedules stating new rates, charges, and regulations for said Denver Metropolitan Area should become effective on first billing date on and after October 16, 1947, and said tariff providing for new rates, charges, and regulations for intrastate long-distance telephone (toll) service to become effective on Midnight, October 15, 1947, said Decision No. 28777, except as modified, to remain in full force and effect, with the right reserved to the Commission to make such further orders in the premises as in its opinion may be required, justified, or desirable.

The Commission's staff, upon investigation made prior to and subsequent to the entry of said order, determined that then existing rates were inadequate; that they failed to produce sufficient revenue to meet the increased maintenance and operation charges, and did not produce a fair return upon company's investment in the State of Colorado; that there was no indication that wages or other costs of operation will be materially reduced in the near future, but on the contrary, probably would become greater.

Subsequently, the Cities of Colorado Springs and Fort Collins allowed the new schedules and rates proposed in tariff filed on July 5, 1947 to become effective.

On November 19, 1947, by Decision No. 29399, as amended by Decision No. 29400, of date November 19, 1947, the Commission lifted the suspension ordered by our Decision No. 28777, of date July 31, 1947, insofar only as said order suspended the effective day of the schedules contained in said tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947, to become effective on August 4, 1947, fixing new rates, charges, and regulations for application in Colorado Springs-Manitou Springs Exchange Area, it being provided that said tariff

and schedules stating new rates, charges, and regulations for said Colorado Springs-Manitou Springs Exchange Area should become effective on first billing date on and after November 20, 1947, said Decision No. 28777, except as further modified, to remain in full force and effect, with the right reserved to the Commission to make such further orders in the premises as in its opinion may be required, justified, or desirable.

On November 29, 1947, by Decision No. 29452, the Commission lifted its suspension insofar only as the effective day of schedules contained in tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947, to become effective on August 4, 1947, fixing new rates, charges, and regulations for application in Fort Collins Colorado Exchange District or Area, as set forth in the Statement contained in said decision, which by reference was made a part thereof, were suspended, and allowed said tariff and schedules stating new rates, charges, and regulations for Fort Collins, Colorado Exchange District or Area, without the City of Fort Collins served by said Exchange, to become effective on first billing date on and after December 1, 1947.

The Mountain States Telephone and Telegraph Company, by Alex Remneas, its Colorado Manager, now asks that the suspension be lifted and raised as to said Exchange Areas described under Sub-Paragraphs Nos. 4, 9, 10, and 11 aforesaid, that is:

4. Local Exchange Tariff, Colo. PUC No. 3, Delta, Colo., Fifth Revised Sheet D-3 Cancels Fourth Revised Sheet D-3.
9. Local Exchange Tariff, Colo. PUC No. 3, Grand Junction, Colo., Fifth Revised Sheet G-5 and Fifth Revised G-5-a Cancels Fourth Revised Sheet G-5 and Fourth Revised G-5-a.
10. Local Exchange Tariff, Colo. PUC No. 3, Monte Vista, Colo., Sixth Revised Sheet M-10 Cancels Fifth Revised Sheet M-10.
11. Local Exchange Tariff, Colo. PUC No. 3, Montrose, Colo., Fifth Revised Sheet M-11 Cancels Fourth Revised Sheet M-11,

it being stated in support of said request that said Cities of Delta,

Grand Junction, Monte Vista, and Montrose, acting by and through their several councils, by resolutions, have approved the schedules of rates, rules and regulations filed July 5, 1947, by The Mountain States Telephone and Telegraph Company for application in said cities, said rates to become effective when the application of The Mountain States Telephone and Telegraph Company for similar increases in rates in the fringe areas of or in the vicinity outside of said respective cities served by its exchanges is likewise made effective and granted by The Public Utilities Commission of the State of Colorado.

Inasmuch as the Commission heretofore, in its Decision No. 29166, of date October 9, 1947, lifting the suspension aforesaid, as to the territory outside the City and County of Denver, which under the rate schedule filed was made a part of "Denver Metropolitan Area," fully reviewed its reasons for so doing, it would seem to be unnecessary to repeat the statements and findings therein contained. We are of the same opinion still. The Telephone Company needs the additional revenue which it contemplates it will obtain under said new schedules to meet expenses, and to insure a sufficient return on its investment so as to attract adequate capital at reasonable rates sufficient in amount to complete its current and contemplated construction program, which was undertaken to meet demands of public for increased and bettered service.

Also, primarily our suspension orders, Nos. 28777 of date July 31, 1947, as extended and supplemented by our Decision No. 29357, of date November 8, 1947, were entered because in the opinion of the Commission it would not be proper to allow the new rates to become effective in the fringe areas, and in other non-home rule exchange areas in the State of Colorado until they became effective in home-rule cities, and it was necessary that such action should be taken to avoid discrimination. Since the revenue received by Telephone Company from the Exchange Areas of Denver, Colorado Springs and Fort Collins represents approximately seventy-five per cent of its total revenue in the State of Colorado,

it is now apparent that customers of Telephone Company in said exchange areas of Denver, Colorado Springs and Pueblo are now paying more than their fair proportion of total revenue of company.

This same situation is applicable to non-home-rule exchange areas. It would thus appear that said suspension should be lifted as to other areas in the state where said rates are not effective, and an order so providing will issue in due course.

FINDINGS

THE COMMISSION FINDS:

That it should grant the request of The Mountain States Telephone and Telegraph Company, to set aside and lift the suspension heretofore mentioned as to rates, charges, regulations, and practices set forth in said tariff and schedules filed on February 15, 1947, as amended by filing made on July 5, 1947, to become effective on and after August 4, 1947, which are more particularly described under Sub-Paragraphs Nos. 4, 9, 10, and 11 in said schedule, being:

4. Local Exchange Tariff, Colo. PUC No. 3
Delta, Colo. Fifth Revised Sheet D-3
Cancels Fourth Revised Sheet D-3.
9. Local Exchange Tariff, Colo. PUC No. 3,
Grand Junction, Colo., Fifth Revised
Sheet G-5 and Fifth Revised Sheet G-5-a
Cancels Fourth Revised Sheet G-5 and
Fourth Revised Sheet G-5-a.
10. Local Exchange Tariff, Colo. PUC No. 3,
Monte Vista, Colo., Sixth Revised Sheet
M-10 Cancels Fifth Revised Sheet M-10.
11. Local Exchange Tariff, Colo. PUC No. 3,
Montrose, Colo., Fifth Revised Sheet M-11
Cancels Fourth Revised Sheet M-11,

as more particularly set forth in said filed tariff, which by reference is made a part hereof, and that said rates, charges, and regulations, as proposed and filed for said Delta, Grand Junction, Monte Vista, and Montrose Exchanges, should be allowed to go into effect with billings of said Company on and after February 1, 1948.

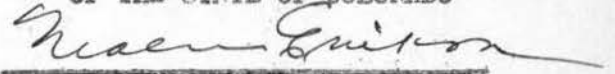
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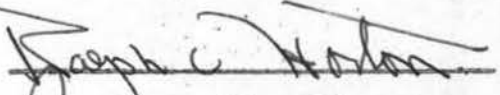
THE COMMISSION ORDERS:

That our Order and Decision No. 28777, of date July 31, 1947, as extended and supplemented by our Decision No. 29357, of date November 8, 1947, except as modified by our Decisions Nos. 29166, of date October 9, 1947, and Decision No. 29399, and Decision No. 29400, of date November 19, 1947, and Decision No. 29452, of date November 29, 1947, and insofar only as said Orders suspended the effective day of schedules contained in tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947 (in amendment of schedules filed on February 15, 1947), to become effective on August 4, 1947, fixing new rates, charges, and regulations for application in Delta, Grand Junction, Monte Vista, and Montrose Exchange Districts, or areas, as set forth in the Statement preceding, which by reference is made a part hereof, should be, and hereby are, vacated and set aside, said tariff and schedules stating new rates, charges, and regulations for said Delta, Grand Junction, Monte Vista, and Montrose Exchange Districts or areas, to become effective on first billing date on and after February 1, 1948.

That said Decisions Nos. 28777 and 29357, in all other respects, except as modified by this Order, and by Decision No. 29166, of date October 9, 1947, and Decisions Nos. 29399 and 29400, of date November 19, 1947, and Decision No. 29452, of date November 29, 1947, shall remain in full force and effect, with the right of the Commission reserved to make such further orders in the premises as in its opinion may be required, justified, or desirable.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 15th day of January, 1948.

original

(Decision No. 29729)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
JIMMY SANCHEZ, ALAMOSA, COLORADO,
FOR A CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY.

APPLICATION NO. 7519

IN THE MATTER OF THE APPLICATION OF
PETE GALLEGOS, ALAMOSA, COLORADO,
FOR A CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY.

APPLICATION NO. 8353

January 15, 1948

Appearances: George H. Blickhahn, Esq.,
Alamosa, Colorado, for
Applicant Sanchez;
R. J. Moses, Esq., Alamosa,
Colorado, for Applicant
Gallegos;
Merle M. Marshall, Esq.,
Alamosa, Colorado, for
J. W. Lanier;
T. A. White, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., and
Denver-Colorado Springs-
Pueblo Motor Way, Inc.

S T A T E M E N T

By the Commission:

On March 4, 1946, applicant, Jimmy Sanchez, in Application No. 7519, asked for a certificate of public convenience and necessity to operate a taxicab in the city of Alamosa, Colorado, and within a radius of 50 miles thereof.

The above application was set for hearing, and heard, at Alamosa, Colorado, on May 24, 1946.

On January 28, 1947, the Commission, in Decision No. 27386, denied the application.

On February 18, 1947, Applicant Sanchez filed his application for a rehearing, setting forth that the Commission's decision is unjust, unwarranted, and should be changed, and further, because said decision is not in accordance with, and is against, said evidence adduced at the hearing; and, on March 21, 1947, by Decision No. 27809, the Commission granted a further hearing in said application and the matter was set down for further hearing at Alamosa, Colorado, on April 29, 1947, at 9:00 A. M.

On February 11, 1947, by Application No. 8353, Pete Gallegos, of Alamosa, Colorado, asked for a certificate of public convenience and necessity to operate a taxicab service in the city of Alamosa and within a radius of two miles of the city limits of Alamosa.

Formal protest was filed by applicant, Jimmy Sanchez, and Application 8353 was set for hearing at Alamosa, Colorado, on April 29, 1947, at 9:00 o'clock A. M.

There being no objections, Applications Nos. 7519 and 8353 were consolidated for hearing, and heard, and, at the conclusion of the evidence, the matters were taken under advisement by the Commission.

Jimmy Sanchez, testifying in his own behalf, stated that he had operated a taxicab in Alamosa for approximately fourteen months, under the impression that, since he had secured a license from the city of Alamosa, he was entitled to operate within the city without a certificate of public convenience and necessity; that, after receiving Decision No. 27386, he was ordered to stop his operation by the State Courtesy Patrol; that, at the time he quit operations, he was making one hundred and ten calls per day; that he operated two cars or cabs, one being a 1946 Chevrolet and the other a 1947 Chevrolet. That while he maintained his operation he carried proper insurance, and he also states that one Anastacio Garcia was interested with him in the taxi operation and they would operate as a co-partnership if the application was granted.

Sanchez stated he was presently employed by the Public Service Company of Colorado; that Anastacio Garcia, his partner, operates a grocery store in South Alamosa; and that the partnership owes \$900.00 on their taxi equipment.

The witness stated he felt they had created new business and were giving a much needed service during their operation in Alamosa.

Father Edward J. McCarthy, pastor of the Catholic Church in Alamosa, stated he believed the services of applicant Sanchez and Garcia were necessary; that many people used the service, especially older people, in attending his church; that he also was connected with a credit union that was operated in conjunction with his church, and that the company had financed applicant's taxis and, while applicant owed them some money, all payments had been kept up to date.

On examination by the attorney for Pete Gallegos, Father McCarthy stated that Gallegos also had operated a taxi and many people had used his service.

Mr. James P. Hatfield, who is a teacher at Adams State Teachers' College and is director of the boys' dormitory, stated that he thought the taxi service of Sanchez was necessary, and that many of the students residing at the Hall had used the Sanchez taxi service; that Sanchez operated his service twenty-four hours a day and gave a better service at night than that of the authorized service in Alamosa.

Mr. K. Rahey, of 721 Main Street, Alamosa, testified he was the owner of a cafe and a package liquor business; that he knew Sanchez well and used his delivery service; that he had rendered an efficient and speedy service, and that he, personally, had used his service at all hours of the day, and would like to have this service available.

Manuleta Medina stated she lived at 1202 Main Street in Alamosa, and worked at the Alamosa Community Hospital; that she was a regular user of the Sanchez service while he was in operation; that she either went to

work at eleven o'clock P. M., or finished her shift at that time; that, in her experience, she found the Sanchez service more satisfactory, as on many occasions she had to wait thirty minutes for the Lanier cab. She also stated that she had used the Gallegos service when he operated a taxi, and also had found his service satisfactory and efficient.

Grady W. Timberlake, a resident of Kit Carson Hall at Adams State Teachers' College, also stated that the Sanchez service was satisfactory, and that he used it at night because Lanier's service at night was not as prompt, and, many times, he had to wait from twenty-five to thirty minutes before the arrival of the Lanier cab. He stated he found Sanchez's service generally available for the twenty-four hour period.

Ruth Ortiz, who resides on Bell Avenue in Alamosa, stated she found Jimmy Sanchez's service satisfactory, and she complained about the length of time she had to wait for the Lanier service, stating he was never prompt and she had to wait from twenty-five to thirty minutes for his cab.

Applicant's attorney, in Application No. 7519, stated he had other witnesses, namely, Mercedes Vigil, Sally Gonzales, and Eloy Bla, who would testify substantially the same as the previous witnesses, and he would like to stipulate that this testimony, including cross-examination, would be substantially the same as that testified to by previous witnesses. This was agreed to by all parties and was so received by the Commission.

Pete Gallegos, applicant in Application No. 8353, stated he presently had two Chevrolet cars, and wished to operate in Alamosa and within a two-mile radius thereof; that he planned on giving a 24-hour service and his rates will be similar to those charged by the Lanier Taxi; that he had, prior to his operation, many requests that he start a taxi service in Alamosa, and that, as a result of these requests, he obtained a license from the city of Alamosa and operated a taxi service for approximately two months; that he was requested to stop his operation and that he did so immediately, and afterwards was employed by Lanier driving a taxicab. He states that he feels additional service is needed, from his experience while operating for two months.

-4-

C. S. Vincent, a merchant residing in Alamosa, stated that he had known Gallegos for about twenty years, and recommended him very highly; that he had called the Gallegos Taxi several times while he was operating in Alamosa and found his service very satisfactory. He stated he thought that additional taxi service was needed in Alamosa, saying that "all business should have competition."

Russell De Salvo, of the Colorado Courtesy Patrol, who appeared under subpoena, testified that, when he notified Gallegos to stop, he immediately did so, but that Sanchez was not so prompt after he was notified.

Charles Arndt, who is the night attendant at the Brice Filling Station in Alamosa, testified that he had used the Gallegos service and found the same very satisfactory. He stated that he had not been able to get Lanier from twelve o'clock midnight to 4:30 A. M.

Herbert Gumper, who operates the Gamble Store in Alamosa and lives in East Alamosa, testified he had known Gallegos for the past eight years and had found him to be industrious, sober, and energetic; that he had used his service for delivery from the store and also used Sanchez's taxi passenger service, which was very good. He stated that additional taxicab service was needed in Alamosa.

Ribaldo Archuleta and Mrs. Medina, who live in Washington Addition in Southwest Alamosa, testified that Gallegos had given a very satisfactory and prompt service, and they felt that additional taxi service was needed in Alamosa and its immediate vicinity.

J. W. Lanier, of Alamosa, who operates a taxicab service in Alamosa, under the authority of this Commission, stated that he had operated since 1937, and was presently using four cabs, with three drivers besides himself; that he maintained an office at 431 Main Street, and also had two girls to answer the telephone and take the calls - in fact, who act as his dispatchers; that, in the past, he had not operated his taxicabs from midnight to four o'clock A. M., as there was very little

business at that time, but he told the Commission he would keep his office open if the Commission so ordered. He states that for this period of the day, he had not been able to take in enough fares to pay his drivers, and for that portion of the day he has operated at a loss. Whether, under the impression that, he, and not the Commission, should determine whether he should, or should not, have competition, and if competition, by whom, he, in writing, has consented to issuance of certificate to Gallegos, limited to service in Alamosa, plus a radius of two miles.

We now have two applications before us for competing service. In Application No. 7519, applicant Sanchez operated for several months, beginning January 1, 1946, and, during that period, he had no certificate of public convenience and necessity from this Commission. On January 28, 1947, by Decision No. 27386, we denied his application, and this matter is now before us on a rehearing.

Applicant brought many witnesses before the Commission to testify as to the need for his proposed service. The Commission has, on many occasions, condemned the unauthorized operation of carriers, and it does not appear just or equitable that applicants should profit by that unlawful operation.

In the instant applications, both applicants Sanchez and Gallegos endeavored to prove the public convenience and necessity of their proposed operation by showing demand for and patronage of their past unlawful operations.

Before granting certificates of public convenience and necessity, applicants must make clear and affirmative showings that the existing transportation facilities are inadequate or unsatisfactory, and that there is no prospect of such service being made adequate under orders of the Commission. Where the presently authorized carrier has been subjected to unlawful competition, he is not in a position to give his best service. Business, by this competition, naturally, does not produce additional revenue, and may mean curtailing his service.

The Commission cannot say, from the evidence before it, that the present service is inadequate. In our opinion, the few matters complained of can be corrected under direction of this Commission.

The Commission, at the hearing, instructed protestant Lanier to give twenty-four-hour service, which he agreed to institute at once. No complaints have been filed with the Commission as to the inadequacy of the service in Alamosa. In fact, the files do not disclose any complaints as to the present or past service.

Definitely, the evidence did not show that the business available is sufficient to support two, let alone, three, efficient adequate taxicab operations. We believe such authorization could mean only poor service and eventual bankruptcy for one or more of them.

Therefore, after careful consideration of the record submitted, the Commission is of the opinion, and finds:

1. That Application No. 7519 should be denied for the reasons above set forth, and also for the further reason as set forth in our Decision No. 27386, which by reference is made a part of this decision.

2. That Application No. 8353 should be denied for the reasons above set forth in this statement.

ORDER

THE COMMISSION ORDERS:

That Application No. 7519 be, and the same hereby is, denied.

That Application No. 8353 be, and the same hereby is, denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 15th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE PUBLIC SERVICE COMPANY OF COLO-)
RADO, FOR CLARIFICATION AND RATIFICA-)
TION OF ITS EXISTING RIGHTS TO SERVE)
THE TERRITORY KNOWN AS ITS "GRAND)
JUNCTION DISTRICT;" FOR CONSOLIDA-)
TION INTO ONE CERTIFICATE OF CONVEN-)
IENCE AND NECESSITY OF EXISTING CER-)
TIFICATES OF CONVENIENCE AND NECES-)
SITY IN SAID TERRITORY OF THE AREA)
SERVED AND TO BE SERVED; AND FOR EX-)
TENSION OF SERVICE THEREIN.)

APPLICATION NO. 6807
SUPPLEMENTAL ORDER

IN THE MATTER OF THE APPLICATION OF)
THE PUBLIC SERVICE COMPANY OF COLO-)
RADO FOR AUTHORITY TO PURCHASE THE)
TRANSMISSION AND DISTRIBUTION SYSTEM)
OF REDLANDS WATER AND POWER COMPANY,)
SITUATE IN MESA COUNTY, COLORADO,)
AND FOR CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY IN TERRITORY)
HERETOFORE SERVED BY SAID REDLANDS)
WATER AND POWER COMPANY AND IN OTHER)
TERRITORY CONTIGUOUS THERETO, AND)
FOR EXTENSION OF SERVICE THEREIN, AND)
FOR AMENDMENT OF COMMISSION'S DECI-)
SION NO. 27071.)

APPLICATION NO. 8920

January 15, 1948

Appearances: Charles J. Kelly, Esc., Denver,
Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above-styled application was heard in Denver, Colorado, on December 17, 1947, pursuant to prior setting, after appropriate notice to all parties in interest, and was taken under advisement.

It appeared that on May 26, 1906, The Red Lands Irrigation and Power Company was incorporated under the laws of the State of Colorado to (among other things) construct, own, and operate a pumping and power plant, or plants, for the purpose of generating electricity for

~~generating electricity for~~ general power and commercial uses, and other purposes.

On January 2, 1925, The Redlands Irrigation Company was incorporated, with the object and purposes, among others, of purchasing, acquiring, owning, and possessing the power plants, sub-stations, transmission lines, and other property of The Red Lands Irrigation and Power Company; to maintain, operate, manage and control the same; to add to, extend, and complete the system of works so acquired; to use power developed in its said system of work so acquired; to use power developed in its said system for said purposes, and to sell any surplus of power so developed from time to time.

On or about the Year 1929, the said The Redlands Irrigation Company constructed distribution lines for the purpose of distributing and selling electrical energy to consumers in Mesa County, and on August 31, 1931, by appropriate action of the stockholders of said company, the corporate name thereof was changed to "Redlands Water and Power Company," which company, since said time, has been, and now is, generating, distributing, and selling electrical energy for domestic, commercial, and industrial purposes -- all without certificate of public convenience and necessity from this Commission, it claiming to have derived power and authority to so do from the provisions of the Public Utilities Act, exempting utility companies operating prior to the day said Act became effective from the necessity of obtaining a certificate.

On September 8, 1947, applicant, Public Service Company of Colorado, entered into a contract with Redlands Water and Power Company to purchase electric, transmission, and distribution system of said company, said sale and purchase to be subject to authorization of the Commission and the issuance of certificate of public convenience and necessity hereinafter mentioned to Public Service Company of Colorado, and to purchase the excess electrical energy generated by said company.

Purchase price stipulated is \$27,000.00, plus any additions made to property after September 1, 1947, less value of any property removed after September 1, 1947.

On June 8, 1946, by Decision No. 27071, the Commission clarified and confirmed certain rights of Public Service Company of Colorado to serve territory known as Public Service Company of Colorado's "Grand Junction District," and authorized it to extend its electrical lines, systems, and service into the area and territories contiguous to the municipalities of Grand Junction, Rifle, Fruita, Palisade, New Castle, Silt, Grand Valley, and Debeque and vicinities thereof, in the manner said extensions had been made in said territories termed the "Grand Junction District," for the purpose of distributing and selling electrical energy for light, power, and heating purposes, to and among present and future inhabitants of said district as their needs may require, without prejudice, however, to the right of Grand Valley Rural Power Lines, Inc., an rural electric association enterprise then serving certain rural district in said area to make available its electrical service (without duplication of facilities or service by Public Service Company) to residents of said rural area living within that part of said Grand Junction District which was in Mesa County, but was not then served by Public Service Company or said Grand Valley Rural Power Lines, Inc., except such individuals, persons, corporations, and entities whose separate estimated electric power requirements at any one time should exceed one hundred kilowatts, and excepting service in the area delineated on Exhibit B, attached to the amended application therein, which, by reference, was made a part thereof, which said excepted areas and said individuals, corporations, and entities having a separate electric power requirement at any one time in excess of one hundred kilowatts were to be served by Public Service Company, without duplication of facilities or service by Grand Valley Rural Power Lines, Inc.

It was further provided in said Order:

"That, while the foregoing recitals are not to be construed as depriving Public Service Company of Colorado from its right to serve, or to relieve it of its obligation to serve, all the territory described as 'The Grand Junction District,' it is contemplated by Public Service of Colorado and said Grand Valley Rural Power Lines, Inc., ***** which understanding is

recognized by the Commission, that they, severally, in making extensions, will seek to avoid unnecessary and uneconomical duplications of service; that Public Service Company of Colorado will not construct extensions of its now-existing electric service lines in the rural areas contemplated to be served by said Grand Valley Power Lines, Inc., ***** for a greater distance than three hundred feet, for the purpose of serving residents in the area not now having electric service, but will consider itself obligated and privileged to make available electric service, except where such extensions of electric service will duplicate facilities of said Grand Valley Rural Power Lines, Inc., ***** which now serve, or will serve, within reasonable time, the demands for service by residents of the rural areas contemplated to be served by said cooperatives, as set forth in the Amended Application."

It also appeared that certain of said transmission and distribution lines of Redlands Water and Power Company are in:

"The area circumscribed by a line beginning at a point being the northwest corner of Township 1 South, Range 1 West; thence south approximately four and one-half ($4\frac{1}{2}$) miles on the west boundary line of said Township 1 South, Range 1 West, to point of intersection with the boundary line of the Colorado National Monument; thence on said boundary line of the Colorado National Monument to point of intersection with the south boundary line of Township 1 North, Range 2 West; thence east on said south boundary line of Township 1 North, Range 2 West, to point of beginning, and as shown on Exhibit 'A' attached hereto and made a part hereof,"

and that certain of said transmission and distribution lines of Redlands Water and Power Company are situate in and serve consumers in territory within Public Service Company's "Grand Junction District," for which territory a certificate was granted Public Service Company by Commission's Order and Decision No. 27071, without conflict or duplication of its lines or service by Public Service Company or other utility; that while such territory is within the area in applicant's "Grand Junction District," which the Commission authorized Applicant Public Service Company to serve by extension of its electrical service, without prejudice to Grand Valley Rural Electric Power Lines, Inc.'s right to also serve said territory, subject to restrictions heretofore set forth, Grand Valley Rural Power Lines, Inc., has not extended, and apparently

does not contemplate extending, its facilities for the rendering of electric service into the territory described in the territory first described, or into certain territory which Public Service Company of Colorado must extend its electric facilities and render electric service, if the system of Redlands Water and Power Company is properly developed, said territory being more particularly described as:

"The area circumscribed by a line beginning at a point being the south quarter corner of Section 21, Township 1 South, Range 1 West; thence west on the south line of said section to the center line of No Thoroughfare Canyon; thence southwesterly on said center line to the west boundary line of Township 1 South, Range 1 West; thence north on said township line to the center line of the Colorado River; thence southeasterly on said Center Line to intersection with the center line of Sections 16 and 21, Township 1 South, Range 1 West extended, thence south on said line and the center line of Sections 16 and 21, Township 1 South, Range 1 West, to point of beginning.

"And the area circumscribed by a line beginning at a point being the southeast corner of Section 33, Township 1 North, Range 2 West; thence north on the east line of said section to the center line of the Colorado River; thence southeasterly on the center line of the Colorado River to the south line of Township 1 North, Range 2 West; thence west on said township line to point of beginning."

Public Service Company asks that it be granted a certificate of public convenience and necessity to serve said area, as well as the territory first described, and that the Commission amend:

"its Order and Decision No. 27071 of June 8, 1946, granting the applicant a Certificate of Convenience and Necessity for applicant's 'Grand Junction District' and vacate that provision of said certificate with respect to authorization of applicant to extend its electrical service without prejudice to the Grand Valley Rural Power Lines, Inc., to make available its electrical service, without duplication of facilities by applicant, to residents not then served by applicant or said Grand Valley Rural Power Lines, Inc., except such individuals, persons, corporations and entities whose separate estimated electric power requirements at any one time exceed 100 kilowatts, regarding the territory heretofore described by metes and bounds in Paragraph 6 hereof and thereby grant the applicant the right and authority to provide electrical energy and service in the entire territory heretofore described by metes and bounds in Paragraphs 5 and 6 hereof."

Grand Valley Rural Power Lines, Inc. — although it was duly served with copy of application — did not appear, and did not oppose the application.

It appeared that Redlands Water and Power Company and its consumers are very desirous that the transfer be allowed, and many residents of the area for which Applicant Public Service Company of Colorado seeks a certificate of public convenience and necessity to serve, are seeking electrical service which has not been furnished by Redlands Water and Power Company or Grand Valley Rural Power Lines, Inc., and that purchase of property, as contemplated, is both good business and prudent, and is in the public interest.

F I N D I N G S

THE COMMISSION FINDS:

That no part of the area mentioned in the application herein which is sought to be served by Public Service Company of Colorado under a certificate of public convenience and necessity, is being served by Grand Valley Rural Power Lines, Inc., within the provisions of our Decision No. 27071, or otherwise; that it has not appeared to the Commission, and does not now appear, that Grand Valley Rural Power Lines, Inc., contemplates extending its facilities and service lines into said area, or any part thereof; that it is consistent with the public interest, and public convenience and necessity require, and will require, that Public Service Company of Colorado, Inc., be authorized to purchase and acquire the electric transmission and distribution system of Redlands Water and Power Company, a corporation, and to purchase the excess electrical energy generated by said Redlands Company with its generating system and facilities, and that public convenience and necessity require, and will require, the utility service of Public Service Company of Colorado, a corporation, within the areas described in Paragraphs Nos. 5 and 6 of the application herein, and the extension from time to time of applicant's transmission and distribution lines and service into and throughout said areas for the purpose of distributing and selling electrical energy for light, power, and heating purposes, to and among

present and future inhabitants thereof, as their needs may require, and that certificate of public convenience and necessity should issue therefor; that our said Decision No. 27071, of date June 8, 1946, in Application No. 6807, should be amended by eliminating the territory described in Paragraphs Nos. 5 and 6 of the application, for which certificate of public convenience and necessity is to issue to Public Service Company of Colorado, Inc., from the territory (insofar as it conflicts therewith) where Grand Valley Rural Power Lines, Inc., was permitted, by said order, to make available its electrical service without duplication of facilities or service by Public Service Company of Colorado, Inc., said Public Service Company of Colorado, Inc., to have exclusive right, except as hereafter may be otherwise ordered by the Commission, to serve said territory.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require that Public Service Company of Colorado, Inc., be, and it hereby is, authorized to purchase and acquire the electric transmission and distribution system of Redlands Water and Power Company, a corporation, and to purchase the excess electrical energy hereafter generated by said company with its generating system and facilities, insofar as it may be made available by said Redlands Company to Public Service Company; and that public convenience and necessity require, and will require, the utility service of Public Service Company of Colorado, a corporation, within the areas described in Paragraphs Nos. 5 and 6 of the application herein, to-wit:

The area circumscribed by a line beginning at a point being the northwest corner of Township 1 South, Range 1 West; thence south approximately four and one-half miles on the west boundary line of said Township 1 South, Range 1 West, to point of intersection with the boundary line of the Colorado National Monument; thence on said boundary line of the Colorado National Monument to point of intersection with the south boundary line of Township 1 North, Range 2 West; thence east on said south boundary line of Township 1 North, Range 2 West, to point of beginning, and as shown on Exhibit "A" attached hereto and made a part hereof.

The area circumscribed by a line beginning at a point being the south quarter corner of Section 21, Township 1 South, Range 1 West; thence west on the south line of said section to the center line of No Thoroughfare Canyon; thence southwesterly on said center line to the west boundary line of Township 1 South, Range 1 West; thence north on said township line to the center line of the Colorado River; thence southeasterly on said Center Line to intersection with the center line of Sections 16 and 21, Township 1 South, Range 1 West extended, thence south on said line and the center line of Sections 16 and 21, Township 1 South, Range 1 West, to point of beginning.

And the area circumscribed by a line beginning at a point being the southeast corner of Section 33, Township 1 North, Range 2 West; thence north on the east line of said section to the center line of the Colorado River; thence southeasterly on the center line of the Colorado River to the south line of Township 1 North, Range 2 West; thence west on said township line to point of beginning,

and the extension from time to time of applicant's transmission and distribution lines and service into and throughout said areas for the purpose of distributing and selling electrical energy for light, power, and heating purposes, to and among present and future inhabitants thereof, as their needs may require, and that this order shall constitute and be a certificate of public convenience and necessity therefor; that our Decision No. 27071, of date June 8, 1946, in Application No. 6807, should be, and hereby is, amended, by eliminating, withdrawing and setting aside the privilege thereby granted to Grand Valley Rural Power Lines, Inc., to make available its electrical service without duplication of facilities or service by Public Service Company of Colorado, Inc., in the territory described in said Paragraphs Nos. 5 and 6 of the application, which territory Public Service Company of Colorado, Inc., is authorized to serve under the certificate of public convenience and necessity hereby and herein issued, it being contemplated that said Public Service Company of Colorado, Inc., is to have the exclusive right, except as hereafter may otherwise be ordered by the Commission, to serve said territory described in Paragraphs Nos. 5 and 6 of the application aforesaid.

That said Decision and Order No. 27071, of date June 8, 1946, except as herein amended, is to remain in full force and effect.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty (20) days from date, the rates initially filed to conform to the rate schedule set up in Paragraph No. 9 of the application herein, which, by reference, is made a part hereof.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maer E. Eison

Joseph C. Holton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 15th day of January, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
C. J. MOBERLY AND HARRY E. MEININGER,
DOING BUSINESS AS "THE SAN MIGUEL
STAGES," AND GLEN H. OAKES, RECEIVER
OF THE PROPERTY AND ASSETS OF C. J.
MOBERLY AND HARRY E. MEININGER, DOING
BUSINESS AS "THE SAN MIGUEL STAGES,"
MONTROSE, COLORADO, FOR AUTHORITY TO
TRANSFER THAT PART OF PUC NO. 1345
GRANTING AUTHORITY TO OPERATE FREIGHT
SERVICE, TO ORVILLE L. PORTER AND
LOWELL A. SMITH, MONTROSE, COLORADO.

APPLICATION NO. 8933
TRANSFER

January 15, 1948

Appearances: Bryant, Petrie and Brooks, Esqs.,
Montrose, Colorado, for
Transferors and Transferees;
R. E. Turano, Denver, Colorado,
for Rio Grande Motor Way;
Gary A. Stern, Denver, Colorado,
for Larson Transportation
Company.

S T A T E M E N T

By the Commission:

C. J. Moberly, pursuant to Decision No. 15151, was granted a
certificate to operate as a common carrier by motor vehicle for hire,
with authority as follows, to-wit:

Transportation of passengers and express between
Nucla and Montrose, subject to the terms and condi-
tions hereinafter set forth: (a) In the conduct of
said operation applicant shall not render any local
service between Montrose and Placerville and points
intermediate, or between Placerville and Montrose
and points intermediate; (b) that in the transpor-
tation of express, applicant shall be limited to
packages of less than 75 pounds in weight, and shall
only transport such express as originates in Mon-
trose, or points intermediate between Montrose and
Placerville, destined to points beyond Placerville,
excepting that applicant shall have the right to
transport express destined to points beyond Placer-
ville which arrives in Montrose by the afternoon
bus of Rio Grande Motor Way, and shall also have
the right to transport express originating in
points beyond Placerville and destined to Montrose
or points intermediate Montrose and Placerville.

That, by Decision No. 16587, the above described authority was extended as follows, to-wit:

"To include the transportation of passengers, express, and freight, between Montrose and Paradox, via Uravan, and intermediate points, (except that no passengers, express, or freight may be handled locally between Montrose and Placerville); and this authority is granted without restriction as to point of origin of passengers, express, or freight destined to points beyond Placerville."

That, by Decision No. 19239, the above described authority was further extended as follows, to-wit:

"To include the transportation of passengers and express between Uravan and Grand Junction, and intermediate points, via Highways Nos. 141, Uravan to Whitewater, and No. 50 Whitewater to Grand Junction, save and except that no service shall be rendered between Grand Junction and Whitewater and intermediate points, and no express shall be carried between Gateway and Grand Junction or between Grand Junction and Gateway. Said service shall be on schedule and in conformity with rates and schedules proposed by the said C. J. Moberly."

That, by Decision No. 21120, C. J. Moberly acquired from Louis A., Edward A., and Fred W. Theobald, doing business as Theobald Truck Line, common carrier authority as follows, to-wit:

Transportation of (a), on call and demand, farm products (including livestock), and farm supplies (specifically including farm machinery and equipment, feed, used furniture and household goods), mill and mine supplies, ore and petroleum products, between, from, and to points within a radius of 50 miles of Norwood, (excluding service between points served by Rio Grande Motorways, Inc.); (b) general freight on schedule via U. S. Highway 50 and State Highways No. 62, 108, 145, 90 (or Colorado 141 instead of U. S. 50), from and to Grand Junction and Montrose, to and from points west of (but not including) Ridgway as far as Paradox by the way of Placerville, with the right to serve locally between Ridgway and Paradox; service to include Placerville.

All the above authority enumerated was consolidated and known in the records of the Commission as Certificate No. 1345.

That, pursuant to authority contained in Decision No. 23091, all of the above operating rights were transferred from C. J. Moberly, doing business as San Miguel Stages, to C. J. Moberly and Harry Meininger, doing business as "San Miguel Stages."

There are two applications before the Commission -- one, to transfer from and out of Certificate No. 1345 that portion which authorizes the transportation of passengers and express; and the instant application, which covers the freight service.

In the instant matter, C. J. Moberly and Harry E. Meininger, doing business as "San Miguel Stages," by P. C. Moshisky, the duly qualified and appointed Receiver, desire to transfer that portion of PUC No. 1345 authorizing the transportation of freight, to Orville L. Porter and Lowell A. Smith, a co-partnership, of Montrose, Colorado.

The matter was set for hearing, and heard, December 19, 1947, at 10:00 o'clock A. M., at 330 State Office Building, Denver, Colorado, and was taken under advisement.

At the hearing, the evidence disclosed that the consideration for the transfer of certain equipment, and that portion of Certificate No. 1345 which authorizes the transportation of freight, is the sum of \$6,900.00.

The evidence disclosed that C. J. Moberly and Harry E. Meininger, doing business as "San Miguel Stages," the record owners of Certificate No. 1345, were placed in receivership in the District Court of Montrose County, Colorado, and that P. C. Moshinsky was duly appointed by the Court as Receiver for the above estate, and, as such Receiver, was ordered by the District Court of Montrose County to liquidate the assets of said estate; that said Receiver has received an offer of \$6,900.00 for that portion of Certificate No. 1345 covering the freight operation, together with one 1941 International truck and one 1942 International truck; that the Court has approved said sale and the Receiver is now asking the Commission to authorize said transfer.

The evidence further discloses that P. C. Moshisky has recently resigned as said Receiver and has been discharged by the District Court of Montrose County, and that Glen H. Oakes, of Montrose, Colorado, has been appointed and is now qualified as Receiver in place and in lieu of the said Moshisky.

It further appears that transferee is a co-partnership, con-

sisting of Orville L. Porter and Lowell A. Smith, of Montrose, Colorado, who are qualified, both financially and by experience, to carry on the proposed freight operation under Certificate No. 1345.

A large number of unpaid claims are on file with the Commission against the operation of the San Miguel Stages, but, inasmuch as the District Court of Montrose County has taken over the liquidation of the operation of San Miguel Stages, and has authorized the sale at the price offered for the above portion of said certificate, which price it has found to be fair, just, and equitable, and it appears to us that transferees, pecuniarily and otherwise, are able and qualified to and are willing to conduct said operation in full compliance with the law governing operations of motor vehicle carriers, and in conformity with our rules and regulations, it would seem that said transfer should be authorized.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Glen H. Oakes, the duly appointed and qualified Receiver for the San Miguel Stages, be, and he hereby is, authorized to transfer all the right, title, and interest of C. J. Moberly and Harry E. Meininger, doing business as "San Miguel Stages," to that portion of PUC No. 1345 which authorizes:

Transportation, (a) on call and demand, of farm products (including livestock), and farm supplies (specifically including farm machinery and equipment, feed, used furniture and household goods), mill and mine supplies, ore and petroleum products, between, from, and to points within a radius of 50 miles of Norwood, (excluding service between points served by Rio Grande Motor Way, Inc.); (b) general freight on schedule via U. S. Highway 50 and State Highways No. 62, 108, 145, 90 (or Colorado 141 instead of U.S. 50), from and to Grand Junction and Montrose, to and from points west of (but not including) Ridgway as far as Paradox by the way of Placerville, with the right to serve locally between Ridgway and Paradox; service to include Placerville, and for the transportation of freight between Montrose and Paradox,

via Uruvan and intermediate points, except that no freight may be handled locally between Montrose and Placerville; -

to Orville L. Porter and Lowell A. Smith, a co-partnership, of Montrose, Colorado.

Said certificate shall be given a new number, and all ton-mile tax due the State of Colorado under Certificate No. 1345 shall be paid before final approval of the transfer.

The tariff of rates, rules, and regulations of the transferors shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry
Commissioners

DATED at Denver, Colorado,
this 15th day of January, 1948.

EHC

Original

(Decision No. 29732)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. J. MOBERLY AND HARRY E.)
MEININGER, DOING BUSINESS AS "THE)
SAN MIGUEL STAGES," MONTROSE, COLO-)
RADO, AND P. C. MOSHISKY, RECEIVER)
OF THE PROPERTY AND ASSETS OF C. J.)
MOBERLY AND HARRY E. MEININGER,)
DOING BUSINESS AS "THE SAN MIGUEL)
STAGES," MONTROSE, COLORADO, FOR)
AUTHORITY TO TRANSFER THAT PORTION)
OF PUC NO. 1345 AUTHORIZING TRANS-)
PORTATION OF PASSENGERS AND EXPRESS,)
TO WILLIAM E. FAAST, MONTROSE, COLO-)
RADO.)

APPLICATION NO. 8931-Transfer

January 15, 1948

Appearances: Bryant, Petrie, and Brooks,
Esqs., Montrose, Colorado,
for applicants;
R. E. Turano, Denver, Colo-
rado, for Rio Grande Motor
Way, Inc.;
Gary A. Stern, Denver, Colo-
rado, for Larson Transporta-
tion Company.

S T A T E M E N T

By the Commission:

C. J. Moberly, pursuant to Decision No. 15151, was granted auth-
ority to operate as a common carrier by motor vehicle for hire, with op-
erating rights and privileges as follows, to-wit:

Transportation of passengers and express be-
tween Nucla, and Montrose, subject to the
terms and conditions hereinafter set forth:
(a) In the conduct of said operation, appli-
cant shall not render any local service be-
tween Montrose and Placerville and points
intermediate, or between Placerville and Mont-
rose and points intermediate; (b) That in the
transportation of express, applicant shall be
limited to packages of less than 75 pounds in
weight, and shall only transport such express
as originates in Montrose, or points inter-
mediate between Montrose and Placerville, des-
tined to points beyond Placerville, excepting

that applicant shall have the right to transport express destined to points beyond Placerville which arrives in Montrose by the afternoon bus of Rio Grande Motor Way, and shall also have the right to transport express originating in points beyond Placerville and destined to Montrose or points intermediate Montrose and Placerville.

By Decision No. 16587, the above-described authority was extended as follows, to-wit:

"to include the transportation of passengers, express, and freight, between Montrose, and Paradox, via Uravan, and intermediate points, (except that no passengers, express, or freight may be handled locally between Montrose and Placerville); and this authority is granted without restriction as to point of origin of passengers, express, or freight destined to points beyond Placerville."

By Decision No. 19239, the above-described authority was further extended as follows, to-wit:

"to include the transportation of passengers and express between Uravan and Grand Junction, and intermediate points, via Highways Nos. 141, Uravan to Whitewater, and No. 50, Whitewater to Grand Junction, save and except that no service shall be rendered between Grand Junction and Whitewater and intermediate points, and no express shall be carried between Gateway and Grand Junction or between Grand Junction and Gateway. Said service shall be on schedule, and in conformity with rates and schedules proposed by the said C. J. Moberly."

By Decision No. 21120, C. J. Moberly acquired from Louis A. Theobold, Edward A. Theobold, and Fred W. Theobold, doing business as "Theobold Truck Line," authority as follows, to-wit:

"Transportation of: (a) on call and demand, of farm products (including livestock), and farm supplies (specifically including farm machinery and equipment, feed, used furniture and household goods), mill and mine supplies, ore and petroleum products, between, from, and to points within a radius of fifty miles of Norwood (excluding service between points served by Rio Grande Motor Way, Inc.); (b) general freight, on schedule, via U. S. Highway No. 50 and State Highways Nos. 62, 108, 145, 90 (or Colorado Highway No. 141, instead of U. S. Highway No. 50), from and to Grand Junction and Montrose, to and from points west of (but not including) Ridgway as far as Paradox by the way of Placerville, with the right to serve locally between Ridgway and Paradox; service to include Placerville."

All the above authorities are enumerated and known in the records

of this office as "PUC No. 1345."

Pursuant to authority contained in Decision No. 23091, all of the above authority was transferred by C. J. Moberly, doing business as "The San Miguel Stages," to C. J. Moberly and Harry Meininger, doing business as "The San Miguel Stages."

There are two applications before the Commission -- one to transfer from and out of PUC No. 1345 that portion which authorizes the transportation of passengers and express, and the other to transfer that portion of PUC No. 1345 which authorizes freight service.

In the instant matter, C. J. Moberly and Harry E. Meininger, doing business as "The San Miguel Stages," by P. C. Moshisky, Receiver, desire to transfer that portion of PUC No. 1345 which authorizes the transportation of passengers and express to William E. Faast, Montrose, Colorado.

The matter was set for hearing, and heard, December 19, 1947, at 10:00 o'clock A. M., at 330 State Office Building, Denver, Colorado, and was taken under advisement.

At the hearing, the evidence disclosed that the consideration for the transfer of that portion of PUC No. 1345 which authorizes the transportation of passengers and express is the sum of One Thousand Dollars (\$1,000.00).

The evidence disclosed that C. J. Moberly and Harry E. Meininger, doing business as "The San Miguel Stages," the record owners of PUC No. 1345, were placed in Receivership in the District Court of Montrose County, and that P. C. Moshisky was duly appointed by the Court as Receiver for the above estate, and as said Receiver, was ordered by the District Court of Montrose County to liquidate the assets of said estate; that said Receiver has received an offer of \$1,000.00 for that portion of PUC No. 1345 covering the passenger and express service; that the Court has approved said sale and the Receiver is now asking the Commission to authorize and approve said transfer.

The evidence further discloses that P. C. Moshisky has resigned as said Receiver and has been discharged by the District Court of Montrose

County, and that Glen H. Oakes of Montrose, Colorado, has been appointed and is now qualified as Receiver in place and in lieu of said Moshisky.

It further appears that transferee is well qualified, both financially and by experience, to operate the passenger and bus service, his financial statement now being on file with the Commission.

A large number of unpaid claims against the operation of the San Miguel Stages are on file with the Commission, but inasmuch as the District Court of Montrose County has taken over the liquidation of the operation of the San Miguel Stages, and has found that the price offered for said certificate is fair, just and equitable, and it appears that pecuniarily and otherwise, transferee is able and qualified to, and is willing to carry on the operation in full compliance with law and our rules and regulations, it would seem that said transfer should be authorized.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Glen H. Oakes, the duly appointed and qualified Receiver of The San Miguel Stages, Montrose, Colorado, be, and he hereby is, authorized to transfer all the right, title, and interest of C. J. Moberly and Harry E. Meininger, doing business as "The San Miguel Stages," Montrose, Colorado, to that portion of PUC No. 1345 which authorizes:

Transportation of passengers and express between Montrose, Colorado, and Paradox, Colorado, via Ridgway, Placerville, and Nucla, without the right to furnish local service between Montrose and Placerville and Placerville and Montrose or points intermediate; that in the transportation of express shipments, packages shall be limited to 75 pounds in weight, and the transportation of passengers and express between Uravan and Grand Junction and intermediate points, via Highways Nos. 141, Uravan to Whitewater, and No. 50, Whitewater to Grand Junction, save and except that no service shall be rendered between Grand Junction and Whitewater and intermediate points, and no express shall be carried between Gateway and Grand Junction, or between Grand Junction and Gateway. Said service shall be on schedule and in conformity with rates and schedules proposed by said C. J. Moberly,

to William E. Faast, of Montrose, Colorado.

Said certificate shall bear the number "PUC No. 1345," and all ton-mile tax due the State of Colorado shall be paid before the final approval of the transfer.

The tariff of rates, rules, and regulations of transferors shall become and remain those of transferee, until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erikson
Ralph C. Hahn
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 15th day of January, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JESSE BUTLER, CALHAN, COLORADO)
)
)
)
)
)

PERMIT NO. C-6165.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Jesse Butler,.....
requesting that Permit No.C-6165.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-6165....., heretofore issued to.....
Jesse Butler,.....be,
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....19th.....day of.....January....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD KNOLL, BLACK HAWK, COLO.)
)
)
)
)

PERMIT NO. C-15902.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Howard Knoll,-----
requesting that Permit No. C-15902-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15902-----, heretofore issued to-----
Howard Knoll,-----be,
and the same is hereby, declared cancelled effective January 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GORDON BUSTER, DBA BUSTER'S)
PRODUCE CO., FRANKLIN, NEBR.)
)
)
)
)
)

PERMIT NO. C-16788

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Gordon Buster, d/b/a Buster's Produce Co.,.....
requesting that Permit No. C-16788.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16788....., heretofore issued to.....
Gordon Buster, d/b/a Buster's Produce Co.,.....be,
and the same is hereby, declared cancelled effective December 24, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GORDON O. LA DUKE, 2005 E. 8th)
ST., PUEBLO, COLO.)
)
)
)

PERMIT NO. C-17062.

January 19, 1947

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Gordon O. La Duke,

requesting that Permit No. C-17062 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17062, heretofore issued to-----
Gordon O. La Duke,
----- be,
and the same is hereby, declared cancelled effective January 4, 1948.

THE PUBLIC UTILITIES COMMISSION

~~OF THE STATE OF COLORADO~~

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ELLSWORTH D. BLOYE, HOT SULPHUR)
SPRINGS, COLORADO.)
)
)
)

PERMIT NO. C-17244

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Ellsworth D. Bloye,.....
requesting that Permit No.C-17244.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-17244....., heretofore issued to.....
Ellsworth D. Bloye,.....be,
and the same is hereby, declared cancelled effective January 2, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

.....
.....
.....
Commissioners

Dated at Denver, Colorado,
this.....19th.....day of.....January,....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
LES TURNEPSEED & BOB OATES,)
GLENWOOD SPRINGS, COLORADO.)
)
)
)

PERMIT NO. C-18196.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Les Turnepseed & Bob Oates,.....
requesting that Permit No. C-18196.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18196....., heretofore issued to.....
Les Turnepseed & Bob Oates,.....be,
and the same is hereby, declared cancelled effective January 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. B. ...

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM MEDINA, 2807 W. COLFAX,)
DENVER, COLORADO.)
)
)
)

PERMIT NO. C-18514

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
William Medina,.....
requesting that Permit No.....C-18514.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18514....., heretofore issued to.....
William Medina,.....be,
and the same is hereby, declared cancelled effective December 23, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS A. SMITH, 126 3rd ST.,)
PO Box 312, ARVADA, COLORADO.)
)
)
)

PERMIT NO. C-18531.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Thomas A. Smith,

requesting that Permit No. C-18531 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18531, heretofore issued to-----

Thomas A. Smith,-----be,

and the same is hereby, declared cancelled effective October 17, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Margaret Erickson

Ralph C. Heston

John R. Berry

Commissioners

Dated at Denver, Colorado,

this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ELI YOELIN, DBA CARMIL DISTRIB-))
UTING CO., 1411 WEWATTA ST.,))
DENVER, COLO.))
))
))
-----)

PERMIT NO. C-18625.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Eli Yoelin, d/b/a Carmil Distributing Co.,-----
requesting that Permit No. C-18625-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18625-----, heretofore issued to-----
Eli Yoelin, d/b/a Carmil Distributing Co.,-----be,
and the same is hereby, declared cancelled effective January 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
VERLIN G. MEYER, 242 S. MONROE,)
LOVELAND, COLORADO.)
)
)
)

PERMIT NO. C-18993.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Verlin G. Meyer,.....
requesting that Permit No. C-18993.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18993....., heretofore issued to.....
Verlin G. Meyer,.....be,
and the same is hereby, declared cancelled effective December 28, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
DAVID B. PARSHALL, HESPERUS,)
COLORADO.)
)
)
)
)

PERMIT NO. C-19267.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
David B. Parshall,.....
requesting that Permit No.C-19267.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-19267....., heretofore issued to.....
David B. Parshall,.....be,
and the same is hereby, declared cancelled effective January 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HERMAN BEFORT, 711 CONKLING ST.)
GARDEN CITY, KANSAS.)
)
)
)

PERMIT NO. C-19446.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Herman Befort,.....
requesting that Permit No. C-19446 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19446, heretofore issued to.....
Herman Befort,.....be,
and the same is hereby, declared cancelled effective January 3, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph A. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
TOM WARRINGTON, BOX 153,)
LA JUNTA, COLORADO.)
)
)
)

PERMIT NO. C-19580.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Tom Warrington,.....
requesting that Permit No.C-19580.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-19580....., heretofore issued to.....
Tom Warrington,.....be,
and the same is hereby, declared cancelled effective December 30, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Berry

Commissioners

Dated at Denver, Colorado,
this.....19th.....day of.....January,....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
A. R. DUPREZ, BOX 51, RYE, COLO)
)
)
)
)

PERMIT NO. C-19714.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
A. R. Duprez,
.....
requesting that Permit No. C-19714 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19714, heretofore issued to.....
A. R. Duprez,.....be,
and the same is hereby, declared cancelled effective January 6, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Heston
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
R. L. HASTY, KIM, COLORADO)
)
)
)
)
)

PERMIT NO. C-20289.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
R. L. Hasty,
requesting that Permit No. C-20289 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20289, heretofore issued to.....
R. L. Hasty,.....be,
and the same is hereby, declared cancelled effective January 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
BYRON BURNS, RT. 1,)
CARBONDALE, COLORADO.)
)
)
)

PERMIT NO. C-20312.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Byron Burns,.....
requesting that Permit No.C-20312.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.C-20312....., heretofore issued to.....
Byron Burns,.....be,
and the same is hereby, declared cancelled effective January 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hartman

John P. Berg

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT GOUX, RT. 1, BUNKIE, LA.)
)
)
)
)

PERMIT NO. C-20357.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Albert Goux,-----
requesting that Permit No. C-20357-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20357-----, heretofore issued to-----
Albert Goux,-----be,
and the same is hereby, declared cancelled effective November 27, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH K. KENNEY, PO BOX 37,)
AULT, COLORADO)
)
)
)

PERMIT NO. C-20388.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Kenneth K. Kenney,
.....
requesting that Permit No. C-20388.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20388....., heretofore issued to.....
Kenneth K. Kenney,.....be,
and the same is hereby, declared cancelled effective December 12, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Johnston
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE WM. GRIFFITH, MILLIKEN,)
COLORADO.)
)
)
)

PERMIT NO. C-20684.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
George Wm. Griffith,.....
requesting that Permit No. C-20684 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20684, heretofore issued to.....
George Wm. Griffith,..... be,
and the same is hereby, declared cancelled effective January 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Montan

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GENE FOWKES, 1817 GLENARM PLACE,)
DENVER 2, COLORADO.)
)
)
)

PERMIT NO. B-3667.

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Gene Fowkes,.....
requesting that Permit No.B-3667.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No.B-3667....., heretofore issued to.....
Gene Fowkes,.....be,
and the same is hereby, declared cancelled effective January 6, 1948,

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this.....19th.....day of.....January....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF 0)
THURMAN T. PEARCE, OF 1818) PERMIT NO. B-3711.
PENN. ST., DENVER 5, COLORADO.)
-----)

January 19, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3711, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Thurman T. Pearce, be, and he is hereby, authorized to suspend his operations under Permit No. B-3711, until June 28, 1948.

That unless said Thurman T. Pearce shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry.
Commissioners.

Dated at Denver, Colorado,
this 19th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR DE CAMP, MOLINA, COLO.)
)
)
)
)
)

PERMIT NO. C-17301.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Arthur De Camp,
requesting that Permit No. C-17301 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17301, heretofore issued to
Arthur De Camp, be,
and the same is hereby, declared cancelled effective January 9, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
MERLYN W. KRAGER, HOLSTEIN, IA.)
)
)
)
)

PERMIT NO. C-17888

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Merlyn W. Krager,-----

requesting that Permit No. C-17888 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17888, heretofore issued to-----

Merlyn W. Krager,-----be,

and the same is hereby, declared cancelled effective **January 7, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CLYDE D. GEORGE, MEAD, COLORADO)
)
)
)
)

PERMIT NO. C-18373.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Clyde D. George,.....
requesting that Permit No. C-18373.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18373....., heretofore issued to.....
Clyde D. George,.....be,
and the same is hereby, declared cancelled effective January 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hinton

John R. Berry

Commissioners

Dated at Denver, Colorado,
this 21st.....day of.....January,....., 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ORVIL MORGAN AND IRVIN PITTS,)
BYERS, COLORADO.)
)
)
)

PERMIT NO. C-18763.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Orvil Morgan and Irvin Pitts,.....
requesting that Permit No. C-18763.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18763....., heretofore issued to.....
Orvil Morgan and Irvin Pitts,.....be,
and the same is hereby, declared cancelled effective December 14, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WALTER I. SPENCER, ORCHARD VALLEY,
CHEYENNE, WYOMING.)

PERMIT NO. C-18783.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Walter I. Spencer,

requesting that Permit No. C-18783 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18783, heretofore issued to.....

Walter I. Spencer,.....be,

and the same is hereby, declared cancelled effective **December 7, 1947.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Hooten
John R. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOE D. LOPEZ, OCATE, NEW MEXICO)
)
) PERMIT NO. C-18851.
)
)
)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Joe D. Lopez,-----
requesting that Permit No. C-18851-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18851-----, heretofore issued to-----
Joe D. Lopez,-----be,
and the same is hereby, declared cancelled effective **January 15, 1948.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st-----day of January,-----, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR G. AND CLAUDE H. WOLFE,)
DBA WOLFE BROTHERS POLE AND)
LUMBER CO., GENERAL DELIVERY,)
SAGUACHE, COLORADO.)

PERMIT NO. C-19071

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Arthur G. and Claude H. Wolfe, d/b/a Wolfe Bros. Pole and Lumber Co.,
requesting that Permit No. C-19071 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19071, heretofore issued to.....
Arthur G. and Claude H. Wolfe, d/b/a Wolfe Bros. Pole and Lumber Co., be,
and the same is hereby, declared cancelled effective January 10, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Thomas H. Hanson

Robert C. Houtant

John R. Perry

Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
MAX LOWTHER, GENERAL DELIVERY,)
BUFFALO, WYOMING.)
)
)
)

PERMIT NO. C-19272.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Max Lowther,
requesting that Permit No. C-19272 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19272, heretofore issued to
Max Lowther, be,
and the same is hereby, declared cancelled effective **November 23, 1947.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Richard C. Erickson

Richard C. Erickson

John R. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN TRINKLEIN, 131 WHITE AVE.,)
GRAND JUNCTION, COLORADO.)
)
)
)

PERMIT NO. C-19396.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
John Trinklein,.....
requesting that Permit No. C-19396 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19396, heretofore issued to.....
John Trinklein,.....be,
and the same is hereby, declared cancelled effective **January 8, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Montross
John R. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PETE EMBERTY, 519 N. 11th,)
ALBUQUERQUE, NEW MEXICO.) PERMIT NO. C-19410.
)
)
)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Pete Emberty,.....
requesting that Permit No. C-19410.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19410....., heretofore issued to.....
Pete Emberty,.....be,
and the same is hereby, declared cancelled effective **December 31, 1948.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John P. Berry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
G. R. NEWTH, 314 McKINLEY,)
STERLING, COLORADO.) PERMIT NO. C-19698.
)
)
)
-----)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
G. R. Newth,-----
requesting that Permit No. C-19698-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19698-----, heretofore issued to-----
G. R. Newth,-----be,
and the same is hereby, declared cancelled effective January 9, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hooten

John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GERALD F. & DEWEY W. LAUGHTER,)
BOX 511, FARMINGTON, NEW MEXICO)
)
)

PERMIT NO. C-19812.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Gerald F. & Dewey W. Laughter,.....
requesting that Permit No. C-19812.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19812....., heretofore issued to.....
Gerald F. & Dewey W. Laughter,.....be,
and the same is hereby, declared cancelled effective January 10, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
NORMAN CLINE, ORDWAY, COLORADO.)
)
)
)
)

PERMIT NO. C-19872.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Norman Cline,-----

requesting that Permit No. C-19872 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19872, heretofore issued to-----

Norman Cline,-----be,

and the same is hereby, declared cancelled effective **January 12, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Stanton

John R. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
BERNARD NORBERG, KIMBALL, ~~NEER~~,)
)
)
)
)
)

PERMIT NO. C-19876.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Bernard Norberg,

requesting that Permit No. C-19876 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19876, heretofore issued to.....

Bernard Norberg,.....be,

and the same is hereby, declared cancelled effective January 12, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. B...

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HARVEY K. ASTON, 219 WALNUT,)
ROCKY FORD, COLORADO.)
)
)
)

PERMIT NO. C-19878.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Harvey K. Aston,

requesting that Permit No. C-19878 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19878, heretofore issued to.....

Harvey K. Aston,.....be,

and the same is hereby, declared cancelled effective December 27, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry.

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED MONTES, 1119 SPRUCE ST.,)
PUEBLO, COLORADO.)
)
)
)

PERMIT NO. C-20132.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Fred Montes,-----

requesting that Permit No. C-20132 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20132, heretofore issued to-----

Fred Montes,-----be,

and the same is hereby, declared cancelled effective January 15, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malden Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
G. E NOY, PROSPECT, COLORADO.)
)
) PERMIT NO. C-20211.
)
)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
G. E. Noy,-----
requesting that Permit No. C-20211-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20211-----, heretofore issued to-----
G. E. Noy,-----be,
and the same is hereby, declared cancelled effective **December 25, 1947.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of January,-----, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
DARRELL AUSTIN & JOHN SHADA,)
228 E. THIRD, FREMONT, NEBR.)
)
)
)

PERMIT NO. C-20270.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Darrell Austin & John Shada,
requesting that Permit No. C-20270 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20270, heretofore issued to
Darrell Austin & John Shada, be,
and the same is hereby, declared cancelled effective **January 10, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Houston
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROXIE GIAMBROCCO, 1729 WEST)
38th AVE., DENVER 11, COLO.)
)
)
)

PERMIT NO. C-880

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Roxie Giambrocco,.....
requesting that Permit No. C-880 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-880, heretofore issued to.....
Roxie Giambrocco,.....be,
and the same is hereby, declared cancelled effective January 1, 1948.

(S E A L)

ATTEST: A TRUE COPY

E. E. Pollock
Secretary

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
E. E. HARRIS, 815 SPRUCE,)
BOULDER, COLORADO.)
)
)
)

PERMIT NO. C-12503.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
E. E. Harris,
requesting that Permit No. C-12503 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12503, heretofore issued to
E. E. Harris, be,
and the same is hereby, declared cancelled effective **January 1, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Houtson

John R. Barry.
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
M. J. BARASH, d/b/a M. J. BARASH)
AUTO PARTS, 201 NO. 11th AVE.,)
GREELEY, COLORADO.)
)
)

PERMIT NO. C-14648.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
M. J. Barash, d/b/a M. J. Barash Auto Parts,.....
requesting that Permit No. C-14648.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14648....., heretofore issued to.....
M. J. Barash, d/b/a M. J. Barash Auto Parts,.....be,
and the same is hereby, declared cancelled effective January 14, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

M. J. Erickson

R. C. Stanton

J. R. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HENRY E. MARQUEZ, RT. 2,)
BOX 89, TRINIDAD, COLORADO.) PERMIT NO. C-15109.
)
)
)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Henry E. Marquez,
requesting that Permit No. C-15109 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15109, heretofore issued to
Henry E. Marquez, be,
and the same is hereby, declared cancelled effective January 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Berry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. M. TRICE, BOX 1075, RATON)
NEW MEXICO)
PERMIT NO. C-15237.
)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
J. M. Trice,
requesting that Permit No. C-15237 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15237, heretofore issued to
J. M. Trice,
and the same is hereby, declared cancelled effective January 8, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
EMIL ESKILSON, 1105 WHIPPLE)
AVE., CANON CITY, COLORADO.)
)
)
)

PERMIT NO. C-16084.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Emil Eskilson,
requesting that Permit No. C-16084 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16084, heretofore issued to
Emil Eskilson, be,
and the same is hereby, declared cancelled effective January 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Winston
John R. Gentry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL H. MEKELBURG, 720-18th ST.,)
GREELEY, COLORADO.)
)
)
)

PERMIT NO. C-16758.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Carl H. Mekelburg,
requesting that Permit No. C-16758 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16758, heretofore issued to
Carl H. Mekelburg, be,
and the same is hereby, declared cancelled effective December 21, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
LEE GENTRY, d/b/a TRAILER)
VILLAGE TRAILER SALES, 5525)
W. COLFAX, DENVER 14, COLORADO.) PERMIT NO. C-17543.
)
)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Lee Gentry, d/b/a Trailer Village Trailer Sales,-----
requesting that Permit No. C-17543-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17543-----, heretofore issued to-----
Lee Gentry, d/b/a Trailer Village Trailer Sales,-----be,
and the same is hereby, declared cancelled effective January 8, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
SETH E. LANE, 1113 AVENUE F.,)
LUBBOCK, TEXAS)
)
)

PERMIT NO. C-18062.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Seth E. Lane,.....
requesting that Permit No. C-18062 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18062, heretofore issued to.....
Seth E. Lane,.....be,
and the same is hereby, declared cancelled effective December 21, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN C. AND BARBARA A. GILLI-)
LAND, BOX 512, GUNNISON, COLO.)
)
)
)

PERMIT NO. C-19673.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
John C. and Barbara A. Gilliland,
requesting that Permit No. C-19673 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19673, heretofore issued to.....
John C. and Barbara A. Gilliland,.....be,
and the same is hereby, declared cancelled effective January 13, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Berry

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
H. R. FOX, BOX 85, DEERTRAIL,)
COLORADO.) PERMIT NO. C-20122.
)
)
)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
H. R. Fox,
requesting that Permit No. C-20122 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20122, heretofore issued to
H. R. Fox,
and the same is hereby, declared cancelled effective January 13, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm C. Dickinson

Ralph C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
SELMAN M. McAFEE & CHARLES C.)
BEAGLE, DBA B & M TRUCKING CO.)
c/o SELMAN M. McAFEE, 650)
FEDERAL BLVD., DENVER 4, COLO.)

PERMIT NO. C-20266.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Selman M. McAfee & Charles C. Beagle, d/b/a B & M Trucking Co.,.....
requesting that Permit No. C-20266.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20266....., heretofore issued to.....
Selman M. McAfee & Charles C. Beagle, d/b/a B & M Trucking Co.,.....be,
and the same is hereby, declared cancelled effective December 21, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
E. L. SHEELEY, 315 GARFIELD ST.,)
LARAMIE, WYOMING.)
)
)
)

PERMIT NO. C-20513.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
E. L. Sheeley,
requesting that Permit No. C-20513 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20513, heretofore issued to.....
E. L. Sheeley,.....be,
and the same is hereby, declared cancelled effective January 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Maclaren Erickson

Ralph C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WALTER E. AVANTS, c/o OTIS)
WILLIS, 3450 LAFAYETTE,)
DENVER 5, COLORADO.)
-----)

PERMIT NO. C-16373.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Walter E. Avants,.....
requesting that Permit No. C-16373 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16373, heretofore issued to.....
Walter E. Avants,.....be,
and the same is hereby, declared cancelled effective January 16, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WALTER E. AVANTS, c/o OTIS)
WILLIS, 3450 LAFAYETTE,)
DENVER 5, COLORADO.)
PERMIT NO. B-3160.

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Walter E. Avants,
requesting that Permit No. B-3160 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3160, heretofore issued to.....
Walter E. Avants,.....be,
and the same is hereby, declared cancelled effective January 16, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
SOUTH DENVER COAL & FEED,)
301 KALEMATH, DENVER 9, COLO.) PERMIT NO. B-3740.
-----)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
South Denver Coal & Feed,-----
requesting that Permit No. B-3740-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3740-----, heretofore issued to
South Denver Coal & Feed,-----be,
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Montant
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BEE-LINE MOTOR FREIGHT, 115 N.) P. U. C. NO. 1465-I.
10th ST., OMAHA, NEBRASKA.)
-----)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Bee-Line Motor Freight, requesting that certificate of public con-
venience and necessity be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. PUC-1465-I, heretofore issued to
Bee-Line Motor Freight, be, and the same is hereby, declared cancelled
effective January 13, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.

Commissioners,

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NICK DI GIACOMO, 3427 OSAGE,) PERMIT NO. B-3744.
DENVER, COLORADO.)
-----)

January 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee, requesting that his Permit No. B-3744 be, suspended for six (6) months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Nick Di Giacomo be, and he is hereby, authorized to suspend his operations under Permit No. B-3744, until July 14, 1948.

That unless said Nick Di Giacomo shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Woodmont
John R. Berry
Commissioners.

Dated at Denver, Colorado,
this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LLOYD MUNDEE, CORTEZ, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 1689)
TO BOYD HALL, CORTEZ, COLORADO.)

APPLICATION NO. 8998-Transfer

January 21, 1948

S T A T E M E N T

By the Commission:

By Decision No. 27063, George N. Harlan was granted a certificate of public convenience and necessity authorizing him to operate as a common carrier by motor vehicle for hire for the transportation of:

passengers and their baggage, on call and demand, in taxicab service, in Cortez, Colorado, and between points within (and including) a radius of fifty miles of Cortez. In the conduct of said operations, applicant's equipment shall be limited to six-passenger automobiles, and, for transportation of passengers between points served by line-haul motor vehicle common carriers of passengers, rates shall be on the basis of 25¢ per mile one way, with fare and a half for round-trip for one passenger, with one-half fare extra for each passenger in addition to a single passenger -- either one way or round trip -- and \$2.00 per hour waiting time, except that no charge shall be made for transportation of children under six years of age when accompanied by a paying passenger, and children between the ages of six and twelve years, when accompanied by a paying passenger, shall be charged one-half fare, only,

said operating rights being designated "PUC No. 1689."

Thereafter, said George N. Harlan departed this life, and the District Court set over and transferred said PUC No. 1689 to Ottie E. Harlan, which action was approved by this Commission by Decision No. 29029, of date September 20, 1947, and by the same decision, said Ottie E. Harlan was authorized to transfer said operating rights to Lloyd Mundee, Cortez, Colorado.

By the instant application, said Lloyd Mundee seeks authority to transfer PUC No. 1689 to Boyd Hall, Cortez, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that passenger-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating right, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Lloyd Mundee, Cortez, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1689 -- being the authority granted by Decision No. 27063 -- to Boyd Hall, Cortez, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee, until changed according to law and the rules and regulations of the Commission.

That road tax deposit be transferred to account of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Winters

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

nmw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DOUGLAS SIZEMORE AND DOUGLAS M.)
CULTER, CO-PARTNERS, DOING BUSINESS)
AS "MOUNT EVANS MOTORWAY," IDAHO)
SPRINGS, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 1167 TO SALLY J.)
HAINES AND DALLAS HAINES, CO-)
PARTNERS, IDAHO SPRINGS, COLORADO.)

APPLICATION NO. 8827-Transfer
SUPPLEMENTAL ORDER

January 21, 1948

Appearances: Clement R. Hackethal, Esq.,
Idaho Springs, Colorado,
for Transferors.

S T A T E M E N T

By the Commission:

By Decision No. 29423, of date November 25, 1947, Douglas Sizemore and Douglas M. Culter, co-partners, doing business as "Mount Evans Motorway," Idaho Springs, Colorado, were authorized to transfer PUC No. 1167 to Sally J. Haines and Dallas Haines, co-partners, Idaho Springs, Colorado.

The Commission is now in receipt of "Petition to Vacate Decision No. 29423" filed by Clement R. Hackethal, in behalf of Douglas Sizemore and Douglas Culter, stating that transferees failed to fulfill certain terms and conditions of agreement entered into for the purchase of PUC No. 1167, and asking that the Commission set aside said Decision No. 29423, authorizing transfer thereof, and that said PUC No. 1167 be restored to Douglas Sizemore and Douglas M. Culter, co-partners, doing business as "Mount Evans Motorway," Idaho Springs, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That petition of transferors should be granted.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 29423, of date November 25, 1947, authorizing transfer of PUC No. 1167 from Douglas Sizemore and Douglas M. Culter, co-partners, doing business as "Mount Evans Motorway," Idaho Springs, Colorado, to Sally J. Haines and Dallas Haines, co-partners, Idaho Springs, Colorado, be, and the same hereby is, set aside, vacated, and held for naught, and that the records and files of the Commission be changed to show that Douglas Sizemore and Douglas Culter, co-partners, doing business as "Mount Evans Motorway," Idaho Springs, Colorado, are the owners of said PUC No. 1167.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hottel

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

MMW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
AL RICHARDSON, 2839 WEST HOWARD)
PLACE, DENVER, COLORADO, FOR A CLASS) APPLICATION NO. 8999-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

January 21, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Al Richardson, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials

used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hahn

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GUY L. JONES, 221 PARK STREET, FORT)
MORGAN, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 9000-PP

January 21, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of wet beet pulp over U. S. Highways Nos. 34 and 6 to junction with Colorado Highway No. 144, thence on Colorado Highway No. 144 to Orchard, Colorado; manure from one mile north and one mile west of Brush, thence four miles west and north one mile on Dodd Bridge Road.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Guy L. Jones, Fort Morgan, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of wet beet pulp over U. S. Highways Nos. 34 and 6 to junction with Colorado Highway No. 144, thence via Colorado High-

way No. 144 to Orchard, Colorado; manure from one mile north and one mile west of Brush, thence four miles west and north one mile on Dodd Bridge Road.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Robert C. Norton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of January, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK W. VAIL, NUCLA, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 9001-PP.
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

January 21, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and ore, from point to point within a radius of fifty miles of Nucla, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Frank W. Vail, Nucla, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and ore, from point to point within a radius of fifty miles of Nucla, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Maabon Erickson
Ralph C. Water
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 21st day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WELD AIRCRAFT, INC., BOX 1043,)
GREELEY, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 8906.
OF PUBLIC CONVENIENCE AND NECESSITY.)
-----)

January 21, 1948

Appearances: Robert Houtchens, Esq.,
Greeley, Colorado, for
applicant;
Carlson and Dewey, Esqs.,
Greeley, Colorado, for
Modern Air Service, Inc.;
Don W. Vest, 4600 Cahalia St.,
Denver, Colorado, for
Vest Aircraft and Finance
Company.

S T A T E M E N T

By the Commission:

On October 29, 1947, Weld Aircraft, Inc., a Colorado corporation, filed an application for a certificate of public convenience and necessity for authority to transport persons and property, not on schedule, but on call and demand, between Greeley and all points in the State of Colorado.

The matter, pursuant to prior setting, and after appropriate notice to all parties in interest, was set for hearing, and heard in the Court House in Greeley, Colorado, on Thursday, December 11, 1947, and was there taken under advisement.

At the hearing, applicant asked to amend its application as follows:

Transportation of passengers and property, not on schedule, but on call and demand, between all points in the State of Colorado.

This amendment was permitted, there being no objection by parties appearing at the hearing.

Witnesses testified in support of the application as to the need for call and demand transportation service by airplane. It appeared that applicant company has had long experience in the operation and maintenance of aircraft, and has assets in the amount of \$45,300.00; that it operates 14 airplanes and is presently employing 3 experienced and qualified pilots, and has satisfactory shop facilities.

It further appeared that applicant is presently carrying all types of insurance required for the protection of passengers, pilots, equipment, and the public, and proposes to charge reasonable rates for service, which service will be non-competitive with service afforded by airplanes serving over fixed routes on schedule.

It was suggested at prior hearings that applicant should not be authorized to serve generally between points in the State of Colorado; that all flights should originate, or terminate, at base, or within a comparatively small radius of base.

It would seem that this might unduly restrict the operations of carriers; that they would not be able to satisfy the demands of the public or the needs of their customers who might desire to be moved from a number of points in the State -- all of said service being in line with the needs of customer when the charter was arranged. However, it does seem proper to limit the number of offices that may be maintained by carriers furnishing non-scheduled services -- at least those carriers who do not now maintain offices at other points. Their opportunities to solicit business at points other than base of operation would be limited thereby. This arrangement should afford an opportunity, generally speaking, for operators to get the business originating in their particular districts, and at the same time allow sufficient elasticity to permit carriers to provide adequate service for their customers and the public, generally.

The question of the right of the Commission to issue, and the propriety and necessity of issuing, certificates of public convenience

and necessity for air operations -- particularly feeder lines -- was discussed at length in Decision No. 22444 (Application No. 6546), being the application of L. E. Smith and William C. Nevin, doing business as "Pueblo Air Service," for certificate of public convenience and necessity, which, by reference, is made a part hereof. We there recognized the fact that interstate for-hire air operations, on schedule, had been well regulated and supervised by The Civil Aeronautics Authority, and the Civil Aeronautics Board. Apparently, they do not have -- or at least have not exercised -- jurisdiction over strictly intrastate air operations, except for operations over federal airways, the granting of pilots licenses, and the airworthiness of planes. They have not provided any general rules and regulations applicable strictly to that type of flying. We there said:

"While we would gladly leave the matter of safety regulations for operation of intrastate airlines to the federal authorities if they could, under the law, assume burden, we believe that if it is shown that public convenience and necessity require the operation, and if applicant is fit, willing, and able to perform the proposed air transportation properly, and to conform to the provisions of the Public Utilities Act of the State of Colorado, and such rules, regulations, and requirements as we may adopt or impose, it becomes the duty of the Commission under the law to grant certificates.

"We believe it is obvious that the safety rules and regulations developed by the Civil Aeronautics Board, over a period of years, which are based on experience, generally speaking, assure the public of a maximum of safety in operation. Therefore, it would seem to be desirable * * * to require the applicant to comply with the Civil Air Regulations of the Civil Aeronautics Board governing operations, with particular regard to safety and insurance, until we determine what local rules and regulations should be adopted, with the privilege of applying to us for a certificate of exemption from compliance with such rules and regulations as applicant may believe should be eliminated."

The considered operations in Application No. 6546 were "trunk line," or "line-haul" operations on schedule, over a fixed route, serving fixed points, and not "call and demand" or "charter" service, as here proposed. However, it would seem that the same considerations should

be controlling. The primary inherent advantage of air transportation service over that afforded by rail, bus, or private car, lies in its higher speed and ability to travel between points in a more or less direct line with a comparatively small investment in the way of facilities to aid in traversing the course, as compared with the expense encountered by land carriers in providing railroad and highway rights-of-way and developing them for the operation of equipment in the transportation of passengers and property. The public -- perhaps to less extent -- will benefit from call and demand service, but such service will satisfy to a considerable extent demand for expedited transportation which cannot be obtained from land carriers or is not available at the time required over the lines of air carriers operating on schedule. The testimony showed a distinct need for air passenger and freight service in emergencies, for the conduct of wild life surveys, control and eradication, for U. S. Forest and Grazing Service patrols and surveys, for fire patrols, for oil field mapping, for crop dusting, range surveys, and cattle count by farmers and ranchers, for sightseeing and recreational service, etc. Also, it will make long distance travel by air more accessible. There is no point in requiring a resident of Greeley to travel to Denver by bus, auto, or train to board a plane for New York, when he can charter a plane and reach Denver in a few minutes. Where economically feasible, every community in the state is entitled to air transportation. This should be by "trunk line" on schedule, if possible, and where such trunk line service is available, a continuation of its passenger, express and mail service for the public should be assured by such proper restrictions on call and demand service as will prevent ruinous competition. True, the volume of call and demand passenger traffic will not be high. Revenue obtained from air express and air freight, initially, will be small. Hauls of both passengers and property will be short, although volume and greater distance may be attained in time. Such operators will not have benefit of mail revenue, and therefore must effect all possible economies of operation consistent

with safe, efficient, and adequate service. It should be possible to use smaller planes -- even single-engine equipment -- where required safety considerations permit. Co-pilots and other personnel required in operation of trunk line service will not be required. It will not be necessary to maintain depots for passengers and other economies can be attained without elimination of adequate standards of comfort and convenience for passengers. Planes will be operated only when business is available, and in view of nature of service, higher charges therefor will be just and reasonable. Too, many of the operators will obtain additional revenue from flying school, student instruction, etc., which will make possible better ground and maintenance facilities, it being contemplated by the Commission that insofar as nature of operation will permit, call and demand or charter service must conform to the standards of the Civil Aeronautics Act.

We therefore find that the applicant is a common carrier of passengers and freight in intrastate commerce, and as such is subject to the jurisdiction of this Commission; that existing means of transportation in the area embraced in this proceeding would be substantially improved by the inauguration of the proposed non-scheduled air service of applicant; that it is not desirable to withhold the authority sought at this time, or to postpone the institution of the proposed service until such time as the federal authorities may be given jurisdiction thereof, and/or elect to assume such jurisdiction if such control is desirable; that public convenience and necessity require the authorization of air transportation of persons and property by applicant, as proposed; that applicant is fit, willing, and able to perform the proposed air transportation properly, and to conform to our rules, regulations, and requirements -- present or future -- including those rules and regulations of the Civil Aeronautics Board which we may adopt, and conclude that certificate of public convenience and necessity should issue therefor, subject, however, to the conditions and restrictions set forth in the Order following, which, in the opinion of the Commission, the public interest requires.

O R D E R

Upon consideration of the evidence of record, the Commission, having issued the foregoing Statement and Findings of Fact, which are hereby referred to and made a part hereof, by reference,

IT IS ORDERED: That present and future public convenience and necessity require, and will require, the proposed non-scheduled operations of applicant; that applicant should be authorized to operate as a common carrier by airplane in intrastate and interstate commerce for the transportation of passengers and property, not on schedule, but on call and demand, between all points in the State of Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

Except with consent of the Commission first had and obtained, applicant shall not establish an office or branch for the purpose of developing business at any town, place, or city other than Greeley, Colorado.

The exercise of the privileges granted by this certificate shall be subject to the rules, regulations, and requirements of this Commission, and such other terms, conditions and limitations as may, from time to time, be prescribed by it; that said applicant, at all times, shall comply with all the provisions of the laws of the State of Colorado relating to air operations or transportation, and all Civil Air Regulations of the Civil Aeronautics Board which now are, or hereafter shall be, in effect, relating to safety measures and liability insurance for common carriers of passengers or property by air, provided that applicant may, if it considers any of the said Civil Air Regulations, as applied to its proposed operations, to be unduly burdensome or unreasonable, apply to this Commission for exemption from such particular regulation, and upon the granting of said exemption, shall be relieved from compliance therewith.

Applicant shall file its tariffs, rate schedules, and rules and regulations, as required by this Commission, within thirty (30) days from

the date hereof, and such rates so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, shall be at least fifty percent greater per passenger than the effective rates of fixed-route carriers by air so operating on schedule between said points.

Jurisdiction is hereby retained of this application and operations under the certificate herein granted, to the end that such further order, or orders, as to the Commission may seem proper, may be entered herein, if the Commission deems advisable.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 21st day of January, 1948.

es

original

(Decision No. 29796)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
MODERN AIR SERVICE, INC., GREELEY,
COLORADO, FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY.
-----)

APPLICATION NO. 8907.

January 21, 1948

Appearances: Carlson and Dewey, Esqs.,
Greeley, Colorado, for
applicant;
Robert Houtchens, Esq.,
Greeley, Colorado, for
Weld Aircraft, Inc.;
Don W. Vest, 4600 Dahlia St.,
Denver, Colorado, for
Vest Aircraft and Finance
Company.

S T A T E M E N T

By the Commission:

On October 30, 1947, Modern Air Service, Inc., a Colorado corporation, filed an application for a certificate of public convenience and necessity for the transportation of persons and property, not on schedule, from, to and between all points in the State of Colorado.

The matter, pursuant to prior setting, and after appropriate notice to all parties in interest, was set for hearing, and heard, at the Court House in Greeley, Colorado, on Thursday, December 11, 1947, and was there taken under advisement.

The evidence disclosed that applicant is a corporation, duly organized under the laws of the State of Colorado, and has its principal office at Greeley, Colorado.

Applicant proposes to establish, maintain and operate a call and demand service for the transportation of persons and property by airplane.

It further appeared that applicant company has been, and is now, in existence, and conducting the business of maintenance and operation of aircraft, and instruction of aircraft pilots, and it employs persons of long experience, and ability; that applicant is financially responsible, and will use adequate, proper, safe, and suitable airplane equipment for the conduct of the proposed service; that applicant company presently owns airplanes which are duly certified by the Civil Aeronautics Authority, and will purchase additional airplanes or equipment when the service demands.

Applicant is presently carrying all types of insurance required for the protection of passengers, pilots, equipment, and the public, and proposes to charge reasonable rates for service, which service will be non-competitive with services afforded by airlines serving over fixed routes and schedules.

It was suggested at prior hearings that applicant should not be authorized to serve generally between points in the State of Colorado; that all flights should originate, or terminate, at base, or within a comparatively small radius of base.

It would seem that this might unduly restrict the operations of carriers; that they would not be able to satisfy the demands of the public or the needs of their customers who might desire to be moved from a number of points in the State -- all of said service being in line with the needs of customer when the charter was arranged. However, it does seem proper to limit the number of offices that may be maintained by carriers furnishing non-scheduled services -- at least those carriers who do not now maintain offices at other points. Their opportunities to solicit business at points other than base of operation would be limited thereby. This arrangement should afford an opportunity, generally speaking, for operators to get the business originating in their particular districts, and at the same time allow sufficient elasticity to permit carriers to provide adequate service for their customers and the public, generally.

The question of the right of the Commission to issue, and the propriety and necessity of issuing, certificates of public convenience and necessity for air operations — particularly feeder lines — was discussed at length in Decision No. 22444 (Application No. 6546), being the application of L. F. Smith and William C. Nevin, doing business as "Pueblo Air Service," for certificate of public convenience and necessity, which, by reference, is made a part hereof. We there recognized the fact that interstate for-hire air operations, on schedule, had been well regulated and supervised by The Civil Aeronautics Authority, and the Civil Aeronautics Board. Apparently, they do not have — or at least have not exercised — jurisdiction over strictly intrastate air operations, except for operations over federal airways, the granting of pilots licenses, and the airworthiness of planes. They have not provided any general rules and regulations applicable strictly to that type of flying. We there said:

"While we would gladly leave the matter of safety regulations for operation of intrastate airlines to the federal authorities if they could, under the law, assume burden, we believe that if it is shown that public convenience and necessity require the operations, and if applicant is fit, willing, and able to perform the proposed air transportation properly, and to conform to the provisions of the Public Utilities Act of the State of Colorado, and such rules, regulations, and requirements as we may adopt or impose, it becomes the duty of the Commission under the law to grant certificates.

"We believe it is obvious that the safety rules and regulations developed by the Civil Aeronautics Board, over a period of years, which are based on experience, generally speaking, assure the public of a maximum of safety in operation. Therefore, it would seem to be desirable * * * to require the applicant to comply with the Civil Air Regulations of the Civil Aeronautics Board governing operations, with particular regard to safety and insurance, until we determine what local rules and regulations should be adopted, with the privilege of applying to us for a certificate of exemption from compliance with such rules and regulations as applicant may believe should be eliminated."

The considered operations in Application No. 6546 were "trunk line," or "line-haul" operations on schedule, over a fixed route, serving

fixed points, and not "call and demand" or "charter" service, as here proposed. However, it would seem that the same considerations should be controlling. The primary inherent advantage of air transportation service over that afforded by rail, bus, or private car, lies in its higher speed and ability to travel between points in a more or less direct line with a comparatively small investment in the way of facilities to aid in traversing the course, as compared with the expense encountered by land carriers in providing railroad and highway rights-of-way and developing them for the operation of equipment in the transportation of passengers and property. The public — perhaps to less extent — will benefit from call and demand service, but such service will satisfy to a considerable extent demand for expedited transportation which cannot be obtained from land carriers or is not available at the time required over the lines of air carriers operating on schedule. The testimony showed a distinct need for air passenger and freight service in emergencies, for the conduct of wild life surveys, control and eradication, for U. S. Forest and Grazing Service patrols and surveys, for fire patrols, for oil field mapping, for crop dusting, range surveys, and cattle count by farmers and ranchers, for sightseeing and recreational service, etc. Also, it will make long distance travel by air more accessible. There is no point in requiring a resident of Greeley to travel to Denver by bus, auto, or train to board a plane for New York, when he can charter a plane and reach Denver in a few minutes. Where economically feasible, every community in the state is entitled to air transportation. This should be by "trunk line" on schedule, if possible, and where such trunk line service is available, a continuation of its passenger, express and mail service for the public should be assured by such proper restrictions on call and demand service as will prevent ruinous competition. True, the volume of call and demand passenger traffic will not be high. Revenue obtained from air express and air freight, initially, will be small. Hauls of both passengers and property will be short, although volume and greater distance may be attained in time.

Such operators will not have benefit of mail revenue, and therefore must effect all possible economies of operation consistent with safe, efficient, and adequate service. It should be possible to use smaller planes -- even single-engine equipment -- where required safety considerations permit. Co-pilots and other personnel required in operation of trunk line service will not be required. It will not be necessary to maintain depots for passengers and other economies can be attained without elimination of adequate standards of comfort and convenience for passengers. Planes will be operated only when business is available, and in view of nature of service, higher charges therefor will be just and reasonable. Too, many of the operators will obtain additional revenue from flying school, student instruction, etc., which will make possible better ground and maintenance facilities, it being contemplated by the Commission that insofar as nature of operation will permit, call and demand or charter service must conform to the standards of the Civil Aeronautics Act.

We therefore find that the applicant is a common carrier of passengers and freight in intrastate commerce, and as such is subject to the jurisdiction of this Commission; that existing means of transportation in the area embraced in this proceeding would be substantially improved by the inauguration of the proposed non-scheduled air service of applicant; that it is not desirable to withhold the authority sought at this time, or to postpone the institution of the proposed service until such time as the federal authorities may be given jurisdiction thereof, and/or elect to assume such jurisdiction if such control is desirable; that public convenience and necessity require the authorization of air transportation of persons and property by applicant, as proposed; that applicant is fit, willing, and able to perform the proposed air transportation properly, and to conform to our rules, regulations, and requirements -- present or future -- including those rules and regulations of the Civil Aeronautics Board which we may adopt, and conclude that certificate of public convenience and necessity should issue therefor, subject, however, to the conditions and

restrictions set forth in the Order following, which, in the opinion of the Commission, the public interest requires.

O R D E R

Upon consideration of the evidence of record, the Commission, having issued the foregoing Statement and Findings of Fact, which are hereby referred to and made a part hereof, by reference,

IT IS ORDERED: That present and future public convenience and necessity require, and will require, the proposed non-scheduled operations of applicant; that applicant should be authorized to operate as a common carrier by airplane in intrastate and interstate commerce for the transportation of passengers and property, not on schedule, but on call and demand, between all points in the State of Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

Except with consent of the Commission first had and obtained, applicant shall not establish an office or branch for the purpose of developing business at any town, place, or city other than Greeley, or Pierce, Colorado.

The exercise of the privileges granted by this certificate shall be subject to the rules, regulations, and requirements of this Commission, and such other terms, conditions and limitations as may, from time to time, be prescribed by it; that said applicant, at all times, shall comply with all the provisions of the laws of the State of Colorado relating to air operations or transportation, and all Civil Air Regulations of the Civil Aeronautics Board which now are, or hereafter shall be, in effect, relating to safety measures and liability insurance for common carriers of passengers or property by air, provided that applicant may, if it considers any of the said Civil Air Regulations, as applied to its proposed operations, to be unduly burdensome or unreasonable, apply to this Commission for exemption from such particular regulation, and upon the granting of said exemption, shall be relieved from compliance therewith.

Applicant shall file its tariffs, rate schedules, and rules and regulations, as required by this Commission, within thirty (30) days from the date hereof, and such rates so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, shall be at least fifty percent greater per passenger than the effective rates of fixed-route carriers by air so operating on schedule between said points.

Jurisdiction is hereby retained of this application and operations under the certificate herein granted, to the end that such further order, or orders, as to the Commission may seem proper, may be entered herein, if the Commission deems advisable.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Melvin Erickson

Ralph C. Hutton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 21st day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
C. J. MOBERLY AND HARRY E. MEININGER,
DOING BUSINESS AS "THE SAN MIGUEL
STAGES," AND P. C. MOSHISKY, RECEIVER
OF THE PROPERTY AND ASSETS OF C. J.
MOBERLY AND HARRY E. MEININGER, DOING
BUSINESS AS "THE SAN MIGUEL STAGES,"
TO TRANSFER PERMIT A-381 TO BURTIS
BROS. AND HARTMAN BROS., MONTROSE,
COLORADO.

APPLICATION NO. 8932-22-Transfer.

January 21, 1948

Appearances: Moynihan-Hughes-Sherman, Esqs.,
Montrose, Colorado, for
Burtis Bros. and Hartman Bros.
Bryant, Petrie & Brooks, Esqs.,
Montrose, Colorado, for
Glen H. Oakes, Receiver for
C. J. Moberly and Harry Meininger,
DBA The San Miguel Stages;
R. E. Turano, Denver, Colorado,
for Rio Grande Motor Way;
Gary A. Stern, Denver, Colorado,
for Larson Transportation Company.

STATEMENT

By the Commission:

By Decision No. 19268, the Commission limited the operations
under Permit No. A-381, over the following routes and the following named
points, to-wit:

Montrose to Denver via U. S. Highways Nos.
50, 85, 285, 6, and 24, and State Highway
No. 91, except that portion of U. S. Highway
24 between Antero Junction and Colorado Springs.

On November 3, 1947, P. C. Moshisky, the then Receiver for
The San Miguel Stages, filed an application wherein he seeks authority
to transfer Private Carrier Permit No. A-381 to Carl A. Burtis, H. G.
Burtis, F. J. Hartman, S. C. Hartman, Clifford J. Hartman and Harold C.
Hartman, doing business as Burtis Bros. and Hartman Bros., a co-partnership,
of Montrose, Colorado.

At the hearing in Denver, Colorado, on December 19, 1947, it
appeared that the consideration for the transfer of said permit is the
sum of \$1,000.00.

The evidence disclosed that C. J. Moberly and Harry Meininger, doing business as "The San Miguel Stages," the record-owners of Private Carrier Permit No. 4-381, were thrown into a receivership in the District Court of Montrose County, and that P. C. Moshisky was duly appointed by the Court as Receiver for the above estate; that said Receiver was ordered by the Court to liquidate the assets of said estate, and has received an offer of \$1,000.00 for the above-named permit; that the District Court of Montrose County has approved said sale and the Receiver is now asking the Commission to authorize said transfer.

The evidence further discloses that P. C. Moshisky has resigned, and has been discharged by the District Court of Montrose County, and that Glen H. Oakes, of Montrose, Colorado, has been appointed as Receiver in place and instead of P. C. Moshisky.

It further appeared that transferees have entered into a co-partnership, such partnership to be known as Burtis Bros. and Hartman Bros.; a copy of their co-partnership agreement is Exhibit No. 1 in this matter, and that the partnership has a net worth of \$16,050.00, and is well qualified by experience to operate a private carrier permit.

A large number of unpaid claims are on file with the Commission against the operations of The San Miguel Stages, but inasmuch as the District Court of Montrose County has taken over the liquidation of the operation of The San Miguel Stages, and it appeared to the Court, which authorized the sale, that the price offered for said permit is fair and just, we can see no good reason why said transfer should not be authorized.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

ORDER

THE COMMISSION ORDERS:

That Glen H. Oakes, the duly appointed and qualified Receiver for The San Miguel Stages, be, and he hereby is, authorized to transfer all

the right, title, and interest of C. J. Moberly and Harry Meininger, doing business as "The San Miguel Stages," in and to Private Carrier Permit No. A-381, to Carl A. Burtis, H. G. Burtis, F. J. Hartman, Clifford J. Hartman and Harold C. Hartman, doing business as "Burtis Bros. and Hartman Bros.," a co-partnership, of Montrose, Colorado.

That the right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Harold C. Holton
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 21st day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAKE VANNORSDEL, 134 NO. SHIELDS) CASE NO. 40631-INS.
STREET, FORT COLLINS, COLORADO.) (Permit No. C-12471)
-----)

January 22, 1948

S T A T E M E N T

By the Commission:

On January 9, 1948, in Case No. 40631-Ins., the Commission entered an order revoking Permit No. C-12471, for failure to keep on file effective insurance.

However, since insurance is now on file, and within the five day period of grace, allowed in the order, the order of revocation should be set aside, and the permit placed in good standing.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40631-Ins., should be cancelled and set aside and said Permit No. C-12471 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40631-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-12471 restored to its former status as of January 9, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hinton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 22nd day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO)
FOR A CERTIFICATE OF PUBLIC CONVEN-) APPLICATION NO. 8994.
IENCE AND NECESSITY TO EXERCISE)
FRANCHISE RIGHTS IN THE TOWN OF)
PALISADE, COUNTY OF MESA, STATE OF)
COLORADO.)
-----)

January 22, 1948

Appearances: Lee, Shaw and McCreery, Esqs.,
Denver, Colorado, and
Charles J. Kelly, Esq., Denver,
Colorado, for applicant;
C. L. Flower, Denver, Colorado,
for The Public Utilities Commission
of the State of Colorado.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Palisade, Colorado.

On the 11th day of February, 1947, Ordinance No. 148 was passed by the Board of Trustees of said town, and approved by its Mayor, granting to applicant, its successors and assigns, a franchise to, and the right, privilege and authority to erect, construct, maintain, and operate a substation or substations, electric light and power plants, transmission lines, and a distribution system for the distribution and sale of electricity within the corporate limits of the Town of Palisade, Mesa County, Colorado, said franchise right to be for a term of 20 years from and after its passage and approval.

At the hearing, which was held in Denver, Colorado, on the 15th day of January, 1948, it was developed that applicant is a corporation, duly

organized and existing under the laws of the State of Colorado, and doing business as a public utility; that its principal office and post office address is in the City and County of Denver, Colorado; that, generally, it is authorized and empowered, under its certificate of incorporation, to engage in the business of generating, transmitting and distributing electrical energy to numerous cities, towns and communities in diverse counties of the state, for heat, light, power, and other purposes; that a certified copy of its Articles of Incorporation is on file with this Commission; that it is the only utility engaged in furnishing electricity in said town of Palisade and vicinity.

It also appeared that prior to the passage of said Ordinance No. 148, and subsequent to the 12th day of July, 1927, applicant operated in said town, pursuant to Ordinance No. 83, passed and approved on the 12th day of July, 1927, by the officers of said town, and pursuant to a certificate of public convenience and necessity granted by this Commission on June 24, 1927, Decision No. 1342, a supplementary, clarifying and confirmatory certificate of public convenience and necessity, being granted on June 8, 1946, Decision No. 27071, said certificate of public convenience and necessity being made a part hereof by reference.

Applicant, on the 20th day of February, 1947, formally accepted Ordinance No. 148. No additional investment is contemplated, and applicant has not invested any sums in additional plant or other construction in the town since and granting of certificates by Decisions Nos. 1342 and 27071.

No one appeared in opposition to the granting of the certificate sought.

F I N D I N G S

THE COMMISSION FINDS:

That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to

it by the Board of Trustees of the Town of Palisade, County of Mesa,
State of Colorado, in Ordinance No. 148.

ORDER

THE COMMISSION ORDERS:

That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Palisade, Mesa County, State of Colorado, in and by Ordinance No. 148, copy of which is attached to the application herein and which, by reference is made a part hereof, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classifications of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hinton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 22nd day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PUBLIC SERVICE COMPANY OF COLORADO
FOR A CERTIFICATE OF PUBLIC CONVEN-
IENCE AND NECESSITY TO EXERCISE
FRANCHISE RIGHTS IN THE TOWN OF
WINDSOR, COUNTY OF WELD, STATE OF
COLORADO, FOR THE PURCHASE, MANU-
FACTURE, GENERATION, TRANSMISSION,
DISTRIBUTION AND SALE OF ELECTRICAL
ENERGY AND GAS.

APPLICATION NO. 8996.

January 22, 1948

Appearances: Lee, Shaw and McCreery, Esqs.,
Denver, Colorado, and
Charles J. Kelly, Esq., Denver,
Colorado, for applicant;
G. L. Flower, Denver, Colorado,
for The Public Utilities Com-
mission of the State of Colorado.

STATEMENT

By the Commission:

This is an application for a certificate of public convenience and necessity authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Windsor, Colorado.

On the 8th day of September, 1947, Ordinance No. N. S. 247 was passed by the Board of Trustees of said town, and approved by its Mayor, granting to applicant, its successors and assigns, a franchise to locate, build, construct, acquire, purchase, extend, maintain, and operate into, within and through said town of Windsor, Weld County, Colorado, a plant, or plants, and works for the purchase, manufacture, generation, transmission, and distribution of electrical energy, and gas --- either natural, artificial or mixed --- said franchise to be for a term of twenty-five years from and after its passage and approval.

At the hearing, which was held in Denver on the 15th day of January, 1948, it was developed that applicant is a corporation duly

organized and existing under the laws of the State of Colorado, and doing business as a public utility; that its principal office and post office address is in the City and County of Denver, Colorado; that, generally, it is authorized and empowered, under its certificate of incorporation, to engage in the business of generating, transmitting, and distributing electrical energy; also, the purchase, manufacture, distribution and sale of gas to numerous cities, towns and communities in diverse counties of the state, for heat, light, power, and other purposes; that a certified copy of its Articles of Incorporation is on file with this Commission; that it is the only public utility engaged in furnishing electricity and gas in said town of Windsor and vicinity.

It also appeared that prior to the passage of said Ordinance No. N. S. 247, and subsequent to the 9th day of July, 1928, applicant operated in said town pursuant to an Ordinance No. 170, passed and approved on said 9th day of July, 1928, by the proper officers of said town (the term of which has not expired) and was engaged in the business of transmitting and distributing electricity to the town of Windsor, and the inhabitants thereof; and that the applicant has been, and now is, supplying electrical service in the territory adjacent to said town.

Applicant, on the 15th day of September, 1947, formally accepted Ordinance No. N. S. 247; that applicant contemplates the construction of a gas distribution system, which will cost \$71,400.00, in the Town of Windsor in order to furnish gas service, either natural, artificial or mixed, to the Town of Windsor, and the inhabitants thereof, and in the vicinity thereto. Natural gas of said distribution will be made available by an extension of the gas transmission lines supplying gas for resale to the Public Service Company of Colorado.

No one appeared in opposition to the granting of the certificate sought.

FINDINGS

THE COMMISSION FINDS:

That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Windsor, County of Weld, State of Colorado, in Ordinance No. N. S. 247.

ORDER

THE COMMISSION ORDERS:

That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Windsor, Weld County, State of Colorado, in and by Ordinance No. N. S. 247, copy of which is attached to the application herein, and which, by reference, is made a part hereof, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classifications of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Holton
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 22nd day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GLENN HIGGINS, OF ERIE, COLORADO,)
FOR AN EXTENSION OF HIS PERMIT NO.) APPLICATION NO. 8924-PP-Extension.
B-3731.)
-----)

January 22, 1948

Appearances: Glenn Higgins, Erie,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On November 24, 1947, the applicant herein filed his application for an extension of his Permit No. B-3731, to include the transportation of coal from mines in northern Colorado coal fields to the City of Boulder, the City of Denver, and to the Rocky Mountain Arsenal near Denver, and farm produce from farms within a radius of 30 miles of Erie, to markets and storage in said area.

The matter was set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on January 16, 1948, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of Private Carrier Permit No. B-3731, with authority as follows:

Transportation of coal from mines in the northern Colorado coal fields to Valmont Plant of Public Service Company near Boulder, Colorado, and to Great Western Sugar Company plants in Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado.

Applicant is presently hauling coal for the Clayton Coal Company, and they have requested his services for delivery of coal from Boulder to Denver; he is presently operating one 1947, 1½-ton GMC truck.

He would like to haul farm produce within a thirty mile radius of Erie, and particularly desires to haul livestock. He states, however, that he has no customers for hauling of livestock but would like to be in a position to handle same, if requested. However, no witnesses appeared before the Commission stating that they would use applicant's service, or that the service in the Erie territory was inadequate.

Inasmuch as common carriers have not objected to the hauling of coal and farm produce, excluding livestock, in the past, the Commission cannot see where the granting of that portion of his application would impair the service of common carriers now authorized to serve the area.

Concerning livestock, common carriers are protesting this type of service, and as applicant failed to show that the present service is inadequate, or that he had customers who needed, or would use, his service, we cannot see where authority should be granted for this type of service.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application of Higgins, as hereinafter limited, should be granted.

ORDER

THE COMMISSION ORDERS:

That Glenn Higgins, of Erie, Colorado, be, and he hereby is, authorized to extend his operations under Private Carrier Permit No. B-3731, to include the transportation of coal from mines in northern Colorado coal fields to the City of Boulder, the City of Denver, and to the Rocky Mountain Arsenal near Denver, and farm produce, excluding livestock, from farms within a radius of 30 miles of Erie, to markets and storage in the above area.

That this order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Robert C. Hahn
John B. Barry
Commissioners.

Dated at Denver, Colorado,
this 22nd day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PROPOSED INCREASE IN WATER RATES
OF THE TOWN OF FIRESTONE, COLORADO,
FOR USERS OUTSIDE THE TOWN LIMITS.

INVESTIGATION AND SUSPENSION

DOCKET NO. 278

January 20, 1948

S T A T E M E N T

By the Commission:

IT APPEARING, That on August 29, 1947, the Town of Firestone, Colorado, by Benjamin A. Woodcock, its attorney, filed a proposed rate schedule, to become effective on and after October 1, 1947, for the water service rendered to users outside the limits of said town, the increase in the residence service being 25 per cent. for domestic service, with a prohibition for use for all other than domestic service;

IT FURTHER APPEARING, That, by Decision No. 29140, of September 25, 1947, the Commission suspended the effective date of the proposed increase for a period of one hundred and twenty (120) days from September 25, 1947, or until January 23, 1948, unless otherwise ordered;

IT FURTHER APPEARING, That a complete investigation by the Commission cannot be made prior to January 23, 1948, the Commission finds that the effective date should be further suspended.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed schedule be further suspended for a period of one hundred and twenty (120) days from January 23, 1948, or until May 27, 1948, unless otherwise ordered.

That the proposed rate increase and financial status and physical condition of the property of the Town of Firestone, as it pertains to the users outside of the municipal boundaries thereof, be made a subject of investigation by the Commission within said period of suspension, or such further time as the same may be lawfully suspended.

That a copy of this order be filed with the aforesaid proposed rate schedule, and compliance therewith, and copies hereof be forthwith served on Benjamin A. Woodcock, Fort Lupton, Colorado, Attorney for said town, the Mayor of Firestone, Colorado, and Al Tesone, Frederick, Colorado, for the complainants.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Frank C. Hobbs

John R. Barry
Commissioners

DATED at Denver, Colorado,
this 20th day of January, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO RAILROADS FOR INCREASES IN)
INTRASTATE RATES AND CHARGES AND)
PASSENGER FARES, IN LINE WITH IN-)
CREASES IN INTERSTATE RATES AND)
CHARGES AND PASSENGER FARES AND)
CHANGES AUTHORIZED BY THE INTER-)
STATE COMMERCE COMMISSION IN)
DOCKETS EX PARTE 148 AND 162.)

APPLICATIONS NOS. 5819
AND 8087

January 20, 1948

Appearances: W. M. Campbell, Esq., and T. K. Earley,
Denver, Colorado, for D&RGW RR Co.
and all Colorado Lines in general;
J. L. Goree, Esq., and Wm. V. Hodges,
Esq., Denver, Colorado, for CRI&P Ry.
Co.;
James M. Bann, 601 17th St., Denver,
Colorado, for CRI&P Ry. Co.
Al W. Pagel, Assistant Traffic Mgr.,
Armour & Co., Denver, Colorado;
Lowe P. Siddons, Esq., and J. R.
Copeland, Colorado Springs, Colo-
rado, for Holly Sugar Company;
Caldwell Martin, Esq., and M. P. Hester,
Denver, Colorado, for Great Western
Sugar Company;
Frank J. Rebhan, Denver, Colorado, for
American Crystal Sugar Company;
W. W. Anderson, Denver, Colorado, for
Dorr Company and Colorado Shippers
Conference;
T. C. Taylor, Denver, Colorado, for
Ideal Cement Company;
Don I. McCarl, Denver, Colorado, for
Colorado Potato Growers Exchange;
T. J. Fitzgerald, Denver, Colorado, for
Lumber Dealers, Inc.;
R. L. Ellis, Denver, Colorado, for
Kuner-Tompson Company;
Ray Lentz, Denver, Colorado, for
Swift & Company;
E. Robert Baker, Denver, Colorado, for
Motor Truck Common Carriers Ass'n;
J. W. Hawley, Esq., and T. S. Wood, Denver,
Colorado, for The Public Utilities
Commission of the State of Colorado.

S T A T E M E N T

By the Commission:

On January 13, 1947, Decision No. 27316, the Commission entered its order in the above-numbered applications, authorizing petitioners herein authority to increase the rates to the same extent as was authorized by the Interstate Commerce Commission in Ex Parte No. 162, Increased Railway Rates, Fares, and Charges, 1946, Ex Parte No. 148, Increased Railway Rates, Fares, and Charges, 1942, except no increase was authorized in connection with line haul carload rates on sugar beets. The instant petition prays that the original proceedings be reopened, and that either an order be entered authorizing the same increase on Colorado intrastate traffic on sugar beets as was authorized on interstate traffic, to become effective on one day's notice, or, in lieu thereof, a hearing be held upon the lawfulness of the present rates. The instant petition for rehearing contains no new grounds for further consideration by the Commission of its order in Decision No. 27316. Therefore, it finds that the petition for rehearing should be denied.

O R D E R

IT IS ORDERED, That the carriers' petition for reopening and rehearing for the purpose of applying the increases on sugar beets, which were not authorized by Decision No. 27316, be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hinton
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 20th day of January, 1948.

original

(Decision No. 29804)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO EXERCISE) APPLICATION NO. 8995.
FRANCHISE RIGHTS IN THE TOWN OF)
SILT, COUNTY OF GARFIELD, STATE OF)
COLORADO.)
-----)

January 22, 1948

Appearances: Lee, Shaw and McCreery, Esqs.,
Denver, Colorado, and
Charles J. Kelly, Esq., Denver,
Colorado, for applicant;
C. L. Flower, Denver, Colorado,
for The Public Utilities Com-
mission of the State of Colorado.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity, authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Silt, Colorado.

On the 8th day of September, 1947, Ordinance No. 7-B was passed by the Board of Trustees of said town, and approved by its Mayor, granting to applicant, its successors and assigns, a franchise to, and the right, privilege, and authority to erect, construct, maintain, and operate a substation, or substations, electric light and power plants, transmission lines, and a distribution system for the distribution and sale of electricity within the corporate limits of the Town of Silt, Garfield County, Colorado, said franchise to be for a term of twenty-five (25) years from and after its passage and approval.

At the hearing, which was held in Denver, Colorado, on the 15th day of January, 1948, it was developed that applicant is a corporation, duly organized and existing under the laws of the State of Colorado, and doing business as a public utility; that its principal office and post office address is in the City and County of Denver, Colorado; that, generally, it is authorized and empowered under its Certificate of Incorporation, to engage in the business of generating, transmitting, and distributing electric energy to numerous cities, towns, and communities in diverse counties of the state, for heat, light, power, and other purposes; that a certified copy of its Articles of Incorporation is on file with this Commission; that it is the only utility engaged in furnishing electricity in said Town of Silt and vicinity.

It also appeared that prior to the passage of said Ordinance No. 7-B, and subsequent to the 4th day of February, 1929, applicant operated in said town, pursuant to an ordinance, No. 4-A, passed and approved on said 4th day of February, 1929, by the proper officers of said town, and pursuant to a certificate of public convenience and necessity granted by this Commission on September 12, 1929 (Decision No. 2507), a supplementary, clarifying, and confirmatory certificate of public convenience and necessity being granted on June 8, 1946 (Decision No. 27071), said certificates of public convenience and necessity being made a part hereof, by reference.

Applicant, on the 19th day of September, 1947, formally accepted Ordinance No. 7-B.

No additional investment is contemplated, and applicant has not invested any sums in additional plant or other construction in the town since the granting of certificates by Decisions Nos. 2507 and 27071.

No one appeared in opposition to the granting of the certificate sought.

FINDINGS

THE COMMISSION FINDS:

That present and future public convenience and necessity require,

and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Silt, County of Garfield, State of Colorado, in Ordinance No. 7-B.

ORDER

THE COMMISSION ORDERS:

That present and future public convenience and necessity require, and will require, the exercise by applicant of franchise rights granted to it by the Board of Trustees of the Town of Silt, Garfield County, State of Colorado, in and by Ordinance No. 7-B, copy of which is attached to the application herein, and which by reference, is made a part hereof, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classifications of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Wesley C. Horton

John P. Barry
Commissioner

Dated at Denver, Colorado,
this 22nd day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN PRESSNEY, DBA DODGE CITY)
WAREHOUSE CO., DODGE CITY, KANS.)
)
)
)

PERMIT NO. C-506.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
John Pressney, d/b/a Dodge City Warehouse co.,
requesting that Permit No. C-506 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-506, heretofore issued to.....
John Pressney, d/b/a Dodge City Warehouse Co., be,
and the same is hereby, declared cancelled effective **January 7, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 26th day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
NATIONAL FUEL CO., 641 EQUITABLE)
BLDG., DENVER, COLO.)
)
)
)

PERMIT NO. C-999.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
National Fuel Co.,.....
requesting that Permit No. C-999 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-999, heretofore issued to.....
National Fuel Co.,.....be,
and the same is hereby, declared cancelled effective **January 1, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry.

Commissioners

Dated at Denver, Colorado,

this 26th day of January,, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
LIBBY, McNEILL & LIBBY,)
MANZANOLA, COLORADO.)
)
)
)

PERMIT NO. C-3075

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Libby, McNeill & Libby,

requesting that Permit No. C-3075 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3075, heretofore issued to.....

Libby, McNeill & Libby,

be,

and the same is hereby, declared cancelled effective January 8, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hartman

John R. Berry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
L. A. FLOWERS, RT. 2, BOX 78,)
MONTROSE, COLORADO.)
)
)
)

PERMIT NO. C-4090.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
L. A. Flowers,.....
requesting that Permit No. C-4090 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-4090, heretofore issued to.....
L. A. Flowers,.....be,
and the same is hereby, declared cancelled effective **January 6, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WM. H. SLAPPER, PO BOX 267,)
EVANS, COLORADO.) PERMIT NO. C-5692.
)
)
)

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Wm. H. Slapper,
requesting that Permit No. C-5692 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5692, heretofore issued to.....
Wm. H. Slapper,.....be,
and the same is hereby, declared cancelled effective **January 1, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry.

Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CLYDE ACOR, 406 WOOD ST.,)
FORT COLLINS, COLO.)
)
)

PERMIT NO. C-6249.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Clyde Acor,
requesting that Permit No. C-6249 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-6249, heretofore issued to
Clyde Acor, be,
and the same is hereby, declared cancelled effective **December 31, 1947.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HARRY DRAN, 1338 GROVE ST.,)
DENVER, COLORADO.)
)
)
)

PERMIT NO. C-9404.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Harry Dran,

requesting that Permit No. C-9404 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-9404, heretofore issued to.....

Harry Dran,

be,

and the same is hereby, declared cancelled effective January 12, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
D. L. COLUMBIA, JR., FRASER,)
COLORADO.)
)
)
)

PERMIT NO. C-9797.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
D. L. Columbia, Jr.,.....
requesting that Permit No. C-9797.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-9797....., heretofore issued to.....
D. L. Columbia, Jr.,.....be,
and the same is hereby, declared cancelled effective January 24, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hinton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT SMITH, DBA QUALITY FRUIT)
CO., RT. 3 BOX 50-A, FORT)
COLLINS, COLO.)

PERMIT NO. C-11352.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Robert Smith, d/b/a Quality Fruit Co.,
requesting that Permit No. C-11352 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-11352, heretofore issued to
Robert Smith, d/b/a Quality Fruit Co., be,
and the same is hereby, declared cancelled effective January 8, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter Erickson
Ralph C. Norton
John R. Berry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CLARA G. & O. BRUCE GOFFE, DBA)
GOFFE MOTOR CO., 7th & COURT STS.,)
PUEBLO, COLORADO.)

PERMIT NO. C-13697.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Clara G. & O. Bruce Goffe, d/b/a Goffe Motor Co.,.....
requesting that Permit No. C-13697.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13697....., heretofore issued to.....
Clara G. & O. Bruce Goffe, d/b/a Goffe Motor Co.,.....be,
and the same is hereby, declared cancelled effective November 30, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry.

Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
E. A. MOORE, PLATTEVILLE,)
COLORADO.) PERMIT NO. C-14354.
)
)
)

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
E. A. Moore,
requesting that Permit No. C-14354 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14354, heretofore issued to.....
E. A. Moore, be,
and the same is hereby, declared cancelled effective January 12, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry.
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE E. CURETON, STAR ROUTE,)
GRANITE, COLORADO.)
)
)
)

PERMIT NO. C-14422.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

George E. Cureton,

requesting that Permit No. C-14422 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14422, heretofore issued to.....

George E. Cureton,.....be,

and the same is hereby, declared cancelled effective **January 9, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry.

Commissioners

Dated at Denver, Colorado,

this 26th day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
PFISTER HYBRID CO., 233 EAST)
SIXTH ST., FREMONT, NEBR.)
)
)
)

PERMIT NO. C-15849.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Pfister Hybrid Co.,.....
requesting that Permit No. C-15849 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15849, heretofore issued to.....
Pfister Hybrid Co.,.....be,
and the same is hereby, declared cancelled effective **November 25, 1947.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CARTER'S INC., DBA X-L PRODUCTS)
CO., 133 WATER ST., TRINIDAD,)
COLORADO.)

PERMIT NO. C-16076.

January 26, 1948.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Carter's Inc., d/b/a X-L Products Co.,
requesting that Permit No. C-16075 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16075, heretofore issued to.....
Carter's Inc., d/b/a X-L Products Co., be,
and the same is hereby, declared cancelled effective **November 15, 1947.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
L. M. GRAY, 2606 GRAND, PUEBLO,)
COLORADO.)
)
)
)

PERMIT NO. C-16381.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
L. M. Gray,
requesting that Permit No. C-16381 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16381, heretofore issued to
L. M. Gray, be,
and the same is hereby, declared cancelled effective December 15, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. W. & F. I. MILLER, RT. 2,)
LAS ANIMAS, COLORADO.)
)
)
)

PERMIT NO. C-16671

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

J. W. & F. I. Miller,

requesting that Permit No. C-16671 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16671, heretofore issued to.....

J. W. & F. I. Miller,.....be,

and the same is hereby, declared cancelled effective January 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. G. SMITH, COALDALE, COLO.)
)
)
)
)
)

PERMIT NO. C-16815.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
C. G. Smith,.....
requesting that Permit No. C-16815 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16815, heretofore issued to.....
C. G. Smith,.....be,
and the same is hereby, declared cancelled effective December 24, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hartman

John R. Barry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED E. HERRERA, SO. UNION AVE.,)
FLORENCE, COLO.)
)
)
)

PERMIT NO. C-16902

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Fred E. Herrera,.....
requesting that Permit No. C-16902 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16902, heretofore issued to.....
Fred E. Herrera,.....be,
and the same is hereby, declared cancelled effective **January 10, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry.
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. C. OXANDABURU, 512 UNIVERSITY)
TRINIDAD, COLORADO.)

PERMIT NO. C-18567.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
J. C. Oxandaburu,
requesting that Permit No. C-18567 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18567, heretofore issued to
J. C. Oxandaburu, be,
and the same is hereby, declared cancelled effective December 21, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 21st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED & RAY JOHNSON, FAY, OKLA.)
)
)
)
)
)

PERMIT NO. C-18578.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Fred & Ray Johnson,.....
requesting that Permit No. C-18578 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18578, heretofore issued to.....
Fred & Ray Johnson,.....be,
and the same is hereby, declared cancelled effective **December 25, 1947.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry.
Commissioners

Dated at Denver, Colorado,

this 26th day of January,, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED G. HILVERT CO., SECURITY)
BLDG. 4 PHOENIX, ARIZONA.) PERMIT NO. C-20185
)
)
)

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Fred G. Hilvert Co.,.....
requesting that Permit No. C-20185 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20185....., heretofore issued to.....
Fred G. Hilvert Co.,..... be,
and the same is hereby, declared cancelled effective **January 12, 1948.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John B. Barry
Commissioners

Dated at Denver, Colorado,
this 26th day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED MONTOYA, BOX 694, MONTE)
VISTA, COLORADO.)
)
)
)

PERMIT NO. C-20359.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Fred Montoya,.....
requesting that Permit No. C-20359.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20359....., heretofore issued to.....
Fred Montoya,.....be,
and the same is hereby, declared cancelled effective **January 12, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
EZELL N. SANDEFUR, CITY RT. 12,)
GRAND JUNCTION, COLO.)
)
)

PERMIT NO. C-20405

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Ezell N. Sandefur,

requesting that Permit No. C-20405 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20405, heretofore issued to.....

Ezell N. Sandefur,.....be,

and the same is hereby, declared cancelled effective November 10, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry.
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
LYLE G. DUGAN, McCRACKEN, KANS.)
)
)
)
)

PERMIT NO. C-20568.

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Lyle G. Dugan,
requesting that Permit No. C-20568 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20568, heretofore issued to
Lyle G. Dugan,
and the same is hereby, declared cancelled effective January 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,

this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WICHITA YELLOW CAB CO., 901 E.) P. U. C. 748-I.
SECOND ST., WICHITA, KANS.)
-----)

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Wichita Yellow Cab Co., requesting that certificate of public con-
venience and necessity PUC-748-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. PUC-748-I, heretofore issued to Wichita
Yellow Cab Co., be, and the same is hereby declared cancelled effective
December 26, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hartman

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 26th day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN G. TRUESDELL, DBA JOHN G.)
TRUESDELL HOUSEMOVER, 825 E. RIO) P. U. C.-1703.
GRANDE, COLORADO SPRINGS, COLO-)
RADO.)
-----)

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
John G. Truesdell, doing business as John G. Truesdell Housemover,
requesting that certificate of public convenience and necessity
No. PUC-1703 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. PUC-1703, heretofore issued to John G.
Truesdell, doing business as John G. Truesdell Housemover, 825 E.
Rio Grande, Colorado Springs, Colorado, be, and the same is hereby
declared cancelled effective January 17, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry.
Commissioners.

Dated at Denver, Colorado,
this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EMERSON FINCH AND C. L. FARMER,) PERMIT NO. A-887.
IDAHO SPRINGS, COLORADO.)
-----)

January 26, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittees requesting that their Permit No. A-887 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Emerson Finch and C. L. Farmer, be, and they are hereby, authorized to suspend their operations under Permit No. A-887, until July 6, 1948.

That unless said Emerson Finch and C. L. Farmer shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John R. Barry

Commissioners.

Dated at Denver, Colorado,
this 26th day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RATES, CHARGES, REGULATIONS, AND)
PRACTICES OF THE MOUNTAIN STATES)
TELEPHONE AND TELEGRAPH COMPANY.)

INVESTIGATION AND SUSPENSION
DOCKETS NOS. 268, 277
SUPPLEMENTAL ORDER

January 29, 1948

S T A T E M E N T

By the Commission:

On July 5, 1947, The Mountain States Telephone and Telegraph Company, by W. K. Koch, its General Commercial Manager, filed with The Public Utilities Commission of the State of Colorado, an amended tariff, containing schedules stating new rates, charges, and regulations, for application in the several exchange areas therein named, to become effective on and after August 4, 1947, designated and described as follows:

"The Mountain States Telephone and Telegraph Company, Local Exchange Tariff, Colo. PUC No. 3," certain rates and charges described in its General Exchange Tariff Colo. PUC No. 3 concurrently filed to become effective on and after said August 4, 1947, being incorporated therein, by reference,

which said tariff set forth new local rates, charges, and regulations and intrastate toll tariffs, to become effective on and after August 4, 1947, in all of the numerous exchange areas in the State of Colorado, including, among others, exchange areas in home-rule cities in Colorado, defined and designated as:

Boulder
Canon City
Colorado Springs-Manitou Springs
Delta
Denver
Durango
Fort Collins
Fort Morgan
Grand Junction
Monte Vista
Montrose
Pueblo,

said tariff provisions for the Exchange Area of Durango being set forth as:

- "7. Local Exchange Tariff, Colo. PUC No. 3,
Durango, Colo., Fourth Revised Sheet D-6
Cancels Third Revised Sheet D-6.",

it being contemplated that said tariff was in substitution for and amendment of a tariff filed by said company covering Durango and all other exchange areas in Colorado on February 15, 1947, to become effective on and after March 17, 1947.

On July 31, 1947, by Decision No. 28777, the Commission suspended the effective dates of all schedules contained in said tariff applicable to long-distance rates and all exchange areas in the State of Colorado, for a period of one hundred twenty (120) days from August 4, 1947 -- that is, until December 2, 1947 -- unless otherwise ordered by the Commission, said suspension being extended to March 9, 1948, by our Decision No. 29357.

The Commission's staff, upon investigation made prior to and subsequent to the entry of said order, determined that then existing rates of Telephone Company were inadequate, and failed to produce sufficient revenue to meet increased maintenance and operation charges, and did not produce a fair return upon company's investment in the State of Colorado, and that there was no indication that wages or other costs of operation will be materially reduced in the near future, but on the contrary, probably would become greater.

On October 9, 1947, by Decision No. 29166, the City and County of Denver, by resolution having permitted new rates and schedules for said City and County filed on July 5, 1947 to become effective in Denver, the Commission lifted the suspension ordered by our Decision No. 28777, of date July 31, 1947, insofar only as said order suspended the effective day of the schedules contained in said tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947, to become effective on August 4, 1947, fixing new rates, charges, and regulations for application in "Denver Metropolitan Exchange Area" (being Arvada, Aurora, Denver, Englewood, Golden, Hazelton, Lakewood, Littleton,

Sullivan, and Westwood Zones aforesaid), and the schedules providing for new rates, charges, and regulations for intrastate long-distance telephone service, as designated in Section 1, Second Revised Sheet No. 6, which cancelled First Revised Sheet No. 6 of currently effective schedules, it being provided that said tariff and schedules stating new rates, charges, and regulations for said Denver Metropolitan Area should become effective on first billing date on and after October 16, 1947, and said tariff providing for new rates, charges, and regulations for intrastate long-distance telephone (toll) service to become effective on Midnight, October 15, 1947, said Decision No. 28777, except as modified, to remain in full force and effect, with the right reserved to the Commission to make such further orders in the premises as in its opinion may be required, justified, or desirable.

Subsequently, the Commission, by order, lifted the suspension as to the territory outside the corporate limits of, but within the Exchange Areas of the Cities of Colorado Springs-Manitou Springs, Delta, Denver, Fort Collins, Grand Junction, Monte Vista, and Montrose, and allowed the rates, charges, and regulations set forth in schedules filed on July 5, 1947 to become effective in said Exchange Areas, and lifted the suspension of, and allowed the rates, charges, and regulations for intrastate long-distance telephone (toll) service set forth in said tariff filed on July 5, 1947 to become effective. Presently, the rates proposed in tariff filed on February 15, 1947, to become effective on and after March 17, 1947, are effective in all Exchange Areas in Colorado, except Pueblo.

In our Decision No. 29728, lifting the suspension in the fringe areas of Delta, Grand Junction, Monte Vista, and Montrose, we said:

"Inasmuch as the Commission heretofore, in its Decision No. 29166, of date October 9, 1947, lifting the suspension aforesaid, as to the territory outside the City and County of Denver, which under the rate schedule filed was made a part of 'Denver Metropolitan Area,' fully reviewed its reasons for so doing, it would seem to be unnecessary to repeat the statements and findings therein contained. We are of the same opinion still. The Tele-

phone Company needs the additional revenue which it contemplates it will obtain under said new schedules to meet expenses, and to insure a sufficient return on its investment so as to attract adequate capital at reasonable rates sufficient in amount to complete its current and contemplated construction program, which was undertaken to meet demands of public for increased and bettered service.

"Also, primarily our suspension orders, Nos. 28777, of date July 31, 1947, as extended and supplemented by our Decision No. 29357, of date November 8, 1947, were entered because in the opinion of the Commission it would not be proper to allow the new rates to become effective in the fringe areas, and in other non-home rule exchange areas in the State of Colorado until they became effective in home-rule cities, and it was necessary that such action should be taken to avoid discrimination. Since the revenue received by Telephone Company from the Exchange Areas of Denver, Colorado Springs and Fort Collins represents approximately seventy-five percent of its total revenue in the State of Colorado, it is now apparent that customers of Telephone Company in said exchange areas of Denver, Colorado Springs and Fort Collins are now paying more than their fair proportion of total revenue of company.

"This same situation is applicable to non-home-rule exchange areas. It would thus appear that said suspension should be lifted as to other areas in the state where said rates are not effective, and an order so providing will issue in due course."

On January 19, 1948, The Mountain States Telephone and Telegraph Company requested the Commission to lift the suspension as to the fringe territory within the Durango Exchange Area, and as grounds therefor enclosed copy of Resolution passed by City Council of Durango on January 14, 1948, as follows:

"WHEREAS, The Mountain States Telephone and Telegraph Company has submitted to the Council a schedule of rates to be charged and collected for telephone services within the corporate limits of the City of Durango, and

"WHEREAS, This Council has examined said rates and has been fully informed as to the necessity of the filing of said schedule and making of such charges and has found that said rates are fair, reasonable and equitable:

"NOW, THEREFORE, be it resolved that it shall be lawful for The Mountain States Telephone and Telegraph Company to charge and collect for telephone service within the corporate limits

of the City of Durango in accordance with the said schedule of rates submitted with its letter of July 5, 1947.

"PROVIDED FURTHER, that this resolution shall not become effective unless and until like increases are imposed and made effective in at least three-fourths of all Colorado cities of the second class served by exchanges of The Mountain States Telephone and Telegraph Company."

As heretofore stated in the several orders mentioned, we have found that the net revenue to be produced by the rates, charges, and regulations set forth in tariff filed on July 5, 1947 by The Mountain States Telephone and Telegraph Company, will not produce revenue in excess of an amount which will provide a fair return on the net investment of The Mountain States Telephone and Telegraph Company in the State of Colorado in property used and useful in the service furnished in said state, and reasonable allowance for working capital. It would appear that inasmuch as exchange areas of Denver, Colorado Springs, Manitou Springs, Delta, Fort Collins, Grand Junction, Monte Vista, and Montrose, where July 5, 1947, rates have become effective, produce approximately eighty percent of Telephone Company revenue (Denver District alone having fifty-five percent of telephones in state), the suspension now should be lifted in the fringe territory within the Durango Exchange Area, and other areas in the State of Colorado, except in the Exchange Areas of Boulder, Canon City, Fort Morgan, and Pueblo, where City Councils, as yet, have not approved the schedules filed with them and with this Commission on July 5, 1947, to become effective on August 4, 1947. It would not seem to be desirable that rates charged customers residing within the City Limits of Boulder, Canon City, Fort Morgan, and Pueblo, should be different than rates charged customers residing outside the City Limits served by exchanges in said Cities.

F I N D I N G S

THE COMMISSION FINDS:

That it should set aside and lift the suspension heretofore mentioned as to rates, charges, regulations, and practices set forth in said tariff and schedule filed on July 5, 1947, in amendment of and in

lieu of previous schedule filed on February 15, 1947, to become effective on and after August 4, 1947, as more particularly set forth in said filed tariff, which by reference is made a part hereof, in the territory served by the Durango Exchange, and all other Exchange Areas mentioned and described in said tariff, except Exchange Areas of Boulder, Canon City, Fort Morgan, and Pueblo, and that said rates, charges, and regulations, as proposed and filed on July 5, 1947, to become effective on and after August 4, 1947, now under suspension, except as to July 5, 1947, rates proposed for the Exchange Areas of Boulder, Canon City, Fort Morgan, and Pueblo, should be allowed to go into effect with billings of said Company on and after February 1, 1948.

O R D E R

THE COMMISSION ORDERS:

That our Order and Decision No. 28777, of date July 31, 1947, as extended and supplemented by our Decision No. 29357, of date November 8, 1947, suspending the effective day of schedules contained in tariff filed by The Mountain States Telephone and Telegraph Company on July 5, 1947 (in amendment of and in lieu of tariff filed on February 15, 1947), to become effective on August 4, 1947, fixing new rates, charges, and regulations for application in the several exchange areas in the State of Colorado therein described, which provisions and descriptions, by reference, are made a part hereof, except as said new rates, charges, and regulations may be applicable to the Exchange Areas of Boulder, Canon City, Fort Morgan, and Pueblo, should be, and hereby are, vacated and set aside, said tariff and schedules stating new rates, charges, and regulations for said Exchange Areas to become effective, except in the Exchange Areas of Boulder, Canon City, Fort Morgan, and Pueblo, on first billing dates on and after February 1, 1948.

That said Decisions Nos. 28777 and 29357, in all other respects, except as modified by this Order and by Decision No. 29166, of date October 9, 1947, and Decisions Nos. 29399 and 29400, of date November 19, 1947, and Decision No. 29452, of date November 29, 1947, and Decision No. 29728, of date January 15, 1948, shall remain in full

force and effect, with the right of the Commission reserved to make such further orders in the premises as in its opinion may be required, justified, or desirable.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph W. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 29th day of January, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE A. SIMS AND M. K. SIMS, DOING)
BUSINESS AS "SALT LAKE TRANSFER COM-)
PANY," 170 WEST SECOND SOUTH, SALT)
LAKE CITY, UTAH, FOR AUTHORITY TO)
TRANSFER INTERSTATE OPERATING RIGHTS)
TO GEORGE A. SIMS, M. K. SIMS, ELMER)
L. SIMS, AND G. GRANT SIMS, DOING)
BUSINESS AS "SALT LAKE TRANSFER)
COMPANY," 170 WEST SECOND SOUTH,)
SALT LAKE CITY, UTAH.)

PUC NO. 1023-I

January 31, 1948

S T A T E M E N T

By the Commission:

Heretofore, George A. Sims and M. K. Sims, co-partners, doing business as "Salt Lake Transfer Company," Salt Lake City, Utah, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle for hire, in interstate commerce, and PUC No. 1023-I issued to them.

Said certificate-holders seek authority to transfer said operating rights to George A. Sims, M. K. Sims, Elmer L. Sims, and G. Grant Sims, doing business as "Salt Lake Transfer Company," Salt Lake City, Utah.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That George A. Sims and M. K. Sims, doing business as "Salt Lake Transfer Company," Salt Lake City, Utah, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1023-I to George A. Sims, M. K. Sims, Elmer L. Sims, and G. Grant Sims, doing business as "Salt Lake Transfer Company," Salt Lake City, Utah, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness, secured by mortgage or otherwise, if any there be.

That ton-mile tax deposit be transferred to account of transferees.

That this order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton
John R. Barry
Commissioners

DATED at Denver, Colorado
this 31st day of January, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
M. E. VAN SANT, DOING BUSINESS AS)
"SAFEWAY VAN LINES," BOX 8306, WEST)
ADAMS STATION, LOS ANGELES, CALI-)
FORNIA, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO LYON)
VAN LINES, INC., 1950 SOUTH VERMONT)
AVENUE, LOS ANGELES, CALIFORNIA.)

PUC NO. 1694-I

January 31, 1948

Appearances: Musick, Burrell & Ingebretsen,
Esqs., Los Angeles, Califor-
nia, for applicants.

S T A T E M E N T

By the Commission:

Heretofore, M. E. Van Sant, doing business as "Safeway Van Lines," Los Angeles, California, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 1694-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Lyon Van Lines, Inc., Los Angeles, California.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That M. E. Van Sant, doing business as "Safeway Van Lines," Los Angeles, California, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1694-I to Lyon Van Lines, Inc., Los Angeles, California, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness, secured by mortgage or otherwise, if any there be.

That ton-mile tax deposit of transferor be transferred to account of transferee.

That this order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hutton
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 31st day of January, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
H. J. PLAMBECK, CARPENTER, WYOMING,)
FOR AUTHORITY TO TRANSFER PUC NO.)
653-I TO HOWARD EVANS AND GALE)
TALKINGTON, CO-PARTNERS, DOING) PUC NO. 653-I
BUSINESS AS "CARPENTER TRUCK LINE,")
CARPENTER, WYOMING.)
-----)

January 31, 1948

S T A T E M E N T

By the Commission:

Heretofore, H. J. Plambeck, Carpenter, Wyoming, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire, and PUC No. 653-I issued to him.

Said certificate-holder now seeks authority to transfer said certificate to Howard Evans and Gale Talkington, co-partners, doing business as "Carpenter Truck Line," Carpenter, Wyoming.

The records and files of the Commission fail to disclose any reason why said transfer should not be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That H. J. Plambeck, Carpenter, Wyoming, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 653-I to Howard Evans and Gale Talkington, co-partners, doing business as "Carpenter Truck Line," Carpenter, Wyoming, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
N. L. JONES AND F. E. RICHARDSON,)	
CO-PARTNERS, DOING BUSINESS AS "J &)	
R CONTRACTORS," 4324 SOUTH BROADWAY,)	
ENGLEWOOD, COLORADO, FOR AUTHORITY)	APPLICATION NO. 9038-PP-Transfer
TO TRANSFER PERMIT NO. B-3277 TO)	
N. L. JONES, 4324 SOUTH BROADWAY,)	
ENGLEWOOD, COLORADO.)	
-----)	

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 25053, of date October 31, 1945, N. L. Jones and F. E. Richardson, co-partners, doing business as "J & R Contractors," Englewood, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, and to Englewood, Colorado.

By the instant application, said permit-holders seek authority to transfer said operating rights (Permit No. B-3277) to N. L. Jones -- F. E. Richardson desiring to withdraw from said co-partnership.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would

desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That F. E. Richardson, Englewood, Colorado, be, and he hereby is, authorized to withdraw from partnership of N. L. Jones and F. E. Richardson, doing business as "J & R Contractors," Englewood, Colorado, and said partnership of N. L. Jones, and F. E. Richardson, doing business as "J & R Contractors," Englewood, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-3277 -- being the operating rights granted by Decision No. 25053 -- to N. L. Jones, Englewood, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That the right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hottel
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK C. KLEIN, DOING BUSINESS AS)
"FRANK C. KLEIN & CO.," 3600 EAST)
46TH AVENUE, DENVER, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NOS. 1582) APPLICATION NO. 9037-Transfer
AND 1582-I TO FRANK C. KLEIN & CO.,)
INC., A CORPORATION, 3600 EAST 46TH)
AVENUE, DENVER, COLORADO.)
-----)

January 31, 1948

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for appli-
cants.

S T A T E M E N T

By the Commission:

By Decision No. 22175, of date April 12, 1944, Frank C. Klein and Company, Denver, Colorado, was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

petroleum products, in bulk, in tank trucks,
between points in the State of Colorado, on
call and demand,

said operating rights being designated "PUC No. 1582," Said certificate-holder also possesses interstate operating rights, known as "PUC No. 1582-I."

By the instant application, Frank C. Klein, doing business as "Frank C. Klein & Co." seeks authority to transfer said PUC Nos. 1582 and 1582-I to Frank C. Klein & Co., Inc., a corporation, Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificates are in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that transferee, pecuniarily and otherwise, is qualified to conduct the operations thereunder, and it does not appear that any useful purpose would be served by setting said matter for formal hearing,

there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Frank C. Klein, doing business as "Frank C. Klein & Co.," Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC Nos. 1582 and 1582-I to Frank C. Klein & Co., Inc., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

Transfer of interstate authority is subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferor be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John P. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of January, 1948.

Original

(Decision No. 29838)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILBUR I. GENTRY, LARKSPUR, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PER-)
MIT NO. A-529 TO EARL B. ENGEL AND)
RUSSELL E. MACE, CASTLE ROCK, COLO-)
RADO.)

APPLICATION NO. 9036-PP-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 6874, of date December 3, 1935, F. Teel Adair and Harold Adair were authorized to operate as Class "A" private carriers by motor vehicle for hire for the transportation of:

milk from Larkspur and vicinity to Denver, Colorado, with back-haul of small articles of freight for the Larkspur Garage from Denver,

they acquiring said operating rights from S. H. Buckner by said Decision No. 6874.

Pursuant to authority contained in Decision No. 21058, of date June 21, 1943, said permit-holders transferred said operating rights (Permit No. A-529) to W. I. Gentry, who, by the instant application, seeks authority to transfer said permit to Earl B. Engel and Russell E. Mace, Castle Rock, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who

would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

FINDINGS

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That Wilbur I. Gentry, Larkspur, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-529 --- being the operating rights acquired by him pursuant to Decision No. 21058 --- to Earl B. Engel and Russell E. Mace, Castle Rock, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Weston

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF
JOHN MC CORMICK, STEAMBOAT SPRINGS,
COLORADO.

CASE NO. 39604-INS.
PUC NO. 1708

IN THE MATTER OF THE APPLICATION OF
JOHN MC CORMICK, STEAMBOAT SPRINGS,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 1708 TO CHARLES A. HAMMARS-
TEN, STEAMBOAT SPRINGS, COLORADO.

APPLICATION NO. 9035-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 25921, of date May 13, 1946, Glen Forste, Steamboat Springs, Colorado, was granted a certificate of public convenience and necessity, authorizing:

call and demand service for the transportation, not on schedule, of passengers and their baggage by taxicab, between points in the Town of Steamboat Springs, Colorado, and from and to Steamboat Springs, Colorado, to and from points within a radius of fifty miles thereof; applicant, when performing service which is in competition with any line-haul motor vehicle passenger service operating on schedule, being required to charge 25¢ per mile one way, with fare and a half round trip for one passenger, with one-half fare extra for each passenger in addition to a single passenger -- either one way or round trip -- and \$2.00 per hour waiting time, charges for off-line scenic points and for hunting and fishing parties transported to off-line points, and for local service, hereafter to be fixed by applicant in tariff of rates and charges, subject to approval of the Commission.

Pursuant to authority contained in Decision No. 27247, of date December 10, 1946, said Glen Forste transferred said operating rights (PUC No. 1708) to E. H. Steger, doing business as "Glen's Cab," Steamboat Springs, Colorado, who, pursuant to authority contained in Decision No. 28160, of date May 14, 1947, transferred said PUC No. 1708 to John McCormick,

4
Steamboat Springs, Colorado.

On November 3, 1947, in Case No. 39604-Ins., PUC No. 1708 was cancelled and revoked by the Commission, due to failure of certificate-holder to keep on file with the Commission effective insurance.

By the instant application, John McCormick asks that the Commission set aside its order of revocation, of date November 3, 1947, and that he be authorized to transfer said operating rights to Charles A. Hammarsten, Steamboat Springs, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that road tax has been paid; that passenger-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to conduct the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

The files of the Commission further disclose that transferee, on October 2, 1947, filed Certificate of Insurance with the Commission, to become effective if and when he acquires said operating rights; that transferee has on file with the Commission, affidavit, stating that:

" *** during the period July 31, 1947, to and including September 12, 1947, said cab was operated by me in the City of Steamboat Springs, Colorado, and that during said period the cab was not involved in any accident, and further, that during said period there was no bodily injury, loss of life, nor damage to property involved in the operation of said cab."

F I N D I N G S

THE COMMISSION FINDS:

That revocation order, of date November 3, 1947, should be set aside; that the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That revocation order entered in Case No. 39604-Ins., of date November 3, 1947, be, and the same hereby is, set aside, cancelled, and held for naught, said PUC No. 1708 being hereby restored to active status.

That John McCormick, Steamboat Springs, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1708 -- being the operating rights granted by Decision No. 25921 -- to Charles A. Hammarsten, Steamboat Springs, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules, and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of the Commission.

That passenger-mile tax deposit of transferor be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1947.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY F. WESTHOFF, HOWARD J. WEST-)
HOFF, AND EDWIN WESTHOFF, CO-)
PARTNERS, DOING BUSINESS AS "H. F.)
WESTHOFF AND SONS," WELDONA, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-3331 TO HOWARD J.)
WESTHOFF, BOX 142, FORT MORGAN,)
COLORADO.)

APPLICATION NO. 9034-PP-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 25048, of date October 31, 1945, Henry F. Westhoff, Howard J. Westhoff, and Edwin Westhoff, co-partners, doing business as "H. F. Westhoff and Sons," Weldon, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

farm produce (excluding livestock) from farms or storage points in Morgan County, Colorado, to shipping points or storage points in Morgan County, Colorado.

By the instant application, said permit-holders seek authority to transfer said operating rights (Permit No. B-3331) to Howard J. Westhoff -- Henry F. Westhoff and Edwin Westhoff desiring to withdraw from said partnership.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal

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hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Henry F. Westhoff and Edwin Westhoff be, and they hereby are, authorized to withdraw from the partnership of Henry F. Westhoff, Howard J. Westhoff and Edwin Westhoff, co-partners, doing business as "H. F. Westhoff and Sons," and said Henry F. Westhoff, Howard J. Westhoff, and Edwin Westhoff, doing business as "H. F. Westhoff and Sons," Weldona, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-3331 -- being the operating rights granted by Decision No. 25048 -- to Howard J. Westhoff, Fort Morgan, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Raymond C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND F. BAKER, LAMAR, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
1645 TO ERNEST F. BAKER, LAMAR,)
COLORADO.)

APPLICATION NO. 9033-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 24640, of date June 27, 1945, Richard H. Flint, doing business as "City Transfer," Lamar, Colorado, was granted a certificate of public convenience and necessity for:

transportation service for the conduct of a general cartage transportation service by motor vehicle for the pick-up and delivery of freight between points within the area including the City of Lamar and adjacent territory within a radius of one mile of the Limits of said City of Lamar.

Pursuant to authority contained in Decision No. 25663, of date March 7, 1946, said certificate-holder transferred said operating rights (PUC No. 1645) to Raymond F. Baker, doing business as "City Transfer," Lamar, Colorado, who, by the instant application, seeks authority to transfer said PUC No. 1645 to Ernest F. Baker, Lamar, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to conduct the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the

Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

FINDINGS

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That Raymond F. Baker, Lamar, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1645 -- being the operating rights granted by Decision No. 24640 -- to Ernest F. Baker, Lamar, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit of transferor be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hahn

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE R. FRY, DOING BUSINESS AS)
"FOSTER TRANSFER COMPANY," 1219 12TH)
STREET, GREELEY, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PERMIT NO. B-2353)
TO F. C. FRY AND G. W. FRY, CO-)
PARTNERS, DOING BUSINESS AS "FOSTER)
TRANSFER COMPANY," 1219 12TH STREET,)
GREELEY, COLORADO.)

APPLICATION NO. 9030-PP-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 13461, of date May 8, 1939, C. A. Foster was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

1.c.l. freight from and to the depots of The Colorado and Southern Railway Company and Union Pacific Railway Company in Greeley, to and from all points within Greeley and a radius of two miles thereof, and the transportation of groceries from retail stores of Safeway Stores, Inc. in Greeley to points within Greeley and said radius of two miles, for said stores to their retail customers.

Pursuant to authority contained in Decision No. 22079, of date March 22, 1944, said permit-holder transferred said operating rights (Permit No. B-2353) to G. R. Fry, doing business as "Foster Transfer Company," Greeley, Colorado, who, by the instant application, seeks authority to transfer said Permit No. B-2353 to F. C. Fry and G. W. Fry, co-partners, doing business as "Foster Transfer Company," Greeley, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating

obligations against said permit; that transferees, pecuniarily and otherwise, are able and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That George R. Fry, doing business as "Foster Transfer Company," Greeley, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-2353 -- being the operating rights granted by Decision No. 13461 -- to P. C. Fry and G. W. Fry, co-partners, doing business as "Foster Transfer Company," Greeley, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferees to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Raymond C. Holton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

mw

original

(Decision No. 29843) --

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
MEREL D. Mc KELVEY, ROUTE 4, GRAND
JUNCTION, COLORADO, FOR AUTHORITY
TO TRANSFER PERMIT NO. B-3694 TO
ROBERT C. COLESCOTT AND RICHARD W.
COLESCOTT, 836 GLENWOOD AVENUE,
GRAND JUNCTION, COLORADO.

APPLICATION NO. 9032-PP-Transfer

January 31, 1948

Appearances: Cecil S. Haynie, Esq.,
Grand Junction, Colo-
rado, for applicants.

STATEMENT

By the Commission:

By Decision No. 28826, of date August 8, 1947, John A. McDaniels and Lloyd J. McDaniels, Grand Junction, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

fluid milk for producers and processing plants
and creameries between points within a thirty-
five mile radius of Grand Junction, Colorado,
with back-haul of empty cans.

Pursuant to authority contained in Decision No. 29226,
of date October 31, 1947, said operating rights (Permit No. B-3694)
were transferred to Merel D. McKelvey, Grand Junction, Colorado, who,
by the instant application, seeks authority to transfer said Permit
No. B-3694 to Robert C. Colecott and Richard W. Colecott, co-partners,
Grand Junction, Colorado.

Inasmuch as the files of the Commission and the verified appli-
cation herein show that said permit is in good standing; that road tax

has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are able and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

FINDINGS

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That Merel D. McKelvey, Grand Junction, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3694 -- being the operating rights granted by Decision No. 28826 -- to Robert C. Colescott and Richard W. Colescott, co-partners, Grand Junction, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That the right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Robert C. Hotal
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of January, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOUIS J. SAINDON, ROCKVALE, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-3562 TO JOSEPH E.) APPLICATION NO. 9031-PP-Transfer
PARAYLIA, 503 WEST SECOND STREET,)
FLORENCE, COLORADO.)
-----)

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 27305, of date January 11, 1947, Louis J. Saindon, Rockvale, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

firewood from Rockvale to points within a radius of fifty miles of Rockvale; coal from mines in Fremont County to Florence, Canon City, Penrose, and surrounding districts, without any service from, to, or between points in Teller County,

said operating rights being designated "Permit No. B-3562."

By the instant application, said permit-holder seeks authority to transfer Permit No. B-3562 to Joseph E. Paraylia, Florence, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission

determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Louis J. Saindon, Rockvale, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3562 -- being the authority granted by Decision No. 27305 -- to Joseph E. Paraylia, Florence, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That the right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John P. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK E. SANSOM, 4250 MILWAUKEE ST.,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-3729 TO)
JAMES E. STEPHENSON, 4558 WYANDOTT)
STREET, DENVER, COLORADO.)
-----)

APPLICATION NO. 9029-PP-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 29185, of date October 27, 1947, Jack E. Sansom was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver, to road and building construction jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, near Boulder, and to Great Western Sugar Company Plants, at Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado,

said operating rights being designated "Permit No. B-3729."

By the instant application, said permit-holder seeks authority to transfer Permit No. B-3729 to James D. Stephenson, Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, the Commission determined to hear, and has heard, said matter, forthwith,

without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding unpaid indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Jack E. Sansom, Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3729 — being the authority granted by Decision No. 29185 — to James E. Stephenson, Denver, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

That the right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hutton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 31st day of January, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L. E. POWELL, DOING BUSINESS AS)
"GREEN & WHITE CAB CO.," 610 SOUTH)
CLAY STREET, DENVER, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 1222)
TO GREEN & WHITE CAB CO., A CORPO-)
RATION, 1815 BROADWAY, DENVER,)
COLORADO.)

APPLICATION NO. 9027
TRANSFER

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 11810, of date May 2, 1938, as amended by Decision No. 12013, of date June 14, 1938, L. E. Powell, doing business as "Green & White Cab Co.," Denver, Colorado, was granted a certificate of public convenience and necessity, authorizing transportation of:

passengers and hand baggage between Denver City Limits and Arvada, Aurora, Broadmoor Country Club, Cherry Hills, Crown Hill, Derby, Englewood, Fairmount, Fitzsimons General Hospital, Fort Logan, Golden, Hart's Corner, J. C. R. S., Lakewood Country Club, Littleton, Loretto Heights, Lutheran Sanatorium, Morrison, Mount Olivet, O. E. S. Home (Sullivan), Rifle Range, Rock Rest and Welby, (Red Rocks Scenic Attraction not included), and other points within the Metropolitan Area around Denver, which are outside the City Limits, but within a twelve-mile radius of 16th and Champa Streets, Denver.

By the instant application, said certificate-holder seeks authority to transfer said operating rights (PUC No. 1222) to Green & White Cab Co., a corporation, Denver, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that passenger-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecu-

niarily and otherwise, is qualified to conduct the operation; and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said operating rights, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is in the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That L. E. Powell, doing business as "Green & White Cab Co.," Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1222 - being the operating rights granted by Decision No. 11810, as amended by Decision No. 12013 - to Green & White Cab Co., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness, secured by mortgage or otherwise, if any there be.

That the tariff of rates, rules, and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That passenger-mile tax deposit be transferred to account of transferee.

That this order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Robert C. Horton

John R. Barry
Commissioners

DATED at Denver, Colorado,
this 31st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
ELK COAL COMPANY, INC., 3635 BLAKE
STREET, DENVER, COLORADO, FOR AU-
THORITY TO TRANSFER PERMIT NO. A-2054
TO FINKBEINER BROS. TRUCKING COMPANY,
INC., 3635 BLAKE STREET, DENVER,
COLORADO.

APPLICATION NO. 9028-PP
TRANSFER

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 10920, of date November 12, 1937, Charles Finkbeiner, doing business as "Elk Coal Company," Denver, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

coal from the northern Colorado coal fields
to Denver, Colorado.

Pursuant to Decision No. 18058, of date December 17, 1941, said operating rights (Permit No. A-2054) were transferred from Estate of Charles Finkbeiner to Elk Coal Company, Inc.

By Decision No. 18932, of date June 4, 1942, Permit No. A-2054 was extended to include the right to transport:

sand, gravel, and other materials used in
making up the surface of the roads, from
pits and supply points in the State of
Colorado to points within a radius of
fifty miles of said pits and supply points,
excluding service in Boulder, Clear Creek,
and Gilpin Counties.

By the instant application, Elk Coal Company, Inc., Denver, Colorado, seeks authority to transfer Permit No. A-2054 to Finkbeiner Bros. Trucking Company, Inc., Denver, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road

tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Elk Coal Company, Inc., Denver, Colorado, be, and it hereby is, authorized to transfer all its right, title, and interest in and to Permit No. A-2054 - being the authority granted by Decisions Nos. 10920 and 18932 - to Finkbeiner Bros. Trucking Company, Inc., Denver, Colorado, subject to payment of outstanding indebtedness, secured by mortgage or otherwise, if any there be.

That the right of transferee to operate under this order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred,

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Robert E. Norton
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 31st day of January, 1948.

original

(Decision No. 29848)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ERNEST GABRIEL, BRUSH, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT)
NO. B-3677 TO HENRY WOLFE, BRUSH,)
COLORADO.)

APPLICATION NO. 9025-PP-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 28002, of date April 10, 1947, Ernest Gabriel, Brush, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

milk to Brush from points in the area along within five miles of either side of Highway No. 6 between Brush and Roosevelt School, and milk from McLagan Brothers Creamery at Brush, Colorado, to Beatrice Creamery in Denver, with return of empties; bottled milk from Hillrose to Roosevelt School,

said operating rights being designated "Permit No. B-3677."

By the instant application, said permit-holder seeks authority to transfer said Permit No. B-3677 to Henry Wolfe, Brush, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

8.

FINDINGS

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That Ernest Gabriel, Brush, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3677 -- being the operating rights granted by Decision No. 28002 -- to Henry Wolfe, Brush, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit of transferor be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ED DURAN, 1801 WEST ASBURY, ENGLE-)
WOOD, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-3721 TO JOE)
LONTIN, 1728 EAST 37TH AVENUE, DEN-)
VER, COLORADO.)

APPLICATION NO. 9026-PP-Transfer

January 31, 1948

S T A T E M E N T

By the Commission:

By Decision No. 29147, of date October 4, 1947, Ed Duran, Englewood, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado,

said operating rights being designated "Permit No. B-3721."

By the instant application, said permit-holder seeks authority to transfer said Permit No. B-3721 to Joe Lontin, Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is able and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commis-

sion determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

FINDINGS

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That Ed Duran, Englewood, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3721 -- being the operating rights granted by Decision No. 29147 -- to Joe Lontin, Denver, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hutton

John B. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER PETERSEN, DOING BUSINESS AS)
"NIELSEN & PETERSEN," 123 WEST 4TH)
STREET, GRAND ISLAND, NEBRASKA, FOR)
AUTHORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO NIELSEN & PETER-)
SEN, INC., 123 WEST 4TH STREET,)
GRAND ISLAND, NEBRASKA.)

PUC NO. 727-I

January 31, 1948

S T A T E M E N T

By the Commission:

Heretofore, Walter Petersen, doing business as "Nielsen & Petersen," Grand Island, Nebraska, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 727-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Nielsen & Petersen, Inc., Grand Island, Nebraska.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Walter Petersen, doing business as "Nielsen & Petersen," Grand Island, Nebraska, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 727-I to Nielsen & Petersen, Inc., Grand Island, Nebraska, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of out-

6
standing indebtedness secured by mortgage, or otherwise, if any there be.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton
John R. Perry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHAS. H. MESSICK AND EARL J. RODEN,)
1960 ARAPAHOE STREET, DENVER, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS PRIVATE CARRIERS BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 9022-PP

January 31, 1948

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, dirt, rock, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Chas. H. Messick and Earl J. Roden, Denver, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers

by motor vehicle for hire for the transportation of sand, gravel, dirt, rock, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Nelson

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED E. SEARL, 1766 TAMARAC STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 9023-PP

January 31, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objections to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Alfred E. Searl, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for

hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Stanton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 31st day of January, 1948.

mmw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DAVID KELLER, JR., AND ALBERT KELLER,)
ROUTE 1, BOX 122, BROOMFIELD COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS PRIVATE CARRIERS BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 9024-PP

January 31, 1948

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Broomfield, to road and building construction jobs within said fifty-mile radius, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That David Keller, Jr., and Albert Keller, Broomfield, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Broomfield, to road and building construction jobs within said fifty-mile radius, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicants have filed statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of this Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

DATED at Denver, Colorado,
this 31st day of January, 1948.

Ralph C. Watson

John R. Barry
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE SHORTAGE
OF NATURAL GAS TO CONSUMERS
OF PUBLIC SERVICE COMPANY OF
COLORADO AND GREELEY GAS COM-
PANY.

} APPLICATION NO. 8458
} SUPPLEMENTAL ORDER.
}

February 2, 1948

S T A T E M E N T

By the Commission:

On May 17, 1947, and May 31, 1947, this Commission rendered Decisions numbered 28191 and 28277, respectively, upon application No. 8458. These Decisions were rendered at the instance of Public Service Company of Colorado, Colorado-Wyoming Gas Company and Greeley Gas Company. These orders curtailed the use of natural gas for house heating purposes in the territory served by Public Service Company of Colorado from the pipe line of Colorado-Wyoming Gas Company, including the cities of Brighton, Adams County, Colorado, and Fort Lupton, Weld County, Colorado.

Public Service Company of Colorado has now filed herein its application in said proceedings for an Order modifying said Decisions of May 17, 1947, and May 31, 1947, insofar as said Orders relate to and include the curtailment of the use of natural gas in the said cities of Brighton and Fort Lupton.

F I N D I N G S

The new and supplemental pipe line of Colorado-Wyoming Gas Company being constructed by that Company from Denver in the State of Colorado to Cheyenne in the State of Wyoming, will be completed to the cities of Brighton and

Fort Lupton on or about the 5th day of February, 1948, and that upon the completion thereof and the interconnection being made with the distributing facilities of Public Service Company of Colorado, petitioner herein, in said cities, natural gas will be available in adequate quantities, to the end that there will be no further necessity for said Decisions of this Commission limiting the use thereof as therein provided in Decisions Nos. 28191 and 28277.

O R D E R

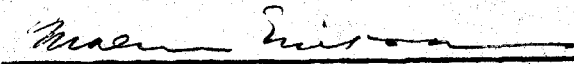
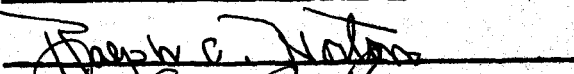
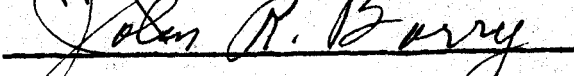
THE COMMISSION ORDERS:

That the instant application of Public Service Company of Colorado for modification of the Orders and Decisions of the Commission herein made and entered on May 17 and May 31, 1947, respectively, said Decisions being numbered 28191 and 28277, respectively, is hereby granted, and said Decisions and Orders shall not continue in effect within the Cities of Brighton and Fort Lupton, Colorado from and after the interconnection of the facilities of Colorado-Wyoming Gas Company for the purpose of serving the inhabitants of the said cities of Brighton and Fort Lupton.

That except as herein modified, said Decisions and Orders of the Commission of May 17, 1947 and May 31, 1947, shall continue in full force and effect.

That this Commission shall retain jurisdiction in the premises and shall make such further orders as to the Commission may seem desirable or proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

DATED at Denver, Colorado,
this 2nd day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE DISCONTINUANCE OF PASSENGER,
BAGGAGE AND EXPRESS SERVICE OF THE
DENVER AND RIO GRANDE WESTERN RAIL-
ROAD COMPANY BETWEEN GLENWOOD
SPRINGS, COLORADO, AND ASPEN, COLO-
RADO, AND POINTS INTERMEDIATE
(TRAINS NOS. 229 AND 230).

INVESTIGATION AND SUSPENSION
DOCKET NO. 273

February 3, 1948

Appearances: T. A. White, Esq., Denver,
Colorado, for The Denver
and Rio Grande Western
Railroad Company;
Allyn C. Cole, Esq., Glenwood
Springs, Colorado, for Pit-
kin County, Garfield County,
Town of Aspen, Town of Car-
bondale, Carbondale Potato
Growers' Association, North
Thompson Four-Mile Cattle
Association, School District
No. 12 in Garfield County,
Colorado.

S T A T E M E N T

By the Commission:

On May 12, 1947, The Denver and Rio Grande Western Railroad Company, by L. F. Wilson, its Assistant General Manager, filed with The Public Utilities Commission of the State of Colorado, copy of notice to the general public of its intention to discontinue passenger, baggage, and express service between Glenwood Springs, Colorado, and Aspen, Colorado, and points intermediate thereto, effective on and after June 10, 1947.

On June 3 and 4, 1947, the Commission received telegrams from Independent Order of Odd Fellows of Carbondale, Colorado, Coal Basin Cattle Association, School District No. 12, Community Chamber of Commerce of Carbondale, Colorado, North Thompson Cattle Association, Carbondale Potato Growers' Association, Farmers' Local Union No. 32, Carbondale

Farmers' Union, West Sopris Stock Growers' Association, in behalf of the "Citizens of Roaring Fork Valley, en masse," and the Town of Basalt and Basalt Union High School, and statement from Allyn Cole, Esq., in behalf of the Board of County Commissioners of Pitkin County, the Board of County Commissioners of Garfield County, the City of Aspen, and the Town of Carbondale, protesting the discontinuance of the aforesaid train service.

Thereupon, the Commission suspended the proposed discontinuance of passenger, baggage, and express service between Glenwood Springs, Colorado, and Aspen, Colorado, and points intermediate thereto (which service then was and now is being furnished by Trains Nos. 229 and 230) of The Denver and Rio Grande Western Railroad Company, until October 8, 1947, at which time said effective date of proposed discontinuance of service was further suspended until February 6, 1948, unless otherwise ordered by the Commission, and the matter was set for hearing at the Court House in Glenwood Springs, Colorado, on June 27, 1947. Said matter was heard, pursuant to said setting, after notice to all parties in interest, and was taken under advisement.

At the hearing, Board of County Commissioners of Pitkin County, Board of County Commissioners of Garfield County, Town of Aspen, Town of Carbondale, Carbondale Potato Growers' Association, North Thompson Four-Mile Cattle Association, School District No. 12 in Garfield County, and numerous citizens residing in said communities and groups and civic organizations active in Glenwood Springs, Carbondale, Basalt, Aspen, and the Counties of Garfield and Pitkin, appeared in opposition.

The Aspen Branch of The Denver and Rio Grande Western Railroad Company is a line of standard gauge railroad extending from Glenwood Springs to Aspen, a distance of 41.2 miles, the principal stations on said line, besides Glenwood Springs and Aspen, being Carbondale, Emma, Woody Creek, and Bates. Regular train service, for a considerable period of time, has been, and now is, furnished by a mixed train operating on schedule daily, except Sunday, leaving Glenwood Springs at 7:35 A. M., arriving Aspen (when on time) at 10:05 A. M., and leaving Aspen on the

return trip at 10:40 A. M., arriving Glenwood Springs at 1:15 P. M. This train handles carload and l.c.l. freight, express, passengers, mail, and baggage. When and if volume of business offered justifies such service, extra freight trains are operated. The track is substantially paralleled by State Highway No. 82. Besides the mixed train rail service, the bus line of Glenwood Springs-Aspen Stages furnishes twice-daily service by means of motor bus between Glenwood Springs and Aspen, and all points along said highway within one mile thereof, including the intermediate points of Snow Mass, Basalt, and Carbondale. Busses leave Glenwood Springs at 7:50 A. M. and 8:30 P. M., arriving Aspen at 9:30 A. M. and 9:55 P. M. They depart from Aspen at 12:30 P. M. and 10:00 P. M., and arrive, respectively, at Glenwood Springs, at 2:00 P. M. and 11:15 P. M. They furnish passenger, baggage, and express service, and not only are willing to handle, but desirous of handling, the mail if they can get the contract for such service. The bus serves a number of points that are not served by rail. Bus schedules are so arranged as to meet east and west-bound trains of The Denver and Rio Grande Western Railroad Company, and east and west-bound busses of Rio Grande Motor Way, Inc., at Glenwood Springs. Dummer and Hanson operate a taxi and sightseeing service, with headquarters at Aspen, Colorado, and are authorized to transport passengers on call, between Aspen and Glenwood Springs, for the Jerome Hotel at Aspen. Rader-Rule also have been authorized to operate passenger service between Glenwood Springs and Aspen for movement of tourists and sightseers, and M. A. Cannell, of Glenwood Springs, also operates a taxicab and sightseeing service in the area. Resler Truck Service furnishes daily on-schedule freight service between Aspen, Glenwood Springs and intermediate points, including off-route points within one mile of the highway.

Also, a number of common carriers by motor vehicle furnishing call and demand service, domiciled at Aspen, Carbondale, and Glenwood Springs (Acheson of Aspen, Hinkle and Dodge of Carbondale, Earnest of Glenwood Springs, Wallace of Rifle), haul potatoes, hay, grain, livestock, and other farm products between points in the area, including farm and

ranch to railhead service, and service from farms and ranches to markets, including Rifle -- where a livestock sales ring is located -- Denver, and Pueblo. Similar service is furnished for their customers by private carriers (Colter, Rady, Colegate, and Stevens) authorized to serve from Carbondale, Basalt, Glenwood Springs and surrounding territory.

The annual reports of the carriers by motor vehicle of passengers and freight were made a part of the record. They disclose that most of the freight and passenger business in the territory, except outbound movement of potatoes, is handled for for-hire motor carriers. The railroad -- if it is permitted to discontinue its passenger, express and baggage service by mixed trains, as proposed -- contemplates substitution of a not-on-schedule freight service. Witnesses for the railroad conceded that it would be necessary to furnish daily service for approximately four and one-half months out of the year -- that is, from late summer to early winter. During the remaining period of seven and one-half months, service would be on call -- that is, when accumulated carload freight justified the service, it being contemplated that the small amount of l.c.l. freight now handled by the railroad would be handled between Glenwood Springs and Aspen and intermediate points by Resler Truck Line.

Lambs ordinarily commence moving to market in August, followed by grass-fat cattle going to market, and sheep to winter pasture or market. Later, carload shipments of potatoes go to market, this movement continuing into the spring. An effort will be made to arrange potato movement in spring to suit shippers' convenience. Sheep are shipped into Aspen and surrounding territory about the middle of May for grazing in the mountains during the summer. Special trains have been operated in the past, and will continue to be furnished for substantial carload movements of livestock. It is contemplated that regular days will be fixed for handling carload shipments of livestock during the period when daily service is not provided.

Presently, the railroad is operating three hundred twenty-two

mixed trains yearly. It expects to be able to furnish satisfactory freight service under the arrangement proposed, and at the same time eliminate one hundred thirty trains, with an estimated saving of \$18,005.00. Practically no saving would be made by eliminating passenger, baggage, and express service, only, and continuing to operate daily freight train service on schedule. The average passenger patronage per trip on mixed trains is about one and one-half passengers per trip. This, the railroad conceded, is due to much better service by bus, but contended that it is not in a position to, and the business does not justify, attempting to furnish competitive passenger service by rail.

Railroad witnesses conceded that some livestock raisers might object to being compelled to ship on days fixed for shipment -- they, perhaps believing that their cattle would bring better price on some other market day than the market day, or days, permitted by planned service of railroad -- and that it might be necessary to corral some in-bound livestock shipments received from foreign roads at Glenwood Springs, unless in sufficient volume to justify a special trip. "Sailing days" for out-bound livestock shipments probably will be Tuesday and Friday, which will permit shipments for Thursday and Monday markets. Shippers will be able, if they so desire, to ship from Glenwood Springs every day in the week.

Numerous exhibits prepared by Accounting Department of the railroad were presented at the hearing, showing passenger, mail, express, milk and freight revenue by years, for the Years 1940 to 1946, inclusive, and the same information for first three months of 1947. Branch expense for the same period was also shown.

Mail revenue which will be lost by the railroad in the event mixed train service is discontinued, amounts to seventy-two dollars per mile per annum. Expenses incurred in handling l.c.l. freight is computed on basis of one-fourth of one percent, based on mileage. Milk revenue and passenger revenue shipments to off-branch points are computed on a pro-rate mileage basis. No "overheads" are included in expense figures, and revenue accruing to main line, account traffic originating at or

destined to points on Aspen Branch, are not considered.

Exhibit 6, being a composite statement of revenue and expenses for the considered period is as follows:

"THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY

Revenue and Expenses of Aspen Branch for Years 1940, 1941, 1942, 1943, 1944, 1945, 1946, and
Three (3) Months of 1947

	1940	1941	1942	1943	1944	1945	1946	3 Months 1947	Total
Revenue	\$ 19,659.09	\$ 19,405.67	\$ 16,788.79	\$ 16,535.34	\$ 12,463.77	\$ 11,106.83	\$ 13,186.05	\$ 2,430.60	\$ 111,576.14
Light									
Passenger	625.86	606.94	1,176.24	1,627.73	1,862.78	1,773.52	1,544.91	182.39	9,400.37
Freight	2,969.28	2,969.28	2,969.28	2,969.28	2,969.28	2,969.28	2,959.79	742.32	21,517.79
Express	2,280.00	2,765.00	2,850.00	2,950.00	2,200.00	2,100.00	2,100.00	525.00	17,770.00
Freight	170.74	172.07	145.88	167.85	131.71	136.00	142.28	30.67	1,097.20
Aspen Branch									
Revenue	25,704.97	25,918.96	23,930.19	24,250.20	19,627.54	18,085.63	19,933.03	3,910.98	161,361.50
Aspen Branch									
Expenses	65,526.69	61,562.70	70,696.59	76,847.25	83,998.53	82,883.89	78,179.12	22,692.96	542,387.72
Aspen Branch									
Profit	\$ 39,821.72	\$ 35,643.74	\$ 46,766.40	\$ 52,597.05	\$ 64,370.99	\$ 64,798.26	\$ 58,246.09	\$ 18,781.98	\$ 381,026.23

Exhibit 4 is a tabulation of passengers handled on the branch from January, 1946, to March, 1947, both months inclusive. It shows an average of 3.6 passengers per train during the calendar year 1946, and an average of 1.7 passengers per train during the Months of January, February, and March, 1947.

Exhibit 5 shows passengers handled by Glenwood-Aspen Bus -- the Resler operation -- from September 16, 1946, to May 1, 1947. The daily average was 19, and the per-trip average was 5.

Leamon Resler, who, at the time of the hearing, was operating Glenwood-Aspen Stages, and Glenwood-Aspen Freight Service -- being respectively bus and truck operations under certificates of public convenience and necessity issued by the Commission -- described his on-schedule service between Glenwood Springs and Aspen and intermediate points. He has two busses, respectively accommodating 29 passengers and 37 passengers. He has never operated the bus line to capacity, and it has never shown a profit. He does not serve Emma or Woody Creek, but would arrange for service from those points to meet bus. The bus could not operate over the highway into said points. He serves Basalt, which is not served by the railroad directly. He now furnishes milk service, when requested, and

will handle express and mail on his busses, if given the opportunity. He believes that the extra business will enable him to operate his bus line "in the black," and to furnish better bus service between Glenwood Springs and Aspen.

Wayne Rees, Manager of Resler Truck Line freight operations, described the daily-except-Sunday freight service, leaving Aspen at 7:00 o'clock in the morning, arriving Glenwood Springs at 9:00 o'clock A. M., leaving Glenwood Springs at 1:22 o'clock P. M., arriving Aspen at 3:00 o'clock P. M. He stated that truck line operates a 1946 one and one-half-ton flat bed Dodge truck, and a two-ton 1945 International truck, with van body, in this service; that it maintains a freight dock at Glenwood Springs and interchanges with Rio Grande Motor Way at said point; that it serves Basalt and Snow Mass, located respectively two and four miles from, and not served by, railroad. Emma, with a population of five, is the railhead for Basalt. Mail is carried by pick-up from Emma to Basalt. Approximately thirty-five or forty people live in the area south of Emma. Snow Mass has two families aggregating five people. Woody Creek, on the railroad, is served throughout the year by the truck line. Principal points on the line are Carbondale, Basalt, and Aspen. Truck line does not handle livestock, but would handle milk. Truck line has never missed a scheduled trip. While large quantities of potatoes are trucked out of the territory, his line has not handled potatoes in quantity, but would do so if so requested by shippers. Many Commercial Carriers buy potatoes in the Carbondale area and haul them in their trucks.

A. E. Robinson, Mayor of Aspen and Manager of Mountain Utilities, with headquarters at Aspen, J. Burton Tuttle, a rancher of Snow Mass, Charles O. Bishop, Manager of Jerome Hotel, Louis Love, a livestock raiser of Carbondale, Messrs. Wieben and Gerbaz, respectively, rancher and County Commissioner of Pitkin County, and John Dabernay, brand inspector, who resides at Carbondale, and is in charge of the district between Glenwood Springs and Aspen, testified in behalf of protestants.

Mr. Tuttle handles approximately 75,000 sheep yearly. He runs his sheep on approximately four thousand acres of land near Snow Mass. He buys and sells sheep regularly, runs them on pasture near Snow Mass in the summer, and on the Utah Desert or Kansas wheat land in the winter. He stated that during 1946, he shipped about thirty cars to Snow Mass, and about thirty cars out of Snow Mass, divided into three or four shipments; that in-bound sheep from Kansas were delivered in May, and sheep were shipped out during the period October to December, inclusive; that, in his opinion, daily train service is essential, because he cannot determine in advance when he wants to ship from Kansas or the desert; that sheep from Kansas will be shipped via Missouri Pacific or Santa Fe, and it is not desirable to be required to change at Glenwood Springs; that heavy losses might ensue -- especially in view of the fact that water and feeding facilities at Glenwood Springs are inadequate. He admitted that the railroad gave him special train service for a thirteen-car shipment in 1946.

Mr. Love stated that during the Months of September and October, he sometimes ships as many as five cars of sheep to Denver at one time, and from sixteen to twenty cars in the fall to winter range at Mack, Colorado; that in the spring of 1946, he shipped twenty-three cars to Carbondale; that, on occasions, the railroad has furnished special service for shipments of eighteen to twenty cars; that he is of the opinion that the Tuesday-Friday service planned will not be adequate.

Similar views were expressed by Mr. Wieben -- especially for the movement of cream, which moves from Bates, he being one of a number of cream shippers residing near Snow Mass. He stated that it will not be satisfactory to ship cream by truck, because the truck leaves too early in the morning, his present practice being to take the cream cans to Bates when he goes after his mail; that, occasionally, ten to fifteen cars of livestock move at one time from Rose Spur, his shipping point, said shipment being made up of cars forwarded by a number of shippers.

John Dabernay, Brand Inspector, stated that Saturdays and Mon-

days were the chief shipping days from the territory; that on August 3, 1946, 197 head of cattle were shipped; that October and November are the months of heaviest shipments; that only a small quantity of livestock moves in the spring -- chiefly cattle moving into the district; that between October, 1945, and June, 1946, 34,194 sacks of potatoes were shipped from Carbondale by railroad; that potatoes must move within twenty-four hours after loading, on account of heating in the car; that sometimes as many as eight or ten cars move in a day; that very few potatoes controlled by the Association are trucked out; that he ships his cream from Carbondale, and delivers it at the depot about ten o'clock A. M., when he goes after the mail; that he, too, would be compelled to make a special trip if the cream went by bus; that he, like other people in the area, is not concerned about the passenger service.

Charles O. Bishop, Manager of Jerome Hotel at Aspen, estimated the investment of Mr. Paepcke in residences, hotel, and other buildings, at \$500,000.00. He stated that during the construction period, they found the rail service to be very satisfactory; that all building materials were delivered promptly, which was essential; that heavy commodities were shipped in by rail; that incidental supplies and groceries were handled by trucks; that there has been some delay at Glenwood Springs in truck shipments, on account of lay-over, although daily service is furnished; that some passengers going to and from the hotel have been handled by rail.

Some evidence was given on direct examination by railroad witnesses, and cross-examination by protestant witnesses, indicating that residents of Aspen in particular, and some residents of the territory between Aspen and Glenwood Springs, had supported applications for truck and bus service -- which service, the railroad contends, has materially decreased the volume of freight and passenger business.

An examination of the written protests filed by the large number of people who objected to the proposed discontinuance of train service discloses that they were under the impression, when protest was filed, that the railroad contemplated discontinuing train service and

abandoning the branch. At the hearing, it developed that if the railroad had contemplated such action, it had changed its plan. At the hearing, only one person admitted that he had ridden the railway mixed train. Except for ranchers who use the train for shipment of potatoes and livestock, dairy farmers who ship cream, and Mr. Bishop, of the Jerome Hotel, who had used train service for movement of building supplies to Aspen, rail service had been comparatively unused. We believe it appeared that service by bus and truck, for movement of passengers, express and l.t.l. freight -- that is, freight classed as less-carload freight when handled by rail -- is superior to the rail service offered, or to any rail service which could reasonably be expected under the circumstances. Mail service by bus would be much prompter and could be more frequent than mail service by rail. The handling of small amount of milk and cream shipments should be satisfactory. Exhibit 2 shows the average milk revenue for the period 1940 to 1946, inclusive, to be less than \$150.00 monthly, revenue in Years 1945 and 1946 being \$136.00 and \$142.28, respectively. For the first three months of 1947, revenue amounted to \$30.67. It would not seem to be proper to require the railroad to maintain its mixed train service for this revenue, in order to allow some shippers to combine cream delivery to pick-up point with trip for mail, when its operations for the Year 1946 showed a loss of \$58,246.09, and a similar loss for the first three months of 1947 of \$18,781.98. Truck schedule may be adjusted to permit same practice. The most serious objection to the change from daily service to bi-weekly service for seven and one-half months, as proposed, with daily-except-Sunday service for four and one-half months, comes from the livestock growers, but upon analysis, it would seem that their requirements will be reasonably satisfied by the proposed daily service for part of the year -- that period being during the time of heavy livestock shipments. This would not take care of the in-bound shipments in the spring, but such shipments seem to be heavy enough in volume to justify the furnishing of a special train by the railroad. Potato loadings can be made, even in the off season, to go out within two days after loading.

The Commission fully appreciates the reaction of the communities affected to the proposed abandonment of mixed train daily service. It is natural to protest against the curtailment of any railroad facilities which have been enjoyed in the past, or perhaps it might be said -- as contended by the railroad -- "might have been enjoyed in the past." The question for determination by the Commission is whether, in view of present conditions, the public will be served in a reasonably adequate manner by the proposed substituted transportation service, if these trains are discontinued. We believe that the service which will be available -- all things considered -- will be reasonably adequate. Too, we must bear in mind that branch losses mean that increased burdens must be borne by other users of train service within the state, and those passengers served by The Denver and Rio Grande Western Railroad Company in interstate commerce.

In I. and S. Docket No. 239, Decision No. 16799, in re closing C. B. and Q. R. R. Co. Station at Stoneham, Colorado, the Commission said:

"We believe that this question is one of managerial discretion, and under the law, unless the management acts arbitrarily in the exercise of said discretion, we cannot interfere with their decision. While some inconvenience may be suffered by receivers and shippers of freight, on account of lack of agency service, on the whole, we believe that experience has shown that l.c.l. freight, milk and cream and carload freight can be satisfactorily handled in the manner that the railroad company proposes to handle it -- at least we cannot say that the inconvenience is out of proportion to the benefits, in the opinion of management, that will accrue to the railroad and the public, as a whole, served by the railroad, by abandonment of the station. See *Residents of Royalton, et al, v. Central Vermont Railway Company*, 138 Atlantic, 782; *Southern Railway Company v. Public Service Commission*, et al, 10 S. E. (2nd) 769; *Lowden v. State*, 8 Pacific (2nd) 1061."

We believe that the matter now before the Commission is similar, and that we cannot say that the management is acting arbitrarily, and not in the interest of the public as a whole, when it seeks to effect the economies indicated.

F I N D I N G S

After careful consideration of the record herein, the Commission is of the opinion, and finds, that, subject to the conditions hereinafter expressed (which the Commission finds the public interest and necessity require), The Denver and Rio Grande Western Railroad Company should be authorized to discontinue passenger, baggage, and express service between Glenwood Springs, Colorado, and Aspen, Colorado, and points intermediate thereto, and to discontinue the operation of its Trains Nos. 229 and 230 on schedule, and freight service thereby afforded the public, effective on and after February 25, 1948, and in lieu thereof to substitute twice-weekly freight service between Glenwood Springs, Colorado, and Aspen, Colorado, during the first seven and one-half months of each year, and daily-except-Sunday-service during the last four and one-half months of each year -- that is, from January 1 to August 15, freight service shall be furnished by trains operated twice weekly by said railroad, and from August 16 to December 31, inclusive, of each year, service shall be furnished by said railroad daily, except Sunday.

The Commission further finds that jurisdiction of the instant matter should be retained, to the end that such further order, or orders, may be entered as to the Commission may seem advisable.

O R D E R

THE COMMISSION ORDERS:

That The Denver and Rio Grande Western Railroad Company be, and it hereby is, authorized to discontinue passenger, baggage, and express service between Glenwood Springs, Colorado, and Aspen, Colorado, and points intermediate thereto, and to discontinue the operation of its Trains Nos. 229 and 230 on schedule, and freight service thereby afforded the public, effective on and after February 25, 1948, and in lieu thereof to substitute twice-weekly freight service between Glenwood Springs, Colorado, and Aspen, Colorado, during the first seven and one-half months of each year, and daily-except-Sunday-service during the last four and one-half months of each year -- that is, from January 1 to August 15, freight service shall be furnished by trains operated twice weekly by

said railroad, and from August 16 to December 31, inclusive, of each year, freight train service shall be furnished by said railroad daily, except Sunday.

That jurisdiction of the instant matter is hereby retained, to the end that such further order, or orders, may be entered as to the Commission may seem advisable.

That this order, subject to the above restrictions, shall become effective on the 25th day of February, A. D., 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hoter

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 3rd day of February, 1948.

MMW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
COLORADO CENTRAL POWER COMPANY, A
CORPORATION, FOR AUTHORITY TO ISSUE
\$600,000.00 PRINCIPAL AMOUNT OF FIRST
MORTGAGE 3-3/8% BONDS, SERIES C,
MATURING AUGUST 1, 1976.

APPLICATION NO. 9050

February 4, 1948

STATEMENT

By the Commission:

Upon consideration of the application filed on January 19, 1948,
by the Colorado Central Power Company in the above-styled matter:

ORDER

THE COMMISSION ORDERS:

That a public hearing be held, commencing on February 17, 1948, at 10:00 o'clock A. M., 330 State Office Building, Denver, Colorado, respecting the matters involved and the issues presented in this proceeding. Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceedings. Intervention petitions should be filed with the Commission on or before Saturday, February 14, 1948, and should set forth the grounds of the proposed intervention, and the position and interest of the petitioners in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hahn

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 4th day of February, 1948

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE MOTOR VEHICLE
OPERATIONS OF HAZEN-RIGGOT, INC.,
HAYDEN, COLORADO, PUC NO. 1057.

CASE NO. 4971
ORDER TO SHOW CAUSE
AND NOTICE OF HEARING

February 5, 1948

S T A T E M E N T

By the Commission:

By Decision No. 8339, of date August 25, 1936, W. H. Klecker, doing business as Hayden Transfer Company, was authorized to operate as a common carrier by motor vehicle for hire, with authority as follows:

For the conduct of a general cartage and transfer business in the Town of Hayden; for the transportation of farm products, including livestock, farm supplies, and farm equipment, including furniture, between ranches, farms and mines situated in that part of Routt County lying west of the eastern boundary line of Range 86, and Hayden, Steamboat, Craig, and railroad loading points within said area, and to points outside of said area for customers residing therein; and for the transportation of such freight as the County Commissioners of Routt County may order the applicant to transport to what is known as Williams Fork, and for the transportation of such freight as Wilson Cary may require in connection with his ranch operations; provided, however, that applicant will not engage in any transportation service of a competitive character along the route of scheduled common carriers now serving this area, without first obtaining the consent of the line carrier involved.

Thereafter, by Decision No. 27318, made and entered on January 13, 1947, the authority was extended as follows:

To include the right to conduct a general transfer and cartage business in the Town of Hayden, and the transportation, on call and demand, of farm products, including livestock, farm supplies, farm equipment, including furniture, coal, oil products, construction, building, oil field and drilling materials and supplies, between points in that part of Routt County which lies west of the Range Line between Ranges 85 and 86 and from

and to points in said area, to and from points in the State of Colorado, without the right to transport oil products or construction, building, oil field, and drilling materials and supplies from points in said Counties to points in the State of Colorado, or to transport farm supplies and farm equipment, including furniture, between points served by Leonard Gray under his PUC-880 (except service heretofore authorized under present authority), and without the right to furnish service between points served by line-haul motor vehicle common carriers, in competition therewith.

By Decision No. 29176, of date October 27, 1947, the Commission authorized the Hayden Transfer Company to transfer said Certificate No. 1057 to the respondent herein, Hazen-Riggot, Inc., subject to certain indebtedness, which indebtedness, the Commission is informed and believes, has not been paid.

The Commission is informed and believes, and upon such information and belief alleges, that respondent has violated the provisions of the statutes of the State of Colorado and the Rules and Regulations of this Commission Governing Common Carriers, in the following particulars, to-wit:

That said respondent is not now furnishing, nor has it for a period of more than five days prior to the date hereof furnished, service under said Certificate No. 1057; that said respondent has abandoned operations under said certificate without first making application, in writing, to this Commission for permission so to do, and submitting evidence giving reasons for the same, and receiving an order from this Commission based thereon permitting such discontinuance.

The Commission therefore finds that an investigation should be made and a hearing held relative to said violations.

O R D E R

THE COMMISSION ORDERS:

On its own motion, that an investigation and hearing be had to determine if said respondent has failed or refused to comply with any or all of the provisions of the statutes of the State of Colorado

and the Rules and Regulations of this Commission Governing Motor Vehicle Carriers, or the provisions of respondent's said certificate No. 1057; and, if so, whether said certificate should therefore be suspended, cancelled, or revoked, or whether any other order or orders should be entered by the Commission in the premises.

That said respondent show cause, if any it have, by written verified answer filed with the Commission within ten (10) days from this date, why it should not enter an order, because of the aforesaid violations, suspending, cancelling, or revoking the certificate heretofore issued to said respondent, or why it should not enter such other order or orders as may be proper in the premises.

That said matter be, and it hereby is, set down for hearing before the Commission in its Hearing Room, 330 State Office Building, Denver, Colorado, on the 20th day of February, 1948, at ten o'clock A. M., at which time and place such evidence as is proper may be introduced.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ray C. Nott
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 5th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ARTHUR E. GAINES, JR., DOING BUSI-)	
NESS AS "FLAGLER-DENVER TRUCK LINE,")	
OF FLAGLER, COLORADO, TO TRANSFER TO)	<u>APPLICATION NO. 8970-Transfer.</u>
GLEN THOMPSON, OF FLAGLER, COLORADO,)	
HIS CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY, PUC NO. 1715.)	
-----)	

February 9, 1948

Appearances: Truman A. Stockton, Jr., and
A. E. Small, Esqs., Denver,
Colorado, for Transferor
and Transferee.

S T A T E M E N T

By the Commission:

By Decision No. 26817, dated October 5, 1946, Arthur E. Gaines, Jr., doing business as "Denver-Flagler Truck Line," was authorized to operate as a common carrier for the transportation of general commodities, except livestock, between Flagler, Colorado, and points in Kit Carson County, within a radius of fifteen miles of Flagler, and Denver, Colorado, via U. S. Highway Nos. 40 and 24. He now seeks authority to transfer said certificate to Glen Thompson of Flagler, Colorado.

At the hearing, held in Burlington, Colorado, on January 20, 1948, it appeared that the consideration for the transfer of Certificate No. 1715 and one 1947 Reo, 3-ton tractor; one 1946, 26-foot Freuhauf Van Semi trailer; one 1941 Chevrolet, 2-ton Pickup truck; together with other property, is the sum of \$10,500.00, of which \$2,000.00 is to be paid in cash, and the balance of \$8,500.00 is to be paid in 85 equal installments of \$119.00, which installments include principal and interest, said indebtedness being evidenced by a promissory note, secured by chattel

mortgage, which note further provides that in the event of default in any payments after the 12th payment hereunder, shall cause the entire obligation to become due and owing, at the option of the vendor or transferor herein.

It also appeared that there are no outstanding unpaid obligations against said operation except some current accounts that vendor agrees to take care of; that transferor has operated said certificate continuously since the date of issue; that the ton-mile tax deposit is to be transferred to the account of the transferee herein.

The operating experience and pecuniary responsibility of the transferee was established to the satisfaction of the Commission, transferee having several years experience in operating trucks.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Arthur E. Gaines, Jr., doing business as "Flagler-Denver Truck Line," of Flagler, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to certificate of public convenience and necessity No. 1715 to Glen Thompson, doing business as "Flagler-Denver Truck Line," of Flagler, Colorado, said transferee to secure payment of balance of purchase price by chattel mortgage on said certificate.

That the ton-mile tax deposit of transferor shall be transferred and credited to the account of the transferee herein.

That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Hahn

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES R. KIECHEL, OF BOX 126,)
LA JARA, COLORADO, FOR A CLASS "A") APPLICATION NO. 8990-PP.
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

February 9, 1948

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado, for
Fred Gibson, J. D. Haney,
and Lute Vance.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Alamosa, Colorado, on Friday, January 23, 1948, at 9:00 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is,

dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Barry

Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. C. STIVER, OF MONTE VISTA,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 8981-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

February 9, 1948

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado, for
J. P. Wiederkehr and Son, and
Fred Gibson;
T. A. White, and
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way;
M. M. Marshall, Esq., Alamosa,
Colorado, for McCormick
Brothers.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Alamosa, Colorado, on Friday, January 23, 1948, at 9:00 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, all protestants moved that said application be dismissed for lack of prosecution.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is,

dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John P. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK TRUJILLO, OF STAR ROUTE, DEL)
NORTE, COLORADO, FOR A CLASS "B") APPLICATION NO. 8983-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

February 9, 1948

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado, for
J. P. Wiederkehr and Son;
T. A. White, and
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way;
M. M. Marshall, Esq., Alamosa,
Colorado, for McCormick
Brothers.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Alamosa, Colorado, on Friday, January 23, 1948, at 9:00 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, all the protestants joined in a motion that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is,

dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Robert C. Watson

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE MEDINA, ROUTE 2, ALAMOSA,)
COLORADO, FOR A CLASS "A" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 8987-PP

February 9, 1948

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for J. D. Haney and
C. D. Phillips;
T. A. White, Esq., Denver,
Colorado, and
A. J. Tait, Denver, Colo-
rado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Alamosa, Colorado, on January 23, 1948, at 9:00 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

2

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is,
dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hatan
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. A. STONE, BOX 503, DEL NORTE,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 8359-PP

February 9, 1948

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado, for
Fred Gibson, Lute Vance,
J. P. Wiederkehr and Son.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, in Alamosa, Colorado, on January 23, 1948, at 9:00 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is,

dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Nelson
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THOMAS SANDOVAL, 1534 FOURTH AVE.,)
MONTE VISTA, COLORADO, FOR RE-) APPLICATION NO. 8985-PP
ISSUANCE OF PERMIT NO. B-2484.)

February 9, 1948

Appearances: Thomas Sandoval, Monte Vista,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Thomas Sandoval, applicant herein, appeared before the Commission on January 23, 1948, at Alamosa, Colorado, and requested that his application be dismissed.

The Commission can see no good reason why the request of applicant should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That Application No. 8985-PP should be dismissed for the reasons above set forth.

O R D E R

THE COMMISSION ORDERS:

That Application No. 8985-PP be, and the same hereby is, dismissed.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Nelson
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ZEKE MARTINEZ, ROUTE 1, MONTE VISTA,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 8991-PP

February 9, 1948

Appearances: Zeke Martinez, Monte Vista,
Colorado, pro se;

S T A T E M E N T

By the Commission:

Zeke Martinez, the applicant herein, appeared before the Commission at Alamosa, Colorado, on January 23, 1948, and there stated that he had sold his truck, and was not presently interested in a Class "B" private carrier permit.

F I N D I N G S

THE COMMISSION FINDS:

That Application No. 8991-PP should be dismissed for the reasons above set forth.

O R D E R

THE COMMISSION ORDERS:

That Application No. 8991-PP be, and the same is hereby, dismissed.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Nelson

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLAUDE LONG, 508 FIRST, ALAMOSA,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 8589-PP

February 9, 1948

Appearances: Claude Long, Alamosa, Colo-
rado, pro se;
Conour and Conour, Esqs.,
Del Norte, Colorado, for
J. P. Wiederkehr and Son,
and C. H. Phillips;
M. M. Marshall, Esq., Alamosa,
Colorado, for McCormick
Brothers;
T. A. White and
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way.

S T A T E M E N T

By the Commission:

On July 10, 1947, the applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of potatoes, peas, lettuce, and perishable produce, from point to point within a radius of twenty miles of Monte Vista, Colorado.

The matter was first set for hearing on the 22d day of August, 1947, at 9:30 A. M., at the Court House in Alamosa, Colorado, at which time and place applicant failed to appear.

On August 31, 1947, the applicant wrote the Commission that, due to a misunderstanding, he failed to appear at the hearing at Alamosa, and requested that his application be set at some future date. The Commission granted this request, and the matter was set for hearing, and heard, January 23, 1948, at 9:00 A. M., at the Court House in Alamosa, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1941, 1½-ton Ford truck, and has customers residing in the territory extending 10 miles north, 10 miles east, 4 miles south, and 4 miles west of Monte Vista, Colorado.

With the above restrictions in his application, the Commission cannot see where the granting of this application would impair the services of common carriers, J. P. Wiederkehr and Son, as their territory is substantially excluded from the application.

Protestant C. H. Phillips, of Alamosa, Colorado, stated he hauls livestock, and further stated he had not hauled farm produce during the past year, so it is obvious that his present service will not be impaired.

McCormick Brothers, of Center, Colorado, also protested, and stated they are only operating one truck in their area, and it is apparent to the Commission that they are not in a position to take care of all the needs for service for the hauling of farm produce in their respective area.

It will be noted that the above application, as amended by the evidence, does not permit service to Center, the base of the McCormicks' operation, and the Commission cannot see where they can complain. Further, the testimony failed to disclose where the granting of the instant application, as hereinafter restricted, would impair the service of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that authority, as hereinafter limited, should be granted.

ORDER

THE COMMISSION ORDERS:

That Claude Long, of 508 First Avenue, Alamosa, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, excluding livestock, from point to point within an area extending 10 miles

north, 10 miles east, 4 miles south, and 4 miles west of Monte Vista, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Nelson

John R. Barry
Commissioners

DATED at Denver, Colorado,
this 9th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SELESTINO ALDAZ, OF CENTER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 8982-PP

February 9, 1948

Appearances: Selestino Aldaz, Center,
Colorado, pro se;
Conour and Conour, Esqs.,
Del Norte, Colorado, for
J. P. Wiederkehr & Son;
M. M. Marshall, Esq., Ala-
mosa, Colorado, for
McCormick Brothers;
T. A. White and
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way.

S T A T E M E N T

By the Commission:

On November 15, 1947, applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of farm produce, except livestock, potatoes, grain, hay, and vegetables, in an area ten by twenty miles, described as follows:

Five miles east and west of Center, Colorado,
and ten miles north and south of Center,
Colorado.

At the hearing, held at Alamosa, Colorado, January 23, 1948, the evidence disclosed that applicant is the owner of a 1938 Chevrolet, 1½-ton truck, and desires to haul vegetables, potatoes, etc., for customers residing in the Center area.

Inasmuch as the authority asked for does not materially affect the operation of J. P. Wiederkehr and Son, and as McCormick Brothers are operating only one truck for the transportation of farm produce at the present time in the Center area, which is one of the

major potato-producing areas in the State, the Commission cannot find that service is adequate or that the granting of limited authority to applicant will impair the common carrier service of carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that limited authority, as set forth in the order following, should be granted.

O R D E R

THE COMMISSION ORDERS:

That Selestino Aldaz, of Center, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier for hire for the transportation of potatoes, grain, hay, and vegetables, from point to point within an area extending five miles east, four miles west, ten miles north, and ten miles south of Center, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

DATED at Denver, Colorado,
this 9th day of February, 1948.

Ralph C. Hutton
John P. Barry
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMPSON-HAYWARD CHEMICAL) CASE NO. 40581-INS.
COMPANY, 2915 SOUTHWEST BOULE-) (Permit No. C-13114)
VARD, KANSAS CITY, MISSOURI.)
-----)

February 9, 1948

S T A T E M E N T

By the Commission:

On January 9, 1948, in Case No. 40581-Ins., the Commission entered an order revoking Permit No. C-13114, for failure to keep on file effective insurance.

Insurance was in effect, however, but, through neglect of the agent, was not filed in time to stop the revocation of the permit. Proper filing has now been made and the insurance is in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40581-Ins., should be cancelled and set aside and said Permit No. C-13114 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40581-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-13114 restored to its former status as of January 9, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

William Erickson
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
L. C. RIDENNOURE, ROUTE 3,)	CASE NO. 40247-INS.
LA JUNTA, COLORADO.)	(Certificate No. PUC-1599)
-----)	

February 9, 1948

S T A T E M E N T

By the Commission:

On December 10, 1947, in Case No. 40247-Ins., the Commission entered an order revoking Certificate No. PUC-1599, for failure to keep on file effective insurance.

There was a period from October, 1946 to October, 1947, for which no Cargo Insurance was in effect; however, an affidavit on file states that no cargo losses were incurred during that period, and at the present date proper Cargo Liability Insurance is on file and in order without lapse.

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 40247-Ins., should be cancelled and set aside and said Certificate No. PUC-1599 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40247-Ins., should be, and it hereby is, cancelled and set aside, and said Certificate No. PUC-1599 restored to its former status as of December 10, 1947.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROY L. GEORGE AND ROBERT E. GEORGE,)
DOING BUSINESS AS "ROY L. GEORGE AND) APPLICATION NO. 8973-PP-Extension.
SON," OF VONA, COLORADO, FOR AN EX-)
TENSION OF THEIR PERMIT NO. B-1317.)
-----)

February 9, 1948

Appearances: T. H. Thomas, Esq., Burlington,
Colorado, for applicants;
Jones & Stauffer, Esqs., Denver,
Colorado, for Paul G. Zimmerman,
M. K. McElfresh and Van Goodwin
and Sons.

S T A T E M E N T

By the Commission:

On November 13, 1947, the applicants herein filed their
application for an extension of Private Carrier Permit No. B-1317, to
include the same commodities as are now authorized between points in
an area described as:

A strip five miles wide, extending north to south,
along the east side of ~~present~~ authorized territory,
and from and to points in said area to and from
presently authorized territory, and points outside
thereof as now listed.

The application for an extension was set for hearing, and
heard, January 20, 1948, at the Court House in Burlington, Colorado, and
there taken under advisement.

At the hearing, the evidence disclosed that on February 25, 1936,
by Decision No. 7257, William Barber, of Vona, Colorado, was authorized to
operate as a Class "B" private carrier by motor vehicle for hire for the

transportation of:

farm supplies, farm equipment, farm products, feed and coal, from point to point in the area described as follows: beginning at the Town of Seibert, thence north along State Highway No. 59 a distance of 22 miles, thence east 11 miles, thence south 22 miles to U. S. Highway No. 40 North, thence west along Highway 40-North a distance of 11 miles to the place of beginning, it being understood that applicant shall have the right to use Highway No. 57 in the conduct of his operation; the transportation of farm products from said area to Burlington and Stratton with back-haul of farm supplies, and the transportation of livestock from point to point in said area and between said area and sales at Sterling, Colorado.

Subsequently, Roy L. George, pursuant to authority granted by Decision No. 9339, acquired said permit from William Barber.

Pursuant to authority contained in Decision No. 22862, of date November 14, 1944, Roy L. George was authorized to extend his operations under said operating rights (Permit No. B-1317), to include the right to transport:

"commodities he is now authorized to transport (Decision No. 7257), and household goods, between points within the area described as: beginning at Seibert, Colorado, on U. S. Highway No. 24, thence south along State Highway No. 59 to the Kit Carson-Cheyenne County Line, thence east 11 miles along said county line to a point, thence north 18 miles more or less to U. S. Highway No. 24, thence west to the point of beginning, said Highway U. S. 24 formerly being known as 'U. S. Highway No. 40-North,' (the north line of the territory herein described being the south line of the territory he was authorized to serve under Decision 7257); livestock from points in original territory authorized to be served (Decision No. 7257), as well as from points in the territory herein authorized to be served, to Denver, Colorado."

It further appeared that Permit No. B-1317 was transferred to Roy L. George and Son, the applicants herein, on November 2, 1946, by Decision No. 26912.

Mr. Roy L. George, one of the applicants herein, states they have had many requests for service from the area lying east of their presently authorized territory, being a strip five miles wide and

approximately 40 miles long; that they are in a position to take care of customers in this territory and would like authority to take care of the customers desiring their service residing in the area.

Mr. George Hershing, William Collins, and Bernard Waldron, all farmers living in the additional area sought by applicants, testified that they had experienced considerable difficulty in securing adequate transportation for their livestock and grain; that they were familiar with applicants' service, and that they would like to use their service in the handling of their products. They state that applicants are located near their farms and are available at all times, and that the closest common carrier service is located some 20 miles distant at Burlington, Colorado. They stated that in their particular area they did not feel there was adequate service, and attributed this largely to the distance away from authorized carriers.

Paul Zimmerman, of Burlington, Colorado, who holds PUC No. 961, protested the granting of the extension, stating he had idle equipment and that there were presently too many unauthorized carriers hauling in the area. He stated that in his judgment there were presently enough carriers in the area to take care of all business outside of the harvest season.

Mr. McElfresh, also a common carrier authorized to serve this territory, stated he had idle equipment at the present time, and he also thought that the presently authorized carriers were giving an adequate service.

The instant application is one to extend the territory of a private or contract carrier. It would appear that applicants have been giving good service to their customers, and as a result of their service, other farmers would also like to use their service, as is clearly demonstrated by the evidence of the shipper-witnesses at the hearing. It appears

that these shippers have experienced some difficulty in getting service, apparently due to the difficulty in contacting common carrier operators.

Section 3, Chapter 120, Session Laws of 1931, as Amended, provides:

"No application for permit, nor for any extension, or enlargement of an existing permit, shall be granted by the Commission until after a hearing, nor shall any such permit, nor any extension or enlargement thereof, be granted if the Commission shall be of the opinion that the proposed operation of any such private carrier will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

The Commission cannot say from the evidence adduced at the hearing, that the service is adequate in the territory sought to be served by applicants. Hershing, Waldron and Collins, all testified to the contrary. While, on the other hand, we can find nothing in the evidence that would show where the common carrier service would be impaired by the granting of the proposed extension. True, protestants testified they might lose business; that their income might be diminished, and that it might deprive them of increasing their income. The question we are called upon to answer is whether the existing motor vehicle common carrier service will be so affected by the proposed extension that common carrier service will not be able to continue its efficient adequate service to the public. If the common carriers were furnishing adequate service, which they are not doing, in our opinion the evidence did not show that efficiency thereof will be impaired by granting of extension sought.

F I N D I N G S

THE COMMISSION FINDS:

1. That applicants are fit, willing, and able to perform the services asked for in the application, and to conform to the provisions of the Carrier Act, and our Rules and Regulations and requirements thereunder.

2. Upon the record, as made, and after a careful consideration thereof, the Commission is of the opinion, and finds, that it did not appear from the evidence, that the granting of said permit will impair the efficiency of existing adequate or inadequate common carrier motor vehicle service now furnished in the area sought to be served by applicants, and that said extension should be granted.

O R D E R

THE COMMISSION ORDERS:

That Roy L. George and Robert E. George, doing business as "Roy L. George and Son," of Vona, Colorado, be, and they hereby are, authorized to extend their base territory, or area, in their private carrier operations under Permit No. B-1317, by including:

a strip five miles wide, extending north to south, along the east side of their presently authorized territory, with the right to serve points to and from this area,

the same as if it had been originally incorporated in their base area.

That this order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Frank C. Norton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. R. SMITH AND DALE QUIGGLE, OF)
WRAY, COLORADO, FOR AN EXTENSION) APPLICATION NO. 8972-PP-Extension.
OF THEIR PERMIT NO. B-1496.)
-----)

February 9, 1948

Appearances: R. R. Smith, Wray, Colo-
rado, pro se;
Jones and Stauffer, Esqs.,
Denver, Colorado, for
Paul G. Zimmerman,
M. K. McElfresh, Walter
Rountree, Martin Stutheit,
and Van Goodwin and Sons.

S T A T E M E N T

By the Commission:

On December 24, 1947, the applicants herein filed their application for an extension of their Permit No. B-1496, to include the transportation of building materials between points now authorized to be served, and from and to said area to and from Denver, Loveland and Fort Collins; machinery between points in said area, and from and to points in said area to and from points within a 160-mile radius of Wray, Colorado; fruit from the Western Slope fruit area to the Wray area (now authorized in fruit season only).

The matter was set for hearing, and heard, January 20, 1948, at Burlington, Colorado, and there taken under advisement.

On September 5, 1946, by Decision No. 26624, the applicants herein acquired Permit B-1496, with authority for transportation of:

Farm products, including livestock, to Wray and Denver from points in the area around Wray, Colorado, extending south to Idalia, north to the township line between Townships 4 North and 5 North, west to Yuma and east to the State Line, with back haul of coal from the Northern Colorado coal fields, cement from Boettcher, to points in said area, and farm supplies (including coal) from Wray to points in said area; Ice from Sterling to Wray, Colorado.

Applicant Smith has been operating under said permit since September 5, 1946, and now states that his customers have requested his services for the transportation of building materials between points now authorized to be served, and from and to said area to and from Denver, Loveland and Fort Collins; machinery between points in said area, and from and to Denver. Applicant also asked for fruit hauling from the Western Slope to his authorized area.

Those appearing protesting the application stated that if applicant's permit is restricted, as above set forth by his testimony, they will withdraw their objections.

Inasmuch as the common carriers have no objections to the authority asked for in the application, as amended by the testimony, the Commission cannot say that the granting of the proposed extension would impair the service of common carriers now authorized to serve the area.

After careful consideration of the record, the Commission is of the opinion, and finds, that the application for an extension, as hereinafter limited, should be granted.

O R D E R

THE COMMISSION ORDERS:

That R. R. Smith and Dale Quiggle, of Wray, Colorado, should be, and they hereby are, authorized to extend their operations under Permit B-1496, to include the transportation of building materials between points they are now authorized to serve, and from and to points in said area to and from Denver, Loveland, and Fort Collins; farm machinery between points in said area, and from and to points in said area to and from Denver, Colorado; fruit from the Western Slope fruit producing area to points in the base area now authorized.

That this order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Nelson

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK BEATTIE, OF STRATTON, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS) APPLICATION NO. 8966-PP
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

February 9, 1948

Appearances: Frank Beattie, Stratton,
Colorado, pro se;
Jones and Stauffer, Esqs.,
Denver, Colorado, for
Paul G. Zimmerman,
M. K. McElfresh, and
Van Goodwin and Sons.

S T A T E M E N T

By the Commission:

On September 4, 1947, the applicant herein filed his appli-
cation for a Class "B" permit to operate as a private carrier by
motor vehicle for hire for the transportation of livestock, farm
implements, and general hauling from Stratton, Colorado, to Denver,
and between points within a 25-mile radius of Stratton, Colorado, over
U. S. No. 24, Colorado 51, and Colorado 57.

The matter was set for hearing, and heard, January 20, 1948,
at the Court House in Burlington, Colorado, and there taken under
advisement.

At the hearing, the evidence disclosed that applicant desires
to enter the trucking business and has presently two trucks, one a
1940 Dodge, 1½-ton, and the other a 1944 Chevrolet, 1½-ton truck, both
equipped with grain boxes.

Applicant's past experience and pecuniary responsibility
appear satisfactory to the Commission.

The evidence discloses that applicant has had many demands for
his services hauling grain by farmers residing within the territory sought
by the application.

Two witnesses appeared testifying on behalf of applicant, and it would appear from the evidence that the present service for transportation of grain is not adequate for several months of the year, and one witness stated he would use applicant's service hauling livestock, but he felt, however, that there was now service available to haul livestock in the area.

Protestants Zimmerman, McElfresh and Goodwin, protested the granting of the permit, stating they had large investments in equipment, and that they are able to take care of all livestock shipments at all times; that the livestock business was decreasing in volume, and as they had specialized in this service, they felt the granting of the instant authority would take business from their operation, and that they were now carrying more livestock equipment than their respective areas warranted. They also protested the grain and farm machinery authority, but conceded that for certain periods of the year they were not able to take care of the grain movement.

The grain movement in this particular area has been a constant headache for the Commission. The grain movement is a seasonal proposition, with occasional movements out of season, which occasional movements, it appears, could be handled by the authorized carriers. Farmers, however, desiring service during rush or harvest season, contacting prospective carriers, and to get trucks to handle their seasonal demands, promised their entire business to the prospective carriers, provided that the prospective carriers will secure the necessary authority from this Commission.

The Commission is convinced that common carriers cannot, and will not in the future, be able to take care of the grain movement, so long as large wheat crops are harvested in the area.

The Commission functions under express mandates of the legislature, and where the common carriers are not giving adequate service,

and where shippers, to take care of their needs, are forced to look for services from other sources during the shipping season, we cannot turn down applications where witnesses come before the Commission and state they are in need of, and request, this service.

In the instant case, witnesses are here testifying that they need the service of applicant for their grain hauls, and it appears to us that the Commission has no other alternative than to grant authority to haul grain in this area.

After careful consideration of the record, the Commission is of the opinion, and finds, that authority should be granted, as hereinafter limited.

O R D E R

THE COMMISSION ORDERS:

That Frank Beattie, of Stratton, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of grain between farms, loading, storage and shipping points, within a 25-mile radius of Stratton, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Notan

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
S. L. SITTON, OF GENOA, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 8965-PP
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

February 9, 1948

Appearances: S. L. Sitton, Genoa,
Colorado, pro se;
Jones and Stauffer, Esqs.,
Denver, Colorado, for
Paul G. Zimmerman,
M. K. McElfresh, Harry
Attebery, Carroll Ross,
Van Goodwin and Sons,
Walter Rountree, J. H.
McCorkle, J. M. Middleton,
E. F. Anderson, Martin E.
Stutheit, and Dee Wann.

S T A T E M E N T

By the Commission:

On December 1, 1947, the applicant herein filed his appli-
cation for a Class "B" permit to operate as a private carrier by
motor vehicle for hire for the transportation of livestock, new and
used machinery between points within a radius of 20 miles of Genoa,
Colorado, and from and to points in said area to and from points
within a 100-mile radius of Genoa, Colorado.

The matter was set for hearing, and heard, January 20, 1948,
at the Court House in Burlington, Colorado, and there taken under
advisement.

At the hearing, the evidence disclosed that applicant resides
at Genoa, Colorado, and desires a contract carrier permit to haul live-
stock, principally to Denver and the Limon Sales Ring, from the territory
lying 35 miles north, 6 miles east, 8 miles west, and 30 miles south
of Genoa, Colorado.

It also appears that applicant is the owner of a 1947 Ford 1½-ton truck, equipped with grain bed and stockrack; applicant states he has customers residing in the area who need his services, but brought no shipper witnesses before the Commission to testify as to their particular need for his proposed service.

Several protestants appeared protesting the granting of the instant application, maintaining that the granting of said permit would diminish their business. Protestants further stated that the livestock industry in this area is decreasing and they felt that the presently authorized common carriers in this area are giving adequate service for the transportation of livestock and farm machinery.

Rule 5 of the Rules and Regulations Governing Private Carriers For Hire by Motor Vehicle provides:

"No application for authority to operate as a private carrier by motor vehicle in intrastate commerce or for authority to extend or enlarge an existing permit will be granted as a matter of course, nor will any such application be granted if the Commission shall be of the opinion, after hearing, that the proposed operation will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

Applicant failed to show, by shipper witnesses, that the present service is not adequate, in fact, the evidence would indicate that the common carrier service is adequate, and it would further appear from the record before us that the granting of a permit to applicant would impair the efficiency of service of presently authorized common carriers now serving the area asked for in the application.

In view of the conclusion above reached, and inasmuch as the Commission is of the opinion that the presently authorized motor vehicle common carrier service is adequate, the Commission believes that the application should be denied.

After careful consideration of the record, the Commission is of the opinion, and finds, that the instant application should be denied.

O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same is, hereby denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Nelson

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LESTER YONTS, OF VONA, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE)	<u>APPLICATION NO. 8967-PP</u>
AS A PRIVATE CARRIER BY MOTOR)	
VEHICLE FOR HIRE.)	
-----))	

February 9, 1948

Appearances: Jones and Stauffer, Esqs.,
Denver, Colorado, for
Paul G. Zimmerman,
M. K. McElfresh, and
Van Goodwin and Sons.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House in Burlington, Colorado, at 9:30 o'clock A. M., on Tuesday, January 20, 1948, due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hoken

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT K. WILLFORD, OF COWDREY,)
COLORADO, FOR AN EXTENSION OF HIS) APPLICATION NO. 8964-PP-Extension.
PERMIT NO. B-3470.)
-----)

February 9, 1948

Appearances: Truman A. Stockton, Jr., and
A. E. Small, Esqs., Denver,
Colorado, for Denver-Laramie-
Walden Truck Line.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A. M., on Monday, January 19, 1948, due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

original

(Decision No. 29876)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
CECIL F. BLACKWELDER, OF CHEYENNE
WELLS, COLORADO, FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY
AUTHORIZING THE TRANSPORTATION BY
AIRPLANE OF PASSENGERS AND PROPERTY,
NOT ON SCHEDULE, FROM, TO AND BETWEEN
ALL POINTS IN THE STATE OF COLORADO.

APPLICATION NO. 8975.

February 9, 1948

STATEMENT

By the Commission:

The above-styled application was regularly set for hearing in the Court House, at Durlington, Colorado, at 9:30 o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

FINDINGS

THE COMMISSION FINDS:

That the above-styled application should be dismissed for lack of prosecution.

ORDER

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hottel
John B. Barry
Commissioners.

Dated at Denver, Colorado,
this 9th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
BOS FREIGHT LINES, INC., 205 SOUTH)
THIRD AVENUE, MARSHALLTOWN, IOWA,)
FOR AUTHORITY TO TRANSFER INTER-)
STATE OPERATING RIGHTS TO BURRIS-)
HATCH MOVERS, INC., 101 COURT)
AVENUE, DES MOINES, IOWA.)

PUC NO. 1157-I
SUPPLEMENTAL ORDER

IN THE MATTER OF THE APPLICATION OF)
BOS FREIGHT LINES, INC., 205 SOUTH)
THIRD AVENUE, MARSHALLTOWN, IOWA,)
FOR AUTHORITY TO TRANSFER INTER-)
STATE OPERATING RIGHTS TO BURRIS-)
HATCH MOVERS, INC., 101 COURT)
AVENUE, DES MOINES, IOWA.)

PUC NO. 1083-I

February 9, 1948

S T A T E M E N T

By the Commission:

By Decision No. 29060, of date September 24, 1947, Bos Freight Lines, Inc., Marshalltown, Iowa, was authorized to transfer PUC No. 1157-I to Burris-Hatch Movers, Inc., Des Moines, Iowa.

It now appears that said decision was issued in error, inasmuch as Bos Truck Lines, Inc. -- rather than Bos Freight Lines, Inc. -- is the owner of said operating rights, and does not desire to transfer same.

Said application was filed by Bos Freight Lines, Inc., seeking authority to transfer PUC No. 1083-I to Burris-Hatch Movers, Inc., said Bos Freight Lines, Inc., subject to the provisions of the Federal Motor Carrier Act of 1935, theretofore having been authorized to operate as a common carrier by motor vehicle for hire, PUC No. 1083-I having issued to it.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 29060, of date September 24, 1947, should be set aside, vacated, and held for naught; that the records and files of the Commission should be changed to show that Bos Truck Lines, Inc., Marshalltown, Iowa, is the owner of PUC No. 1157-I; that application of Bos Freight Lines, Inc., Marshalltown, Iowa, for authority to transfer PUC No. 1083-I to Burris-Hatch Movers, Inc., Des Moines, Iowa, should be granted.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 29060, of date September 24, 1947, authorizing Bos Freight Lines, Inc., Marshalltown, Iowa, to transfer PUC No. 1157-I to Burris-Hatch Movers, Inc., Des Moines, Iowa, should be, and hereby is, vacated, set aside, and held for naught.

That the records and files of the Commission be changed to show that Bos Truck Lines, Inc., Marshalltown, Iowa, is the owner of PUC No. 1157-I.

That Bos Freight Lines, Inc., Marshalltown, Iowa, be, and it hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 1083-I to Burris-Hatch Movers, Inc., a corporation, Des Moines, Iowa, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be, and subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferor be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Nelson
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

(Decision No. 29878)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE PUEBLO GAS AND FUEL COMPANY, a)
Corporation organized and existing)
under the laws of the State of Colo-) APPLICATION NO. 9051
rado, FOR AUTHORITY TO ISSUE \$700,000)
PRINCIPAL AMOUNT OF ITS FIRST MORTGAGE)
BONDS.)

February 5, 1948

S T A T E M E N T

By the Commission:

Upon consideration of the application filed on February 5, 1948,
by The Pueblo Gas and Fuel Company in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on February 17, 1948, at
2:00 o'clock P. M., 330 State Office Building, Denver, Colorado, respect-
ing the matters involved and the issues presented in this proceeding.
Any interested municipality or any representative of interested consumers
or security holders of applicant corporation, and any other person whose
participation herein is in the public interest, may intervene in said
proceedings. Intervention petitions should be filed with the Commission
on or before Saturday, February 14, 1948, and should set forth the grounds
of the proposed intervention, and the position and interest of the peti-
tioners in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Joseph C. Hatan

John H. Barry
Commissioners

Dated at Denver, Colorado,
this 5th day of February, 1948

JH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ZEPHYR VAN LINES, INC., 140 NORTH)
DEARBORN STREET, CHICAGO, ILLINOIS,)
FOR AUTHORITY TO TRANSFER INTER-)
STATE OPERATING RIGHTS TO PAUL J.)
SMITH, HAROLD P. SMITH, AND O. J.)
PLUMMER, JR., CO-PARTNERS, DOING)
BUSINESS AS "REPUBLIC VAN & STOR-)
AGE CO.," 214 NORTH ALAMEDA STREET,)
LOS ANGELES, CALIFORNIA.)

PUC NO. 1630-I

February 9, 1948

S T A T E M E N T

By the Commission:

Heretofore, Zephyr Van Lines, Inc., was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 1630-I issued to it.

Said certificate-holder now seeks authority to transfer said operating rights to Paul J. Smith, Harold P. Smith, and O. J. Plummer, Jr., co-partners, doing business as "Republic Van & Storage Co.," Los Angeles, California.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Zephyr Van Lines, Inc., Chicago, Illinois, be, and it

hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 1630-I to Paul J. Smith, Harold P. Smith, and O. J. Plummer, Jr., co-partners, doing business as "Republic Van & Storage Co.," Los Angeles, California, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness, secured by mortgage, or otherwise, if any there be.

That ton-mile tax deposit of transferor be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Joseph C. Watson

John B. Barry
Commissioners

DATED at Denver, Colorado,
this 9th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MILTON C. BAKER, DOING BUSINESS AS)
"BAKER TRANSFER & STORAGE CO.", 207)
SOUTH DEWEY STREET, NORTH PLATTE,)
NEBRASKA, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO)
WILLIAM R. McEVOY AND ALICE C.)
McEVOY, CO-PARTNERS, DOING BUSINESS)
AS "McEVOY TRAN. & STORAGE CO.,")
112 WEST 6TH STREET, NORTH PLATTE,)
NEBRASKA.)

PUC NO. 1082-I

February 9, 1948

S T A T E M E N T

By the Commission:

Heretofore, Milton C. Baker, doing business as "Baker Transfer & Storage Co.," North Platte, Nebraska, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 1082-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to William R. McEvoy and Alice C. McEvoy, co-partners, doing business as "McEvoy Tran. & Storage Co.," North Platte, Nebraska.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Milton C. Baker, doing business as "Baker Transfer & Storage Co.," North Platte, Nebraska, be, and he hereby is, authorized

to transfer all his right, title, and interest in and to PUC No. 1082-I to William R. McEvoy and Alice C. McEvoy, co-partners, doing business as "McEvoy Tran. & Storage Co.," North Platte, Nebraska, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness, secured by mortgage or otherwise, of any there be.

That ton-mile tax deposit be transferred to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hahn
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 9th day of February, 1948.

EHC

(Decision No. 29881)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAKE GINTHER, 1633 EAST THIRTY-)
SEVENTH AVENUE, DENVER, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-3061.)

APPLICATION NO. 9046-PP
EXTENSION

February 9, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-3061 to include the right to transport coal from mines in the northern Colorado coal fields to Valmont Plant of Public Service Company near Boulder, to Great Western Sugar Company Plants at Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado, and to Rocky Mountain Arsenal, located northeast of Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to granting of authority for service sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jake Ginther, Denver, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-3061 to include the right to transport coal from mines in the northern Colorado coal

fields to Valmont Plant of Public Service Company, near Boulder, Colorado, to Great Western Sugar Company Plants at Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado, and to Rocky Mountain Arsenal, located northeast of Denver, Colorado.

This order is made a part of the permit granted to applicant, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hutton
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 9th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. A. CAMPBELL, TWO BUTTES, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT NO.)
B-2729 TO KENNETH G. HARPER, TWO)
BUTTES, COLORADO.)

APPLICATION NO. 9042-PP-Transfer

February 9, 1948

S T A T E M E N T

By the Commission:

By Decision No. 18572, of date March 27, 1942, J. A. Campbell, Two Buttes, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

farm products, including livestock, between points within a radius of ten miles of Two Buttes, and from points in said area to Lamar, Springfield, Pueblo, and Denver, with back-haul of coal from Florence-Canon City coal fields to points in said ten-mile area,

said operating rights being designated "Permit No. B-2729."

By the instant application, said permit-holder seeks authority to transfer said Permit No. B-2729 to Kenneth G. Harper, Two Buttes, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating right, the Commission determined to hear, and has heard, said matter,

5
forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That J. A. Campbell, Two Buttes, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-2729 to Kenneth G. Harper, Two Buttes, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred.

That ten-mile tax deposit of transferor be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WARREN C. SULLIVAN, DOING BUSINESS)
AS "SULLIVAN'S PACKAGE DELIVERY,")
807 SECOND AVENUE, LONGMONT, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 1780 TO ROBERT F. SULLIVAN, DO-)
ING BUSINESS AS "SULLIVAN'S PACKAGE)
DELIVERY," 538 BROSS STREET, LONG-)
MONT, COLORADO.)

APPLICATION NO. 9041-Transfer

February 9, 1948

S T A T E M E N T

By the Commission:

By Decision No. 25828, of date April 16, 1946, Warren C. Sullivan, doing business as "Sullivan's Package Delivery," Longmont, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

packages between points within the area included in the City of Longmont and one-mile radius thereof, and from and to points in said area, to and from the municipal airport, without the right to transport sugar from sugar factory, located in said radius.

By the instant application, said certificate-holder seeks authority to transfer said operating rights (PUC No. 1780) to Robert F. Sullivan, doing business as "Sullivan's Package Delivery," Longmont, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard

in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

FINDINGS

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That Warren C. Sullivan, doing business as "Sullivan's Package Delivery," Longmont, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1780 — being the operating rights granted by Decision No. 25828 — to Robert F. Sullivan, doing business as "Sullivan's Package Delivery," Longmont, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules, and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

James W. C. Norton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN G. MARTIN AND CHARLES P. WEISS,)
DOING BUSINESS AS "CONSOLIDATED)
TOURS," 1630 NORTH EL PASO STREET,)
COLORADO SPRINGS, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 1549)
TO MAURICE P. HANSON, 510 E.)
WILLAMETTE STREET, COLORADO SPRINGS,)
COLORADO.)

APPLICATION NO. 9040-Transfer

February 9, 1948

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 21632, James R. Hayes and Esther Hayes acquired from Cleo L. Starks authority to conduct a sightseeing and auto livery service, limited to the use of two automobiles, in the Pikes Peak Region, said operating rights being subject to certain conditions and provisions contained in orders originally granting said authority and subsequent orders wherein said operating rights were transferred to the predecessors in interest of Cleo L. Starks.

Pursuant to authority contained in Decision No. 27619, of date February 20, 1947, as amended by Decision No. 28027, of date April 8, 1947, James R. Hayes and Esther Hayes transferred said operating rights (PUC No. 1549) to John G. Martin and Charles P. Weiss, co-partners, doing business as "Consolidated Tours," Colorado Springs, Colorado, who, by the instant application, seek authority to transfer said PUC No. 1549 to Maurice P. Hanson, Colorado Springs, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that passenger-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and

3

otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

FINDINGS

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

ORDER

THE COMMISSION ORDERS:

That John G. Martin and Charles P. Weiss, doing business as "Consolidated Tours," Colorado Springs, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1549 to Maurice P. Hanson, Colorado Springs, Colorado, subject to payment of outstanding indebtedness secured by mortgage, or otherwise, if any there be.

The tariff of rates, rules and regulations of transferors shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That passenger-mile tax deposit be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Martin

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN H. ROSSI, 238 POPULAR, CANON)
CITY, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMIT NO.)
B-3444.)

APPLICATION NO. 9045-PP-Extension

February 9, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-3444 to include the right to transport coal from Canyon Chief Coal Mine, located eight miles south of Florence, Colorado, to La Junta, on Highway No. 50, and all intermediate points, La Junta to Pueblo, Colorado, and to Sugar City, on Highway No. 96, and all points intermediate, Pueblo to Sugar City; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; wood from points within a radius of twenty-five miles of Canon City, to Canon City, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of authority for service sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That John H. Rossi, Canon City, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-3444 to include the right to transport coal from Canyon Chief Coal Mine, located eight miles south of Florence, Colorado, to La Junta, Colorado, on Highway No. 50, and all points intermediate, La Junta to Pueblo, Colorado, and to Sugar City, Colorado, on Highway No. 96, and all points intermediate, Pueblo to Sugar City; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; wood from points within a radius of twenty-five miles of Canon City, to Canon City, Colorado.

This order is made a part of the permit granted to applicant.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Robert C. Norton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARRY GORRELL, 3107 WEST ALASKA)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 9044-PP

February 9, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, near Boulder, Colorado, and to Great Western Sugar Company Plants, at Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Harry Gorrell, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, near Boulder, Colorado, and to Great Western Sugar Company Plants, at Loveland, Longmont, Greeley, Fort Lupton, Brighton, and Johnstown, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Anton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VICTOR S. MONTOYA, ERIE, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 9043-PP

February 9, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Erie, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Victor S. Montoya, Erie, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Erie, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph H. Hatcher
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 9th day of February, 1948.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RATES, CHARGES, REGULATIONS, AND)
PRACTICES OF THE MOUNTAIN STATES)
TELEPHONE AND TELEGRAPH COMPANY.)

INVESTIGATION AND SUSPENSION
DOCKETS NOS. 268, 277.

February 9, 1948

S T A T E M E N T

By the Commission:

On February 15, 1947, The Mountain States Telephone and Telegraph Company, by W. K. Koch, its General Commercial Manager, filed with The Public Utilities Commission of the State of Colorado, a tariff containing schedules stating new rates, charges, and regulations for application in the several exchange areas therein named, to become effective on and after March 17, 1947, designated and described as follows:

"The Mountain States Telephone and Telegraph Company, Local Exchange Tariff, Colo. PUC No. 3," certain rates and charges described in its General Exchange Tariff Colo. PUC No. 3, concurrently filed to be effective on and after said March 17, 1947, being incorporated therein, by reference;

that, in and by said tariff, new local rates, charges, and regulations are set forth to become effective on and after March 17, 1947, in numerous exchange areas in the State of Colorado, including exchange area served by Pueblo, Colorado Exchange.

For good cause shown, by Decision No. 27775, of date March 15, 1947, the Commission, by order, suspended the effective date of the schedules for a period of one hundred twenty (120) days from March 15, 1947, - that is, until July 14, 1947, - unless otherwise ordered by the Commission.

On July 5, 1947, The Mountain States Telephone and Telegraph Company, by W. K. Koch, its General Commercial Manager, filed with The

Public Utilities Commission of the State of Colorado, an amended tariff, containing schedules stating new rates, charges, and regulations, for application in the several exchange areas therein named, including Pueblo, Colorado Exchange Area, to become effective on and after August 4, 1947, designated and described as follows:

"The Mountain States Telephone and Telegraph Company, Local Exchange Tariff, Colo. PUC No. 3," certain rates and charges described in its General Exchange Tariff Colo. PUC No. 3, concurrently filed to be effective on and after said August 4, 1947, being incorporated therein, by reference;

it being contemplated that said tariff, insofar as the same was applicable to the said Pueblo Exchange Areas, was amendatory of the tariff heretofore referred to, filed on February 15, 1947, to become effective on March 17, 1947, the provisions of which tariff, insofar as they covered local exchange rates, charges, and regulations in said exchange area of Pueblo, being under suspension, as heretofore set forth.

On July 31, 1947, by Decision No. 28777, the Commission suspended the effective dates of all schedules contained in said tariffs applicable to all exchange areas in the State of Colorado, including long-distance rates, for a period of one hundred twenty (120) days from August 4, 1947 -- that is, until December 2, 1947, unless otherwise ordered by the Commission, and on November 8, 1947, by Decision No. 29357, further suspended effective day of said tariff to March 9, 1948.

From time to time following the filing of the tariff of February 15, 1947, and tariff of July 5, 1947, the Commission lifted said suspension in numerous exchange areas, and allowed the long-distance rates proposed to go into effect, and has permitted the rates filed on July 5, 1947, to become effective in all exchange areas except Pueblo, Boulder, Fort Morgan, and Canon City. Presently, the only exchange area in the State where the rates proposed by tariff filed on February 15, 1947, to become effective on and after March 17, 1947, is not effective is said Pueblo, Colorado Exchange Area.

On February 7, 1948, Pueblo City Council (Pueblo being a home-rule city), by resolution, approved the rates filed by The Mountain States Telephone and Telegraph Company, as aforesaid, on February 15, 1947, and allowed them to go into effect in the City of Pueblo.

Telephone Company has requested the Commission to lift the suspension in that part of said Pueblo Exchange Area which is not within the Pueblo City Limits.

The Commission, in its numerous orders heretofore issued in this matter, permitting new rates proposed to become effective in certain exchange areas in the State therein set forth, has fully discussed the needs of Telephone Company as to increased revenue.

F I N D I N G S

For the reason stated in said Orders mentioned in Statement preceding, reference to which is hereby made, the Commission finds that it should grant the request of The Mountain States Telephone and Telegraph Company to set aside and lift the suspension heretofore mentioned, and permit the rates, charges, and regulations, as proposed and filed by said Company on February 15, 1947, to become effective on March 17, 1947, in the area served by the Pueblo Exchange, to go into effect with billings of said Company on and after February 11, 1948.

O R D E R

THE COMMISSION ORDERS:

That our Order and Decision No. 27775, of date March 15, 1947, as extended and supplemented by subsequent decisions of the Commission, insofar only as said orders suspended the effective day of schedules contained in tariff filed by The Mountain States Telephone and Telegraph Company February 15, 1947, to become effective on and after March 17, 1947, fixing new rates, charges, and regulations for application in Pueblo, Colorado Exchange District, should be, and hereby is, vacated and set aside, said tariff and schedules stating new rates, charges,

and regulations for said Pueblo Exchange District or area, filed on February 15, 1947, to become effective on first billing date on and after February 11, 1948.

That our Decision and Order No. 28777, entered July 31, 1947, as supplemented by Decision No. 29357, suspending the effective date of schedules contained in said tariff filed on July 5, 1947, amending tariff, rates, charges, and regulations filed on February 15, 1947, insofar only as said new rates and charges increased the rates and charges set forth in said schedule filed on February 15, 1947, except as heretofore modified, shall continue in full force and effect, it being contemplated hereby that the new rates and charges of The Mountain States Telephone and Telegraph Company for service in said Pueblo Exchange Area, or district, shall not be in excess of the rates and charges set forth in said tariff filed on February 15, 1947, to become effective on and after March 17, 1947, in said Pueblo Exchange District.

The Commission reserves jurisdiction to make such further order or orders in the premises as in its opinion may be required, justified, or desirable.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hatten
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 9th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Original

* * *

IN THE MATTER OF A GENERAL INVESTIGATION)	
OF THE FREIGHT RATES, AND CLASSIFICATION)	CASE NO. 1585
OF FREIGHT, OF ALL COMMON AND PRIVATE)	(15% Emergency
MOTOR VEHICLE CARRIERS.)	Increase 1948)

February 14, 1948

Appearances: Myron H. Burnett, Esq., for Colorado Motor Carriers Association & Motor Truck Common Carriers Association, Denver, Colorado;
J. R. Smith, Motor Truck Common Carriers Association, Denver, Colorado;
Truman Stockton, Jr., Esq., for Weicker Transfer & Storage Company & Comet Motor Express Co., Denver, Colorado;
A. J. Fregeau for Weicker Transfer & Storage Company, Denver, Colorado;
Stanley Blunt for Southwestern Transportation Company & Consolidated Truck Company, Canon City, Colorado;
T. A. White, Esq., for Rio Grande Motor Way, Inc., & Larson Transportation Company, Denver, Colorado;
W. W. Anderson, c/o Dorr Company, Denver, Colorado;
J. M. Davison, Jr., Pueblo, Colorado;
J. R. Copeland for Holly Sugar Co., Colorado Springs & Great Western Sugar Co., Denver, Colorado;
Frank Rebhan for American Crystal Sugar Co., Denver, Colorado;
R. E. Edwards for Hasco, Inc., Denver, Colorado;
Eddie St. Louis for Merchants Biscuit Company, Denver, Colorado;
Newman Sheets for Colorado Builders Supply Company, Denver, Colorado;
C. W. Francis for Hallack & Howard Lumber Company, Denver, Colorado;
G. A. Rehkow for Thompson Pipe & Sheet Co., Denver, Colorado;
R. R. Detwiler for Daniels & Fisher Stores, Denver, Colorado;
J. A. Foley for American Furniture Company, Denver, Colorado;
R. W. Lentz for Swift and Company, Denver, Colorado;
J. G. Shinka for Armour & Company, Denver, Colorado;
Mark Pulver for Eaton Metal Products Company, Denver, Colorado;
R. L. Ellis for Kuner Empson, Denver, Colorado;
J. W. Hawley & T. S. Wood for Public Utilities Commission, Denver, Colorado;
Jones, Stauffer & Goldstein for American Stores Company, Denver, Colorado;

M. J. Hengen for Purina Company, Denver,
Colorado;
John Hanssen for Hanssen Truck Line, Westcliffe,
Colorado;
H. C. Maris for Overland Motor Express Company,
Boulder, Colorado.

S T A T E M E N T

By the Commission:

This matter is before the Commission on an application of the Motor Truck Common Carriers Association, for and on behalf of the motor vehicle common carriers, parties to its Freight Tariff No. 12, Colo. P.U.C. No. 6, seeking an emergency increase of 15% on freight rates published in Sections 1, 2 and 3 of the said tariff, and for a general increase of 25% on all rates published in the said sections of the said tariff; also to change the minimum charge on single shipments as follows, viz.:

For distances less than 10 miles on a single line - 50¢; for distances over 10 miles on a single line - 75¢; on inter-line shipments where only two carriers are involved - \$1.00; on inter-line shipments where more than two carriers are involved - \$1.50; also, to provide a rule that when any carrier, party to the movement, does not operate over 25 miles between terminals, the charge should be the combination of local rates; and where all carriers, parties to the movement, operate over 25 miles between terminals, the through rate shall be the rate based on the through mileage, plus 15%. At this time, the only issue is the emergency increase of 15% and the 75¢ minimum charge. The other matters were deferred for consideration at a further hearing to be had in connection with the 25% increase. This matter was heard in the Hearing Room of the Commission on December 15, 1947 and January 2, 3, 4, 12 and 13, 1948; and at Pueblo on January 6, 1948.

At the beginning of the hearing, the following commodities were excluded from the proposed 15 per cent emergency increase, viz.:

Dry Hides and Pelts; Milk and Cream when transported by a regular milk route carrier; Ore and Concentrates; Lumber;

Coal and other commodities named in Section 2 not ordinarily transported by regular route carriers.

The following carriers appeared and introduced exhibits purporting to support the requests for the emergency increase: Comet Motor Express Co., Consolidated Motor Freight, Inc., Southwestern Transportation Company, Cripple Creek-Victor & Colorado Springs Stage Co., Denver-Loveland Transportation, Foster Truck Line, Hanssen Truck Line, Larson Transportation Co., Rio Grande Motor Way, Inc., McKie Transfer Co., North Eastern Motor Freight, Inc., Overland Motor Express Co., Rein Milk Transport, Rocky Mountain Parks Transportation Co., Yuma County Transportation and the Weicker Transfer and Storage Co., also Mr. J. R. Smith, Chief of the Traffic Bureau of the Motor Truck Common Carriers Association.

A number of shippers appeared in opposition to the proposal at both the Denver and the Pueblo hearings. The principle objection from the Pueblo shippers ran to the relationship of their rates with those of their competitors located in the surrounding states and whose shipments are interstate. The exhibits introduced by the carriers, with the exception of the North Eastern Motor Freight, McKie Transfer, Rio Grande Motor Way, Larsen Transportation, and to a small extent, the Weicker Transfer and Storage Company, were confined to statements showing comparative income and expenses for the years 1945, 1946 and the first 6 months of 1947. Consolidating the revenues and expenses as shown on these exhibits of all the carriers for the first 6 months of 1947 results in an amount of \$2,645,766.53 in revenue and \$2,699,635.97 in expenses, with a combined loss of \$53,869.44, and an operating ratio of 102.04 per cent. Of course, the first 6 months of 1947 will not reflect what the conditions would be for a full year, as, generally speaking, the last 6 months of each year shows a greater increase in revenues than in expenses.

All of the exhibits comparing the last half of 1946 with the first half of 1947, generally speaking, show an increased operating expense and also an increase in the revenues. It is common knowledge that costs of practically everything, such as materials, supplies and labor have increased over 1946, and if these carriers are to continue to render service and to maintain their equipment to a satisfactory degree, they must have additional revenues to meet the rising costs. However, the question is how much additional revenue do they need as an emergency in order to maintain reasonable standards, pending a full investigation and consideration of the matter. From the majority of the exhibits introduced in this proceeding, it is hard to determine this question. With the exception of the Rio Grande Motor Way, Larsen Transportation, the North Eastern, Southwestern Transportation and Consolidated Motor Freight, the exhibits introduced are of little value in arriving at an answer to this question. On the basis of the exhibits introduced by the Rio Grande Motor Way and the Larsen Transportation, covering the projected expenses for 1947, reflects an average expense increase of 5.7%. Increasing the consolidated revenues 10% and the expenses 5.7%, results in an operating ratio of approximately 98%, and with an increase in the minimum charge from 50¢ to 75¢, will result in an over-all increase of over 10%. The record does not disclose any division between intrastate and interstate traffic or between the traffic handled under call and demand or line-haul service where carriers have both services. Without a complete picture of the break down of the revenues and expenses on the traffic handled by these carriers, and by that we mean, class rate traffic, livestock, heavy moving commodities, farm products, milk and other commodities not involved in this proceeding, the revenue needs covering the sections 1, 2 and 3 traffic cannot be ascertained with any degree of accuracy. The pick up and delivery service in Denver was portrayed as being a very expensive operation. However, the record is sadly lacking as to what the costs of such services are. The same is true as to local cartage and warehousing.

Until such time as a more complete record is before us, we feel that the best we can do is to prescribe an emergency increase that should permit the carriers to operate without sustaining a loss. The question of how much additional revenue, if any, is required to enable carriers to earn a fair return or satisfactory profit, as the case may be, will be determined later.

As previously stated, the principle concern of the Pueblo shippers who testified, was the relationship of their rates with those of their competitors located outside of Colorado. In most cases, the interstate rates are on a lower classification basis, established through exceptions to the classification, than the intrastate rates. The interstate rates are beyond the control of this Commission. Whether the interstate basis would be reasonable for application on Colorado intrastate traffic is a question that cannot be determined in this proceeding at this time, if at all.

We are satisfied that carriers' increasing costs requires additional revenue and that establishment of additional exceptions to the classification would not bring about the additional revenues which will be produced by a 10% increase to be hereinafter prescribed.

F I N D I N G S

We find that the rates published in Sections 1, 2 and 3 of the Motor Truck Common Carriers' Freight Tariff Number 12, Colorado P.U.C. No. 6, should be increased 10%; disposing of fractions by adding to the next full cent, where the fraction is over one-half cent, and by dropping to the preceeding full cent, where the fraction ends in one-half or under; except that no increase shall be made on milk and cream when transported by a regular milk route carrier, dry hides and pelts, ore and concentrates, lumber and coal, or other commodities provided in Section 2, not transported by a regular route carrier; that a minimum charge on a single shipment should be 75 cents for distances over 10 miles on a single-line instead of 50 cents.

O R D E R

IT IS ORDERED, That the above statement and findings are made a part hereof; that this order shall become effective forthwith; that all motor vehicle common carriers and private carriers by motor vehicle operating in intrastate commerce in the State of Colorado, to the extent they are affected, be, and they are hereby, notified and required to cancel all schedules in conflict with the basis of rates and minimum charge prescribed in the aforesaid statement on March 1, 1948, upon notice to this commission and to the general public by not less than ten (10) days' filing and posting in the manner prescribed in Sections 16 of the Colorado Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931, as amended; that the basis of rates and minimum charge prescribed and approved in the aforesaid statement shall be published by all motor vehicle common carriers, and private carriers by motor vehicle operating in intrastate commerce, to the extent they are affected, to become effective March 1, 1948, on notice to this Commission and the general public by not less than ten (10) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931; that on and after said date, all motor vehicle common carriers, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be greater or less than the basis of rates and charges herein prescribed; that on and after said date, all private carriers by motor vehicle, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed; that this order shall not be construed so as to compel a private carrier by motor vehicle to be, or become, a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that the

order entered in Case No. 1585 on February 5, 1936, as since amended shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(S E A L)

ATTEST: A TRUE COPY

E. E. POLLOCK
Secretary

Dated at Denver, Colorado,
this 14th day of February, 1948.

HN

Malcolm Erickson
MALCOLM ERICKSON

Ralph C. Horton
RALPH C. HORTON

John R. Barry
JOHN R. BARRY

M Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HALL BAKING COMPANY, 600 W. 12th)
AVENUE, DENVER, COLORADO.)
)
)
)

PERMIT NO. C-618

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Hall Baking Company,
requesting that Permit No. C-618 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-618, heretofore issued to
Hall Baking Company, be,
and the same is hereby, declared cancelled effective February 2, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
R. C. RIENAU, MEEKER, COLORADO.)
)
)
)
)

PERMIT NO. C-784.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
R. C. Rienau,
requesting that Permit No. C-784 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-784, heretofore issued to
R. C. Rienau, be,
and the same is hereby, declared cancelled effective January 20, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM P. NORDLOH, STRASBURG,)
COLORADO.) PERMIT NO. C-919.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
William P. Nordloh,
requesting that Permit No. C-919 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-919, heretofore issued to
William P. Nordloh, be,
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ERNEST BALDRIDGE, GREENLAND,)
COLORADO.) PERMIT NO. C-2190.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Ernest Baldridge,
requesting that Permit No. C-2190 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-2190, heretofore issued to
Ernest Baldridge, be,
and the same is hereby, declared cancelled effective September 6, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK ZAVISLAN, PENROSE, COLORADO.)
)
)
)

PERMIT NO. C-3308

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Frank Zavislan,
requesting that Permit No. C-3308 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3308, heretofore issued to
Frank Zavislan, be,
and the same is hereby, declared cancelled effective January 23, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JENNINGS ROWAN, 802 SO. 6TH AVE.,)
STERLING, COLORADO.)
) PERMIT NO. C-3520.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Jennings Rowan,.....
requesting that Permit No. C-3520.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3520....., heretofore issued to.....
Jennings Rowan,.....be,
and the same is hereby, declared cancelled effective January 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
A. R. LAWS, 2727 SO. SANTA FE)
DRIVE, ENGLEWOOD, COLORADO.) PERMIT NO. C-4162.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
A. R. Laws,.....
requesting that Permit No. C-4162.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-4162....., heretofore issued to.....
A. R. Laws,.....be,
and the same is hereby, declared cancelled effective January 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
INEZ AND LEE RANDOLPH,)
BEULAH STAR RT., PUEBLO, COLO.)
PERMIT NO. C-5553.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Inez and Lee Randolph,
requesting that Permit No. C-5553 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5553, heretofore issued to
Inez and Lee Randolph, be,
and the same is hereby, declared cancelled effective January 26, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Norton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
PETE ARAGON, RT. 1 BOX 216,)
KERSEY, COLORADO.) PERMIT NO. C-6094.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Pete Aragon,
requesting that Permit No. C-6094 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-6094, heretofore issued to
Pete Aragon, be,
and the same is hereby, declared cancelled effective January 26, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HORACE M. VAN HORN, BOX 117,)
SEDALIA, COLORADO.)
) PERMIT NO. C-20360.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Horace M. Van Horn,
requesting that Permit No. C-20360 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20360, heretofore issued to
Horace M. Van Horn, be,
and the same is hereby, declared cancelled effective February 4, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WARREN CRAWLEY, WOODROW, COLO.)
) PERMIT NO. C-20673.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Warren Cawley,
requesting that Permit No. C-20673 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20673, heretofore issued to
Warren Cawley, be,
and the same is hereby, declared cancelled effective January 12, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Norton
John R. George
Commissioners

Dated at Denver, Colorado,
this 21st day of February,, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM H. ASHBY, 317 ELIZABETH)
ST., FT. COLLINS, COLORADO.) PERMIT NO. C-20719
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
William H. Ashby,
requesting that Permit No. C-20719 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20719, heretofore issued to
William H. Ashby, be,
and the same is hereby, declared cancelled effective January 30, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES W. MCDUGAL, 5108 W.)
38th AVE., DENVER 12, COLORADO.) PERMIT NO. C-15853.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Charles W. McDougal,
requesting that Permit No. C-15853 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15853, heretofore issued to-----
Charles W. McDougal,-----be,
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH P. BARTOSH, RT. 3,)
GOLDEN, COLORADO.) PERMIT NO. C-16093.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Joseph P. Bartosh,.....
requesting that Permit No. C-16093.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16093....., heretofore issued to.....
Joseph P. Bartosh,.....be,
and the same is hereby, declared cancelled effective January 31, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Horton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD H. UNDERWOOD, RT. 1,)
FT. MORGAN, COLORADO.)
)
)
)
)
)

PERMIT NO. C-16322.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Edward H. Underwood,.....
requesting that Permit No. C-16322 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16322, heretofore issued to.....
Edward H. Underwood,.....be,
and the same is hereby, declared cancelled effective January 14, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Went
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. B. YOPPKE, 1260 Pierce St.,)
DENVER 15, COLORADO.) PERMIT NO. C-16336
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
C. B. Yoppke,.....
requesting that Permit No. C-16336.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16336....., heretofore issued to.....
C. B. Yoppke,.....be,
and the same is hereby, declared cancelled effective February 9, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ADAMS-WOODS WRECKING COMPANY,)
2800 BROADWAY, DENVER 5, COLO.)
)
)
)

PERMIT NO. C-16503.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Adams-Woods Wrecking Company,.....
requesting that Permit No. C-16503.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16503....., heretofore issued to.....
Adams-Woods Wrecking Company,.....be,
and the same is hereby, declared cancelled effective April 1, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

William C. Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROY L. COGBURN, WALSH, COLORADO.)
)
)
)
)

PERMIT NO. C-16668.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Roy L. Cogburn,
requesting that Permit No. C-16668 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16668, heretofore issued to
Roy L. Cogburn, be,
and the same is hereby, declared cancelled effective January 23, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John P. Berry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
MARION L. LUDLOW, WINONA, KANS.)
)
) PERMIT NO. C-16821.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Marion L. Ludlow,
requesting that Permit No. C-16821 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16821, heretofore issued to
Marion L. Ludlow, be,
and the same is hereby, declared cancelled effective January 12, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Norton
John R. Berry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
LEO MANZANARES, 115-10th ST.,)
ALAMOSA, COLORADO) PERMIT NO. C-16865.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Leo Manzanares,
requesting that Permit No. C-16865 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16865, heretofore issued to.....
Leo Manzanares,.....be,
and the same is hereby, declared cancelled effective January 21, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
NORMAND R. MILES, INDIAN HILLS,)
COLORADO.)

PERMIT NO. C-16960

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Normand R. Miles,

requesting that Permit No. C-16960 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16960, heretofore issued to

Normand R. Miles,

be,

and the same is hereby, declared cancelled effective December 25, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John P. Barry
Commissioners

Dated at Denver, Colorado,

this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ALLEN V. STOKER, 543 W. ST. VRAIN,)
COLORADO SPRINGS, COLORADO.) PERMIT NO. C-17161.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Allen V. Stoker,-----
requesting that Permit No. C-17161----- be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17161-----, heretofore issued to-----
Allen V. Stoker,----- be,
and the same is hereby, declared cancelled effective January 2, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GOLMON H. AMERINE, RT 3,)
LA JUNTA, COLORADO.) PERMIT NO. C-17568.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Golmon H. Amerine,
requesting that Permit No. C-17568 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17568, heretofore issued to.....
Golmon H. Amerine,.....be,
and the same is hereby, declared cancelled effective January 15, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Cameron
Ralph C. Horton
John R. Barger
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CECIL E. BENNETT, BELLVUE, COLO.)
-----)

PERMIT NO. C-17660

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Cecil E. Bennett,
requesting that Permit No. C-17660 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17660, heretofore issued to
Cecil E. Bennett, be,
and the same is hereby, declared cancelled effective January 24, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Hartman
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
BECKMAN, INC., BOX 1524,)
MUSKOGEE, OKLAHOMA.) PERMIT NO. C-17959.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Beckman, Inc.,-----
requesting that Permit No. C-17959-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17959-----, heretofore issued to-----
Beckman, Inc.,-----be,
and the same is hereby, declared cancelled effective January 14, 1948.

THE PUBLIC UTILITIES COMMISSION

~~OF THE STATE OF COLORADO~~

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES W. LOUTHAN, BELLVUE,)
COLORADO.) PERMIT NO. C-18020.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
James W. Louthan,-----
requesting that Permit No. C-18020 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18020, heretofore issued to-----
James W. Louthan,-----be,
and the same is hereby, declared cancelled effective January 22, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hinton

John R. Berry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GRANT R. WATSON, D/B/A GRANT R.)
WATSON CONSTRUCTION COMPANY,)
1398 SO. SANTA FE DRIVE, BOX)
4239, DENVER 9, COLORADO.)

PERMIT NO. C-18805.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Grant R. Watson, d/b/a Grant R. Watson Construction Co.,
requesting that Permit No. C-18805 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18805, heretofore issued to.....
Grant R. Watson, d/b/a Grant R. Watson Construction Co., be,
and the same is hereby, declared cancelled effective January 26, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John B. Barry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
CLAUDE RHODES, OLNEY SPRINGS,)
COLORADO.) PERMIT NO. C-18807.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Claude Rhodes,
requesting that Permit No. C-18807 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18807, heretofore issued to
Claude Rhodes, be,
and the same is hereby, declared cancelled effective February 4, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
PORFIRIO FERNANDEZ, RT. 1,)
BOX 15, LAFAYETTE, COLORADO.) PERMIT NO. C-18862.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Porfirio Fernandez,.....
requesting that Permit No. C-18862be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18862, heretofore issued to.....
Porfirio Fernandez,.....be,
and the same is hereby, declared cancelled effective **January 17, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February,....., 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
DANIEL COFFMAN & FLOYD BAIN-)
BRIDGE, PO BOX 1122, GREELEY,)
COLORADO.) PERMIT NO. C-18959
)
)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Daniel Coffman & Floyd Bainbridge,.....
requesting that Permit No. C-18959 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18959, heretofore issued to.....
Daniel Coffman & Floyd Bainbridge,.....be,
and the same is hereby, declared cancelled effective **January 6, 1948.**

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hinton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
KIYOSHI MIYAKE, BLANCA, COLORADO.)
)
)
)

PERMIT NO. C-18994.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Kiyoshi Miyake,.....
requesting that Permit No. C-18994..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18994....., heretofore issued to.....
Kiyoshi Miyake,..... be,
and the same is hereby, declared cancelled effective December 29, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JESSE B. TAYLOR, 816-25th ST.,)
GREELEY, COLORADO.) PERMIT NO. C-19032.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Jesse B. Taylor,
requesting that Permit No. C-19032 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19032, heretofore issued to
Jesse B. Taylor, be,
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT D. BOLLACKER, ORDWAY,)
COLORADO.) PERMIT NO. C-19039
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Robert D. Bollacker,
requesting that Permit No. C-19039 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19039, heretofore issued to
Robert D. Bollacker, be,
and the same is hereby, declared cancelled effective January 2, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

M. A. Erickson

Ralph C. Norton

John R. Berry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
DONALD H. BARZ, RT 1,)
GLENWOOD SPRINGS, COLORADO.)
PERMIT NO. C-19199.
)
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Donald H. Barz,
requesting that Permit No. C-19199 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19199, heretofore issued to
Donald H. Barz, be,
and the same is hereby, declared cancelled effective January 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Erickson
Ralph C. Horton
John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
PAUL F. HUDELSON, RT. 2 BOX 641,)
PUEBLO, COLORADO)
)
)
)

PERMIT NO. C-19217

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Paul F. Hudelson,.....
requesting that Permit No. C-19217.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19217....., heretofore issued to.....
Paul F. Hudelson,.....be,
and the same is hereby, declared cancelled effective January 2, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WINSTON EDGAR VARNELL, 813 SO.)
BOYER, COLORADO SPRINGS, COLO.)
)
)
)

PERMIT NO. C-19245.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Winston Edgar Varnell,.....
requesting that Permit No. C-19245 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19245, heretofore issued to.....
Winston Edgar Varnell,.....be,
and the same is hereby, declared cancelled effective February 6, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry.

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ALONZO RASH, 2717 W. HARVARD,)
DENVER 10, COLORADO.)
)
)
)

PERMIT NO. C-19277

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Alonzo Rash,.....
requesting that Permit No. C-19277.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19277....., heretofore issued to.....
Alonzo Rash,.....be,
and the same is hereby, declared cancelled effective January 7, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH WHEELER, SPRINGFIELD,)
COLORADO.)
)
)
)
)

PERMIT NO. C-19413.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Joseph Wheeler,.....
requesting that Permit No. C-19413 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19413, heretofore issued to.....
Joseph Wheeler,.....be,
and the same is hereby, declared cancelled effective January 26, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Berry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
SHAMES COMPANY, 5809 W. COLFAX,)
DENVER 15, COLORADO.)
)
)
)

PERMIT NO. C-19425.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Shames Company,.....
requesting that Permit No. C-19425.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19425....., heretofore issued to.....
Shames Company,.....be,
and the same is hereby, declared cancelled effective February 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Berry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HEYL MOTOR CO. INC., SHARON)
SPRINGS, KANSAS)
)
)
)
)

PERMIT NO. C-19438.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Heyl Motor Co. Inc.,-----
requesting that Permit No. C-19438 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19438, heretofore issued to-----
Heyl Motor Co. Inc.,-----be,
and the same is hereby, declared cancelled effective January 15, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
VERNON REIN, BOX 523, ESTES)
PARK, COLORADO.)
)
)
)

PERMIT NO. C-19566.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Vernon Rein,.....
requesting that Permit No. C-19566 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19566, heretofore issued to.....
Vernon Rein,..... be,
and the same is hereby, declared cancelled effective January 22, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John H. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM A. REEVES, 254 SO SANTA)
FE, DENVER 9 COLORADO)
)
)
)

PERMIT NO. C-19629.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
William A. Reeves,.....
requesting that Permit No. C-19629.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19629....., heretofore issued to.....
William A. Reeves,.....be,
and the same is hereby, declared cancelled effective December 21, 1947.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,

this 21st day of February, 194 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
THE SANTA FE TRAIL TRANSPORTATION
COMPANY, OF WICHITA, KANSAS, TO
TRANSFER TO TRANSCONTINENTAL BUS
SYSTEM, INC., OF DALLAS, TEXAS, ITS
OPERATING RIGHTS UNDER ITS CERTIF-
ICATE OF PUBLIC CONVENIENCE AND
NECESSITY NO. 377.

APPLICATION NO. 9039-Transfer.

February 14, 1948

Appearances: C. Zimmerman and
G. L. Carpenter, Wichita,
Kansas, for The Santa Fe
Trail Transportation Company;
Alfred Greager, Esq., Dallas,
Texas, for Transcontinental
Bus System, Inc.

STATEMENT

By the Commission:

By this application The Santa Fe Trail Transportation Company, a corporation, seeks authority to transfer to Transcontinental Bus System, Inc., that part of its certificate of public convenience and necessity (PUC No. 377) which authorizes the transportation of passengers, and baggage and express in the same vehicle with passengers, in intrastate commerce and interstate commerce between the points and within the territory in the State of Colorado covered by said certificate of public convenience and necessity subject to the conditions, exceptions and reservations contained in the orders authorizing such service.

At the hearing in Denver, Colorado, on February 4, 1948, which was had pursuant to prior setting after notice to all parties in interest,

it appeared that The Santa Fe Trail Transportation Company is a Kansas corporation operating some 13,000 miles of bus routes and some 450 busses; that Continental Bus System, Inc., a corporation, Dixie Motor Coach Corporation, a corporation, and transferor have entered into a merger or consolidation agreement whereby all the operating rights, busses and other facilities and equipment of The Santa Fe Trail Transportation Company and Dixie Motor Coach Corporation are to be transferred to Transcontinental Bus System, Inc., and all the capital stock of Continental is to be transferred to the same company, which was organized to acquire said properties of Santa Fe, Continental and Dixie. Santa Fe is to receive stock and securities in Transcontinental for its properties.

It further appeared that the object of the merger is to give a greater coverage of bus service with single line operation to main gateways which will effect economies in the operation of said bus lines and will give the public a more efficient and better service; that transferor and transferee have filed joint application with Interstate Commerce Commission for approval of transfer of interstate rights and the merger aforesaid, and that an order had been issued by said Commission approving said merger, but was being reconsidered on exceptions. Since the hearing we have been informed that exceptions were denied.

Various exhibits attached to the application, including Summary of Colorado intrastate authority, a statement and memoranda covering the aforesaid detail of merger plan, a list of equipment, certificate of incorporation of Transcontinental Bus System, Inc., Transcontinental-Trail acquisition agreement, a "Giving Effect", balance sheet of Transcontinental Bus System, Inc., and timetable of Santa Fe Trail bus operations were introduced in evidence, and by reference are made a part hereof.

The Commission finds that the proposed transfer is consistent with the public interest and should be authorized.

ORDER

IT IS ORDERED:

That The Santa Fe Trail Transportation Company, a Kansas corporation authorized to do business in the State of Colorado, be, and it hereby is, authorized to transfer that part of its certificates of public convenience and necessity (PUC No. 377) which authorizes the transportation of passengers, and baggage and express in the same vehicle with passengers, in intrastate commerce and interstate commerce between the points and within the territory in the State of Colorado covered by said certificate of public convenience and necessity, subject to the conditions, exceptions and reservations contained in the orders authorizing such service, to Transcontinental Bus System, Inc., a Delaware corporation, subject to the proviso and condition that said Transcontinental Bus System, Inc., a foreign corporation, before said transfer shall become effective, shall qualify to do business in the State of Colorado, and shall file a copy of certificate of Secretary of State of Colorado, so showing, with this Commission.

That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Hutton
John R. Barry
Commissioners

Dated at Denver, Colorado,
this 14th day of February, 1948.

ea

(Decision No. 29934)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RATES, CHARGES, REGULATIONS, AND)
PRACTICES OF THE MOUNTAIN STATES)
TELEPHONE AND TELEGRAPH COMPANY.)

INVESTIGATION AND SUSPENSION
DOCKETS NOS. 268, 277

February 13, 1948

S T A T E M E N T

By the Commission:

On February 15, 1947, The Mountain States Telephone and Telegraph Company, by W. K. Koch, its General Commercial Manager, filed with The Public Utilities Commission of the State of Colorado, a tariff containing schedules stating new rates, charges, and regulations for application in the several exchange areas therein named, to become effective on and after March 17, 1947, designated and described as follows:

"The Mountain States Telephone and Telegraph Company, Local Exchange Tariff, Colo. PUC No. 3," certain rates and charges described in its General Exchange Tariff Colo. PUC No. 3, concurrently filed to be effective on and after said March 17, 1947, being incorporated therein, by reference;

that, in and by said tariff, new local rates, charges, and regulations are set forth to become effective on and after March 17, 1947, in numerous exchange areas in the State of Colorado, including exchange area served by Fort Morgan, Colorado, Exchange.

For good cause shown, by Decision No. 27775, of date March 15, 1947, the Commission, by order, suspended the effective date of the February 15, 1947, schedules for a period of one hundred twenty (120) days from March 15, 1947 - that is, until July 14, 1947, - unless otherwise ordered by the Commission.

On July 5, 1947, The Mountain States Telephone and Telegraph Company, by W. K. Koch, its General Commercial Manager, filed with The Public Utilities Commission of the State of Colorado, an amended tariff, containing schedules stating new rates, charges, and regulations, for application in the several exchange areas therein named, including Fort Morgan, Colorado, Exchange Area, to become effective on and after August 4, 1947, designated and described as follows:

"The Mountain States Telephone and Telegraph Company, Local Exchange Tariff, Colo. PUC No. 3," certain rates and charges described in its General Exchange Tariff Colo. PUC No. 3, concurrently filed to be effective on and after said August 4, 1947, being incorporated therein, by reference;

it being contemplated that said tariff, insofar as the same was applicable to the said Fort Morgan Exchange Area, and other Exchange Areas in State, was amendatory of the tariff heretofore referred to, filed on February 15, 1947, to become effective on March 17, 1947, the provisions of which tariff, insofar as they covered local exchange rates, charges, and regulations in said Exchange Area of Fort Morgan, being under suspension, as heretofore set forth.

On July 31, 1947, by Decision No. 28777, the Commission suspended the effective dates of all schedules contained in said tariffs applicable to all exchange areas in the State of Colorado, including long-distance rates, for a period of one hundred twenty (120) days from August 4, 1947, - that is, until December 2, 1947,- unless otherwise ordered by the Commission, and, on November 8, 1947, by Decision No. 29357, further suspended effective day of said tariff to March 9, 1948.

From time to time following the filing of the tariff of February 15, 1947, and tariff of July 5, 1947, the Commission lifted said suspensions in numerous exchange areas, and allowed the long-distance rates proposed to go into effect, and has permitted the rates filed on July 5, 1947, to become effective in all exchange areas except Pueblo, Boulder, Fort Morgan, and Canon City.

On February 10, 1948, Fort Morgan City Council (Fort Morgan being a home-rule city), by resolution, approved the rates filed by The Mountain States Telephone and Telegraph Company, as aforesaid, on

July 5, 1947, and allowed them to go into effect in the City of Fort Morgan, Colorado.

Telephone Company has requested the Commission to lift the suspension in that part of said Fort Morgan Exchange Area which is not within the Fort Morgan City Limits.

The Commission, in its numerous orders heretofore issued in this matter, permitting new rates proposed to become effective in certain exchange areas in the State, therein set forth, has fully discussed the needs of Telephone Company as to increased revenue.

F I N D I N G S

For the reasons stated in said Orders, mentioned in Statement preceding, reference to which is hereby made, the Commission finds that it should grant the request of The Mountain States Telephone and Telegraph Company to set aside and lift the suspension heretofore mentioned, and permit the rates, charges, and regulations, as proposed and filed by said Company on July 5, 1947, to become effective on August 4, 1947, in the area served by the Fort Morgan Exchange to go into effect with billings of said Company on and after February 16, 1948.

O R D E R

THE COMMISSION ORDERS:

That our Order and Decision No. 28777, of date July 31, 1947, as extended and supplemented by subsequent decisions of the Commission, insofar only as said orders suspended the effective day of schedules contained in tariff filed by The Mountain States Telephone and Telegraph Company July 5, 1947, to become effective on and after August 4, 1947, fixing new rates, charges, and regulations for application in Fort Morgan, Colorado, Exchange District, should be, and hereby is, vacated and set aside, said tariff and schedules stating new rates, charges, and regulations for said Fort Morgan Exchange District or Area, filed on July 5, 1947, to become effective on first billing

date on and after February 16, 1948.

The Commission reserves jurisdiction to make such further order or orders in the premises as in its opinion may be required, justified, or desirable.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Nelson
John R. Barry
Commissioners

DATED at Denver, Colorado,
this 13th day of February, 1948.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
H. E. HUGHES, 731 SOUTH FIFTH AVE.,)
STERLING, COLORADO, FOR A CLASS "B") APPLICATION NO. 9057-PP.
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

February 14, 1948

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That H. E. Hughes, Sterling, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle

for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Hahn

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 14th day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WM. STAHLECKER AND DARRELL) APPLICATION NO. 8961-PP.
PRANGLEY, WATKINS, COLORADO.)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Wm. Stahlecker and Darrell Prangley, requesting that their Class "B"
permit, granted in Application No. 8961-PP, Decision No. 29693, under
date of January 8, 1948, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted Wm. Stahlecker and Darrell Prangley
in the above-numbered application, Decision No. 29693, under date of
January 8, 1948, be, and the same hereby is, declared cancelled, effective
as of the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry.
Commissioners.

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JACOB HENKEL, JR., D/B/A)
HENKEL COAL CO., EAST LAKE, COLO.) PERMIT NO. B-3738
)
)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Jacob Henkel, d/b/a Henkel Coal Co.,.....
requesting that Permit No. B-3738.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3738....., heretofore issued to.....
Jacob Henkel, d/b/a Henkel Coal Co.,.....be,
and the same is hereby, declared cancelled effective February 3, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
PETE ARAGON, RT. 1, BOX 216,)
KERSEY, COLORADO.)
PERMIT NO. A-1828.

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Pete Aragon,-----
requesting that Permit No. A-1828-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-1828-----, heretofore issued to-----
Pete Aragon,-----be,
and the same is hereby, declared cancelled effective January 26, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO
Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HENSEL TRANSFER AND WAREHOUSE)
COMPANY, 701 CENTER AVENUE,) P. U. C. No. 1682-I.
SHEBOYGAN, WISCONSIN.)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Hensel Transfer and Warehouse Company, requesting that certificate of public convenience and necessity No. 1682-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 1682-I, heretofore issued to Hensel Transfer and Warehouse Company, be, and the same is hereby, declared cancelled effective February 7, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry.

Commissioners.

Dated at Denver, Colorado,
this 21st day of February, 1948.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD AND HAROLD GRIESE,) PERMIT NO. B-3773.
WOODROW, COLORADO.)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittees requesting that their Permit No. B-3773, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Howard and Harold Griese be, and they are hereby, authorized to suspend their operations under Permit No. B-3773, until July 1, 1948.

That unless said Howard and Harold Griese shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry.

Commissioners.

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ELMER H. ROBERTS, CASTLE ROCK,) PERMIT NO. B-3510.
COLORADO.)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named
permittee requesting that his Permit No. B-3510 be suspended for
six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Elmer H. Roberts be, and he is hereby, authorized to suspend
his operations under Permit No. B-3510 until August 7, 1948.

That unless said Elmer H. Roberts shall, prior to the expiration
of said suspension period, make a request in writing for the reinstatement
of said permit, file insurance, and otherwise comply with all rules and
regulations of the Commission applicable to private carrier permits, said
permit, without further action by the Commission, shall be revoked without
the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Barry

Commissioners.

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EARL B. ENGEL AND RUSSELL E.) APPLICATION NO. 9036-PP
MACE, CASTLE ROCK, COLORADO.) (Permit No. A-529)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittees requesting that their Permit No. A-529 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Earl B. Engel and Russell E. Mace, be, and they hereby are, authorized to suspend their operations under Permit No. A-529, until August 9, 1948.

That unless said Earl B. Engel and Russell E. Mace shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcom Erickson
Ralph C. Horton
John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD E. ROPER AND W. A.) P. U. C. NO. 1851.
PARMAN, GRAND JUNCTION, COLO.)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate holders requesting that their certificate of public convenience and necessity No. 1851, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Harold E. Roper and W. A. Parman, be, and they are hereby, authorized to suspend their operations under Certificate No. 1851 until July 20, 1948.

That unless said Harold E. Roper and W. A. Parman shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. Perry
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RALPH MILLER, 10412 ONEIDA,) PERMIT NO. B-2735.
PACOIMA, CALIFORNIA.)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2735 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ralph Miller be, and he is hereby, authorized to suspend his operations under Permit No. B-2735 until July 19, 1948.

That unless said Ralph Miller shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry
Commissioners.

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DAVID W. PAINE, 4703 SO. GRANT) PERMIT NO. B-3314.
ST., ENGLEWOOD, COLORADO.)
-----)

February 21, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named
permittee requesting that his Permit No. B-3314 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That David W. Paine be, and he is hereby, authorized to suspend
his operations under Permit No. B-3314, until August 1, 1948.

That unless said David W. Paine shall, prior to the expiration
of said suspension period, make a request in writing for the reinstatement
of said permit, file insurance, and otherwise comply with all rules and
regulations of the Commission applicable to private carrier permits, said
permit, without further action by the Commission, shall be revoked without
the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson
Ralph C. Norton
John R. B. Commissioners.

Dated at Denver, Colorado,
this 21st day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
A. T. BURBRIDGE, GREELEY, COLO.)
)
)
)
)

PERMIT NO. C-3841.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
A. T. Burbridge,.....
requesting that Permit No. C-3841.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3841....., heretofore issued to.....
A. T. Burbridge,.....be,
and the same is hereby, declared cancelled effective February 4, 1948.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry

Commissioners

Dated at Denver, Colorado,
this 25th day of February, 1948.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HARRY PAYNE, 515 - 21ST,)
DENVER, COLORADO.)
)
)
)

PERMIT NO. C-4006.

February 25, 1948

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Harry Payne,.....
requesting that Permit No. C-4006.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-4006....., heretofore issued to.....
Harry Payne,.....be,
and the same is hereby, declared cancelled effective January 1, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

John R. Barry
Commissioners

Dated at Denver, Colorado,

this 25th day of February, 1948.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
F. C. WESTON D/B/A WESTON)
LUMBER AND BOX COMPANY, 1337)
CORONA, DENVER 3, COLORADO.)
)
)

PERMIT NO. C-8817.

February 25, 1948

STATEMENT

By the Commission:

The Commission is in receipt of a communication from.....
 E. C. Weston, d/b/a Weston Lumber and Box Company.....
 requesting that Permit No. C-8817..... be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-8817, heretofore issued to F. C. Weston, d/b/a Weston Lumber and Box Company, be, and the same is hereby, declared cancelled effective February 5, 1948.

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

John R. Barry.
Commissioners

Dated at Denver, Colorado,
this 25th day of February, 1948.